

Eureka Township

Dakota County

State of Minnesota

Special Town Board Meeting of April 12, 2012

Resume Meeting

Chair Brian Budenski called the Special Eureka Town Board meeting to order at 6:30 p.m. Members present were Supervisors Brian Budenski, Pete Storlie, Mark Ceminsky, Steve Madden and Kenny Miller. Clerk/Treasurer Nanett Sandstrom was present to record the minutes. See attached attendance sheet for additional persons in attendance.

Agenda

Professional Services Review

1. MNSPECT- Scott Qualle, Building Official
2. Kelly & Lemmons- Patrick Kelly, Attorney Firm
3. Darrel Gilmer- Septic Inspector

1. MNSPECT- Scott Qualle, Building Official

General Building Inspection procedures and performance was discussed. The Town Board and Scott Qualle discussed the open building permit report. They requested that the last inspection date on each permit is included in the report.

Scott was asked if he would be open to enforcing non- pump septic system issues in the Township. Scott was open to that idea. There was also discussion on putting a policy in place that a building permit cannot be issued for a property unless their septic inspections are up to date.

2. Kelly & Lemmons- Patrick Kelly, Attorney Firm

Attorney Trevor Oliver was not able to be present at the meeting. The Town Board discussed his performance with Mr. Kelly. The Town Board felt that there are times that he is not always prepared for issues at hand. There are some issues that have been on the books for years and have not been settled. Mr. Kelly said that he works for the Board, that there is no excuse. They have office meeting Monday mornings. He will discuss Town Board concerns with Trevor.

It was discussed that the Town Board would like to see more reference to Case Law, Statute or Ordinance that an Attorney opinion is based on, so the Town Board can make a more knowledgeable decision that would stand up in a Court of Law. Give statements and fact.

Both questions and responses need to be sent out in a timely fashion. The attorney needs time to answer the questions and send the response. The Town Board also needs time to review the answers. All correspondences go through the clerk. The Town Board will try to get questions out to the attorney a week before the meeting.

The attorney is not going to tell you what to do, but give you all the information to do to make the decision.

3. Darrel Gilmer- Septic Inspector

Darrel had previously spoken with the Clerk and Supervisor Kenny Miller, commenting that it was difficult for him to enforce the non pump septic issues in the Township. He personally knows many of the citizens in the Township. The Town Board told Darrel that they discussed with Scott Qualle of MNSPECT about taking over the non pump septic compliance enforcement. Darrel will continue to perform regular septic inspector duties, to include: issuing new septic permits, second soil verifications and enforce non-compliant and failing systems.

Supervisor Pete Storlie will contact Scott Qualle to discuss them moving forward with non pump septic compliance and putting together a policy on issuance of building permits and septic compliance.

A motion by Supervisor Brian Budenski: To adjourn. Motion seconded by Supervisor Kenny Miller.

The meeting was adjourned at 7:32 p.m.