

Eureka Township
Dakota County
State of Minnesota

Eureka Townboard Meeting
 April 15, 2003

Chair Don Pflaum called the April 14, 2003 Townboard meeting to order at 7:30 pm on April 15, 2003. Present were Supervisors Don Pflaum, Dan Rogers, Kenny Miller, Connie Anderson, Mark Malecha and Clerk/Treasurer Nanett Leine.

Approval of March receipts

The following receipts were presented to the Township in March

• NCCP:

Eureka Enterprises	\$100.00	North Star Pump Service	\$100.00
Carlson Hardscape	\$100.00	S.E. Vick Tool Co	\$100.00
Bill's Storage & Repair	\$100.00	Square Cut Corp.	\$100.00

• Zoning Compliance Permit:

Square Cut Corporation	\$160.00
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• Dakota County:

2002 Aggregate Distribution	\$6,770.48	2003 Town Road Allotment	\$13,131.39
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• Payroll tax deduction:

Bev Topp	\$209.99	Clark Smith	\$168.68
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• Earned Interest:

Savings Account	\$966.44	Savings Account	\$844.07
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Total Receipts \$22,851.05

A motion by Supervisor Kenny Miller: to accept the March 2003 receipts as presented. Motion seconded by Supervisor Dan Rogers. Motion carried.

Old Business

Planning Commission Appointments

To establish the Planning Commission the Townboard is asking each applicant to submit a letter of interest. Public notice of the application and special meeting to establish the committee will be placed in the Official newspaper- Thisweek Newspaper on Saturday April 19, 2003, the Farmington Independent on April 24th, 2003 and in the Townships newsletter "Eureka The News." All applicants' letters of interest are due on April 29, 2003.

The Special meeting to interview applicants will be held April 30, 2003 at 7:00 pm.

A motion by Supervisor Mark Malecha: In establishing the Planning Commission a legal public notice asking Township residents to submit letters of interest to be on the planning commission, at the time of submittal they receive a set of questions to be answered in the interview process. This motion also will also allow residents of the Township to submit accusations or adulations to Clerk/Treasurer Nanett Leine to be considered in the interview process. Application process ends on April 29, 2003. Interviews and appointments will be on April 30, 2003. Planning commission position will begin on May 1, 2003. Motion seconded by Chair Don Pflaum.

A friendly amendment by Supervisor Kenny Miller: the input from the people of the Township as a written letter as qualifications of the applicants be taken and reviewed by the Townboard members only. Supervisor Mark Malecha accepted the friendly amendment. Vote taken was taken on the motion- 3 yeas, 2 nays. Motion carried.

All requests for applicant lists must be made by the close of office hours on Monday April 28th. If there are additional applications received on Tuesday- Nanett Leine will contact the requester with the updated list..

Non Conforming Commercial Citizen Committee

To establish the Non Conforming Commercial Citizen Committee the Townboard is asking each applicant to submit a letter of interest, why they want to be on the committee. Public notice of the application and special meeting to establish the committee will be placed in the Official newspaper- Lakeville Life and Times on Saturday April 19, 2003, the Farmington Independent on April 24th, 2003 and in the Townships newsletter "Eureka The News."

All applicants' letters of interest are due on May 1, 2003.

A Special meeting to interview applicants will be held May 5, 2003 following the Planning Commission meeting, which will start at 7:00pm.

A motion by Supervisor Kenny Miller: Applications are due May 1, 2003. Persons Interested should submit a letter of interest why they would like to be appointed to the committee. Interviews will be on May 5th after the Planning Commission meeting. The Townboard will interview the applicants and select 7 people. The newly formed committee will nominate a chair. The Townboard will make the final review and appointment of the chair. Motion seconded by Supervisor Connie Anderson. Motion carried with unanimous approval.

A motion by Supervisor Mark Malecha: The members of the Nonconforming Commercial citizens' task force cannot be Townboard or Planning Commission members. Motion seconded by Supervisor Kenny Miller. Motion carried.

Update Building Zoning Compliance Fees

Clerk/Treasurer Nanett Leine reported on information gathered about zoning compliance and building codes. She will talk to Inspectron and try to find out more information on Building codes and how to handle pole shed type building permits.

New Business

Annual meeting motions

Information was requested from the Minnesota Township Association attorney on the legality of motions made at the annual meeting. There are 12 things that citizens can direct the Townboard to do at an annual meeting. Motions made that are not under this statute are not necessarily binding.

The Townboard can choose not to follow the motion as directed; they have powers to make their own decisions. See attached letters from the MAT Attorney.
This information was examined by the Townboard and accepted as an informational piece.

Township Attorney

Supervisor Kenny Miller reported that he received a list of citizen's that would like to retain Mr. Kuntz as the attorney for the township. Mr. Kuntz is willing to represent the Township, only if he is backed by the Township as a whole.

To clarify the intent of appointing an attorney the Organizational Meeting Minutes of April 3, 2003 were approved with the following changes:

List the names of the Townboard members present.

The motion to elect the Chair and Vice Chair was omitted. At this meeting April 15, 2003 the following motion was made: A motion by Supervisor Connie Anderson: To elect Don Pflaum Chair and Kenny Miller Vice Chair for 2003-2004. Motion seconded by Supervisor Mark Malecha. Clerk/ Treasurer Nanett Leine called the vote. Motion carried.

J. June Planning Commission meeting- June 2, 2003.

K. Compensation 4. should read- current Federal standard. Lines 8. and 9. should be deleted. (this was from the previous year, not discussed at this meeting.)

N. Township AWAIR- correct spelling.

Last Page- first paragraph: Should read: Chair Don Pflaum would like to direct the Planning Commission: When giving recommendations to the Townboard, that everything is ready for reviewal before the Townboard meeting, so a list of consent agenda may be approved by the Townboard.

A motion by Supervisor Connie Anderson: to accept the corrections and additions to the Eureka Townboard Organizational Meeting Minutes of April 3, 2003. Motion seconded by Supervisor Kenny Miller. Motion carried.

A motion by Supervisor Mark Malecha: To accept the April 3, 2003 Organizational Meeting minutes as presented. Motion seconded by Supervisor Chair Don Pflaum. Motion carried by unanimous vote.

The Township will be seeking new legal council. The Township has a list of attorneys recommended by the Township Association and County Attorney Jim Baxter. Candidate attorneys have been contacted, only one attorney has responded. The decision to hire a Township attorney will be tabled till the May Townboard meeting. Supervisor Kenny Miller and Supervisor Mark Malecha will meet with candidate attorneys and report back to the Townboard.

A motion by Supervisor Kenny Miller: That the Township forward to Mr. Kuntz a letter of recommendation and or satisfaction of his work, a point of reference that could be used for future work obtained. Motion seconded by Supervisor Dan Rogers.
Motion carried. This letter is to be sent at the time of obtaining Ordinance work from him.

Town Hall

Supervisor Kenny Miller will contact Oliver Leine and move forward with Town Hall committee reorganization.

Items E. Ordinance work impact and transfer and Item F. Planner Feasibility Task Force

Will be tabled until after a Planning Commission has been established. These issued could be handled by the Planning Commission.

Newsletter

The Townboard reviewed the proposed newsletter for April 2003. Corrections and changes were made. Connie will review changes.

A motion by Supervisor Kenny Miller: To approve the newsletter with changes outlined and Chair Don Pflaum's input as Supervisor this month. Motion seconded by Supervisor Dan Rogers. Motion carried.

A motion by Supervisor Mark Malecha: to extend the Townboard meeting till 10:30 pm. Motion seconded by Supervisor Dan Rogers. Motion carried.

Other Business

Minnesota Insurance Bond and Trust

The Minnesota Township Association is becoming self insured. To be part of the Insurance program the Township needs to adopt the resolution. (see attached)

A motion by Supervisor Kenny Miller: To adopt the resolution to participate in the Minnesota Association of Townships Insurance and Bond Trust. Motion seconded by Supervisor Connie Anderson. Motion carried.

Road Issue-Accident on 247th St. in Farmington

The Farmington mail carrier rolled over into the ditch on 247th east of Kadlec's. The Township received a call from the Farmington Post Office indicating the accident happened due to the road conditions. Road contractor, Mark Henry checked the road he said the road was in good condition; speed could have been the possible cause. The Township accepts the information.

Clerk and Treasurer Presentations

Bob Papke requested payment for an Ordinance book he purchased from Castle Rock Township. A motion by Supervisor Kenny Miller: to reimburse Bob Papke the \$25 for the Ordinance book. Supervisor Connie Anderson amendment the motion by adding- when the task force is done using the Ordinance book that it remains Township property. Kenny Miller accepted the amendment. Motion seconded by Supervisor Connie Anderson. Motion carried.

The Townboard needs to adopt a resolution for official posting places.

A motion by Supervisor Kenny Miller: To adopt the resolution designating posting places in the Township. Motion seconded by Supervisor Connie Anderson. Motion carried.

Chair Don Pflaum will receive all Met Council information.

Minnesota Benefits Association- Group Life Program, the Townboard declined obtaining these benefits.

Mountain Environmental Inc. will be applying a liquid whey product as fertilizer in the area. The Townboard directed Clerk/ Treasurer Nanett Leine to contact the company. They felt they should address the board on this issue.

Nanett reported back on a sound system for the Town hall, it was decided to wait until the new Townhall was constructed to obtain a sound system.

The public health Dept is considering an Ordinance for the cleanup of clandestine drug lab sites. An informational meeting has been set for April 16, 2003.

A motion by Supervisor Mark Malecha: To allow Nanett Leine to purchase a battery for the lap top computer. Motion seconded by Supervisor Kenny Miller. Motion carried.

It was requested that Ken DeMaster, the Chair of the Commercial task force be given a key to the Townhall. The town board approved the request.

Dakota County Ordinance #110 –Solid Waste Regulations. Dakota County sent a list of property owners in Dakota County that they feel are defined scrap yards. They asked the Township to review the list and submit any other possible scrap yards in Eureka Township.

A motion by Supervisor Kenny Miller: To adjourn. Motion seconded by Supervisor Mark Malecha. Motion carried. Meeting closed at 10:37 pm.