

Eureka Township
Dakota County
State of Minnesota

Eureka Townboard Meeting
April 8, 2002

Call to Order:

Chair Person Bev Topp called the regular monthly meeting of Eureka Township to order at 7:35 PM. Present were Supervisors Donald Pflaum, Clark Smith, Connie Anderson, Kenny Miller, Clerk Oliver Leine and Treasurer Nanett Leine.

Meeting opened with the Pledge of Allegiance.

Approval of Agenda:

A motion by Supervisor Don Pflaum: to approve agenda with the following additions: After approval of agenda, acknowledges Sheriff Deputy

- 6. Roads
 - F. 235th St. Marlene Swantek
- 8. Old Business
 - C. / Attorney
 - E. Mike Caron
 - G. Hard surface roads/ trash in ditches.
- 9. New Business
 - F. Water workshop/ land use planning workshop
- 12. Meetings
 - A. 5-6-2002 Nanett's Review 6:30pm. (Closed Meeting)
Planning Commission 7:30
Public hearing 8:00 pm
 - D. 4-29-2002 Board Prepares for Treasurer Review 6:30
(Closed Meeting)
 - E. 4-23-2002 Road Inspection 5:00 pm
 - F. 4/30-2002 Rain date road inspection
 - G. 4-16-2002 Met Council- Land use meeting 4:00 pm

Motion seconded by Supervisor Clark Smith. Motion carried.

Sheriff Deputy Dan Michener was introduced; he stopped in to observe part of the meeting. He offered to answer any citizen's questions. There were no questions asked.

Minutes:

A motion by Supervisor Kenny Miller: to accept March 11, 2002 minutes as presented. Motion seconded by Supervisor Don Pflaum. Motion carried.

A motion by Supervisor Clark Smith: to accept March 18, 2002 Commercial Task Force Minutes as presented. Motion seconded by Supervisor Kenny Miller. Motion carried.

A motion by Supervisor Clark Smith: to accept March 18, 2002 Special Organizational Meeting Minutes. Motion seconded by Supervisor Connie Anderson. Motion carried.

A motion by Supervisor Kenny Miller: to accept March 18, 2002 Ordinance meeting/ Newsletter Minutes. Motion seconded by Supervisor Don Pflaum. Motion carried.

A motion by Supervisor Don Pflaum: to accept April 1, 2002 Non Conforming Commercial Meeting Minutes. Motion seconded by Supervisor Don Pflaum. Motion carried.

Treasurer report:

Treasurer Nanett Leine reported that there is \$624.08 in checking, \$153,114.33 in the MMDA account, and \$109,224.80 in a CD. A motion by Supervisor Connie Anderson: to approve treasurer’s report. Motion seconded by Supervisor Don Pflaum. Motion carried.

Bills:

Clerk Oliver Leine presented the following bills to the board for approval:

Dakota Electric	Town Hall	\$	10.34
Frontier Communications	Office	\$	39.71
Township phone system and Internet	Main+ Int.	\$	79.28
Henry's Excavating	Grading and Plowing	\$	1,618.00
Rud Construction	Grading and Plowing	\$	4,096.00
AA Container Sales	Storage Container	\$	1,437.75
Dunham Bros. Leasing and Storage	Shipping of Storage Container	\$	200.00
M-R Sign Co	Signs and Mounting Hardware	\$	1,226.99
Nanett Leine	payroll	\$	880.02
	mileage/ expenses	\$	78.02
PERA		\$	106.74
Rivertown Newspapers	legal ads	\$	17.40
ECM Publishing	legal ads	\$	34.38
LeVander, Gillen & Miller, P. A.	Legal work	\$	31.50
Lakeville Printing	Newsletter	\$	85.20
Dakota County Assessing services	Newsletter labels	\$	14.65
Bev Topp	expenses	\$	26.00

MN Assoc. of Townships	Spring Short Course (3 people)	\$	84.00
Mike Greco	Orton Foundation report copies	\$	57.78
Carolyn Papke	8 hrs election judge @ \$5.25 / Hr	\$	42.00
Mary Ann Sly	8 hrs election judge	\$	42.00
Mary Lou Ruh	8 hrs election judge	\$	42.00
Cheryl Schindeldecker	4 hrs election judge	\$	21.00
Carol Smith	8 hrs election judge	\$	42.00
Clark Smith	4 hrs election judge	\$	21.00
TOTAL		\$	10,333.76

A motion by Supervisor Connie Anderson: to pay Nanett \$50 for Annual meeting. Motion seconded by Supervisor Don Pflaum. Motion carried. Additional \$20 for annual meeting will be added to May's timesheet.

Supervisor Don Pflaum commented on the amount of hours that Rud's spends on road maintenance compared to Henry's Excavating. Rud's bill is much higher than Henry Excavating. Reasons stated for differences in the bills are: 40% of the roads are in the east half of the Township and 60% on west, also they are out plowing more and their rate is slightly higher. He asked that this be noted when contract time occurs this spring.

A motion by Supervisor Kenny Miller: To approve April's bills as presented, with note about of hours spent on grading with Rud's contract. Motion seconded by Supervisor Clark Smith. Motion carried.

Receipts:

Cannon Valley Patronage Statement \$34.04
Pole Building permits: Calvin Pflaum \$250.00. Mike Corrigan \$170.10

Roads:

Contracts

Gravel Specifications are to be kept the same as in last year's bid requirements.

Township will be divided in half for contracts.

Do subcontractors need to be bonded? Bev will check with attorney.

A motion by Supervisor Clark Smith: to accept Dale Kuchinka's quote for mowing township road ditches at \$25/ mile. Ditches are to be mowed twice, early summer and fall. Motion seconded by Supervisor Connie Anderson. Motion carried.

Road Signs

Money may become available for road signs; a bill is in the legislature.

Entry Signs

Kenny reported on entry signs. Current signs are 24"x30" black and white. The Board needs to look a look at the lettering and update wording. He is requesting price quotes from 3 companies. All entry signs will be replaced.

Contractor Time

Mark Henry will go on road inspection with the Townboard. Road signs are here, Mark will start installation, he hopes to have it completed by next month.

Townboard is interested in setting up a meeting with Castle Rock Township to discuss registering Denmark Ave. Bev will call and set up a meeting.

A motion by Supervisor Don Pflaum: To take up the consideration of surveying Denmark Ave. To discuss this issue with Castle Rock Township when the boards meet about registering Denmark Ave. Motion seconded by Supervisor Clark Smith.

Four Paws is a company used by Dakota County for disposal of dead deer.

Road mileage verification

Dakota County states Township has 38.5 miles of roads. Eureka Township reports 39.7 miles. Blacktop road were measured with a wheel and gravel roads with map. Kenny will double check road measurements and verify mileage. Township needs to write a letter to county verifying road mileage.

Marlene Swantek, a property owner along 235th St. addressed the board on her concerns about the ditches along 235th, between Cedar Ave. and Denmark. Ave. There is little grass cover and numerous weeds. She stated that Joe Harris, from the County said to talk to the Township. The Townboard said it is a county road and their project. She needs to contact the Construction Engineer at Dakota County. Supervisor Don Pflaum offered to call Joe Harris and discuss the matter of passing the buck onto the township, when it is a County project.

Planning Commission:

Ed Hanson fund raiser permit had been signed prior to meeting.

Don and Alice Storlie- requesting a CUP for their business: Donlie Underground, 20210 235th St. Lakeville. Bev informed them of the Attorney's advice:

1. An interim ordinance is in effect for no CUP applications for commercial at this time.
2. Highway neighborhood commercial clause does not pertain to this kind of commercial.
3. If the board would accept application for a CUP, Townboard can make CUP more stringent than the new one that is being written or at least as much as the new rules.

Don stated he would be willing hold off on his CUP application until he sees how the new non conforming law is written. He state he has been in business for a long

time and is not backing down. If the new non conforming ordinance is one he can live with, he would consider withdrawing the application.

Original Application Date March 24, 2002

May Townboard meeting: The 60 day rule will need to be extended to an additional 60 days. Unless this issue has been resolved to Don Storlie's satisfaction.

Buildable Lots

Pat Mahowald 6429 265th St. questioned if his lot in section 26 is buildable. The board reviewed his documents. In 1980 the two parcels were combined into one parcel at which time there was a buildable lot. In 1983 the land was split into new parcels, thus taking away the grandfather rights of a buildable lot.

A motion by Supervisor Kenny Miller that the 3.6 acres in section 26 currently owned by Pat Mahowald with the following property ID: 13-02600-012-26 does not currently qualify for a building site under the current ordinances. Motion seconded by Supervisor Connie Anderson. Vote taken, none opposed. Motion carried.

Mike Corrigan – 22420 Flagstaff Ave. Farmington requested a permit for 81'x42' pole shed with 14' side walls, for storage. Paul Boyum will check stakes.

A motion by Supervisor Don Pflaum to approve pole shed. Motion seconded by Supervisor Clark Smith. Motion carried.

Permit Issued \$76.80

Old business:

Website Group

Website group asked the board to allocate some money for the website. A company has agreed to donate hosting of the site, but the township will still need to pay for domain name registration. \$100 for setup. Funds will be drawn from Township Administration.

A motion by Supervisor Don Pflaum: To make \$250 available to website use this year to get the site up and running. Motion seconded by Supervisor Kenny Miller. Motion carried.

Townhall future Committee

John Strunk, from Townhall future committee presented the board with their report. They would like to add: Consider design for possible expansion in future, and or for sale for other use than Townhall. Next step: to look at land, funding methods, and timeline. John Strunk would like to step aside from Chair position, but stay on the committee. Ken DeMaster and Gene Dietz have stated interest in working on committee.

Townhall Site Offer

Hollis Larson presented the board with a land offer. Ruth Larson is willing to donate the land located at the southwest corner of 250th St. and Cedar Ave. as a site for the new Townhall. The Township attorney will be asked to draw up legal documents stating the land is to be donated and if is not usable as a Townhall site, it will be returned to back to the donating party. The Larson family would like to retain extra topsoil if possible.

Townboard needs to go back to the citizens for final approval.

A motion by Supervisor Connie Anderson: To leave Townboard meeting open until Monday April 15th, 7:30 pm. Motion seconded by Supervisor Clark Smith. Motion carried.

April 15, 2002 Continuation of Town Board Meeting.

Call to Order:

Chair Person Bev Topp called the continuation of the regular monthly meeting of Eureka Township to order at 7:30 PM. Present were Supervisors Donald Pflaum, Clark Smith, Connie Anderson, Kenny Miller, Clerk Oliver Leine and Treasurer Nanett Leine.

Approval of Agenda:

A motion by Supervisor Clark Smith: to approve agenda with the following additions:

Karen Williams/ buildable lot.

Attorney opinion: Townhall future site.

Land use planning workshop May 8 and May 15, 2002.

Motion seconded by Supervisor Kenny Miller. Motion carried.

Trash in Ditches

Trash in ditches is really becoming a problem. Someone removed trash from ditches along Highview Ave, and Ipava and placed it on the roadway, creating a hazard. Clark Smith will contact a vendor for the trash removal.

Hard Surface Roads

Hard surface road repairs need to be made this summer. Clark will obtain quotes from 2 contractors.

Hard Road Escrow

A motion by Supervisor Connie Anderson: To select categories to be used for Road Maintenance in figuring Hard Surface Road Escrow. Motion seconded by Supervisor Kenny Miller. Motion carried.

Road Maintenance to include the following categories: Pull up Edges, Grade Roads, Spot rock, Dust control, Gravel-Gravel hauling.

General Road Repair to include the following categories: Boils, check roads, Culvert, Ditch repair, Fabric mat, Garbage pickup, Railroad crossing repair, Road report, tiling, and signs.

A motion by Supervisor Connie Anderson: The formula to figure escrows from gravel roads will include Road maintenance, edges, grading, spot rock, gravel-gravel hauling and dust control. Motion seconded by Supervisor Kenny Miller. Motion carried.

A motion by Supervisor Clark Smith: The following categories for Hard Road maintenance to be used against the Hard Road Escrow Account; Overlay, Seal coat, Patch repair, Crack seal, Sweeping. Motion seconded by Supervisor Connie Anderson. Motion carried.

Karen Williams inquired if there is a buildable lot on her property on 267th St. Located in Section 29. She owns 2 contiguous lots (If lots are contiguous you need to own 2 ½ acres to have a buildable lot in accordance with the old ordinance.) 1 acre and 1.5 acres. Lots were split before July 1970. One lot is grandfathered as a buildable lot. A perspective buyer would like to build a house that covers both lots. Bev will check with the attorney on proper procedures to be followed.

A motion by Supervisor Don Pflaum: Decision of the Townboard that there is one building right; per attorney review that one resident utilizing both parcels may be built. Motion seconded by Supervisor Kenny Miller. Motion carried.

Townhall Site Offer

Attorney, Tim Kuntz will draw up a legal document stating that Larson's are gifting the land to the Township. It will include a 30 year clause, in which the property goes back to the family; if the township ceases use of it. The Larson's may retain any excess topsoil. If the land is not usable for a Townhall, the property goes back to the Larson's. There are costs involved in acquiring the land.

Townboard needs to set a public meeting hearing to inform the citizens of the donation and costs involved.

A motion by Supervisor Kenny Miller: Upon receiving the letter from the Larson's for the gift of the property, to hold a public meeting to accept the Larson property and begin the process of determining whether it is buildable or to reject the property. Motion seconded by Supervisor Don Pflaum. Motion carried.

A motion by Don Pflaum: to direct the Townhall task force to figure costs on the property acquisition. Motion seconded by Supervisor Kenny Miller. Motion carried.

Ordinances relating to mineral extraction facilities are ready to be published. The Townboard reviewed the Ordinance Establishing Certain Fees and Expenses To Be Paid By Applicants For Permits, Licenses And Other Land Use Approvals. A motion by Supervisor Connie Anderson: To accept all the stated fees in Section 2. Establishment of Fees set in the Ordinance. Motion seconded by Supervisor Don Pflaum. Motion carried.

A motion by Supervisor Connie Anderson: to place a legal ad in the newspaper setting a public meeting for May 6, 8:00 for a public hearing to adopt Ordinances relating to mining extraction. Motion seconded by Supervisor Clark Smith. Motion carried. Supervisor Kenny Miller abstained from voting.

There was a request to open mining deliberations to change setbacks. There was no motion on the floor. No action taken.

John Storlie addressed the board on problems in the neighborhood due to his interest in mining.

A motion by Supervisor Clark Smith: to strike in Section 13.02 U. within any residential zone or. Motion seconded by Supervisor Connie Anderson. Motion carried.

New Business:

Review Date Treasurer Position

Annual review for treasurer position

Closed meeting for Townboard 6:30 pm April 29, 2002.

Closed meeting Nanett's review 6:30-7:00 pm May 6, 2002

Weed Inspector

A motion by Supervisor Don Pflaum: to appoint Kenny Miller as weed inspector for the Township. Motion seconded by Supervisor Clark Smith. Motion carried.

Citizen's complaint

A complaint was filed in the Township for Jon Hoes- Complaint against junk cars in yard. Bev Topp will call Jon and explain the situation. He needs to cleanup/ failure to follow orders will result in prosecution.

Township needs to check to see if a building permit was pulled for an addition to pole shed.

Resolution for unchanged polling place

A motion by Supervisor Don Pflaum to adopt the resolution for precinct designation and polling place as read. Motion seconded by Supervisor Clark Smith. Motion carried.

Workshops

Water awareness workshop May 22 & 23, 2002 -2 day workshop at Dakota County Extension Office. \$25 fee.

A motion by Supervisor Clark Smith: to pay for Bev Topp to attend workshop. Motion seconded by Supervisor Connie Anderson. Motion carried.

Land use workshop- watch again for next year.

Nitrate study 7-8:30 April 30 at Dakota County Extension Service

County improvement plan- if you have any issues address the by June 5, 2002.

Dust Control

A list has been compiled of citizens requesting extra dust control. The township does not want to get involved in driveways. Citizens need to call dust coating directly.

A motion by Supervisor Kenny Miller: to adjourn. Motion seconded by Supervisor Clark Smith. Motion carried.

Meeting adjourned 10:45 pm.