

Eureka Township
Dakota County
State of Minnesota

Eureka Townboard Meeting continued from May 12, 2003

May 20, 2003

Chair Don Pflaum called the May 12, 2003 Townboard meeting to order at 7:00 pm on May 20, 2003. Present were Supervisors Don Pflaum, Dan Rogers, Kenny Miller, Connie Anderson, Mark Malecha and Clerk/Treasurer Nanett Leine.

The meeting opened with the Pledge of Allegiance

Additions to the Agenda

7. Roads:

F. Preconstruction Meeting 74A Project

G. Spot Graveling

9. Old Business

H. New Township- will meet with the Townboard tonight.

A motion by Supervisor Kenny Miller: To approve the adjusted agenda. Motion seconded by Supervisor Dan Rogers. Motion carried.

Roads

7F. 74A Project- 225th St and Dodd Blvd Road Maintenance award bids

There is a preconstruction meeting for Project 74A at the Western Service Center on Wednesday May 21, 2003. at 10:00 am. Supervisor Dan Rogers will represent the Township at the meeting.

7G. Spot Graveling

A motion by Supervisor Connie Anderson: To allow the two road supervisors to work with the road contractor to proceed with spot graveling up to \$3,000. Motion seconded by Supervisor Dan Rogers. Supervisor Kenny Miller abstained from voting. Motion carried.

Township Attorney- Louise Toscano Seeba

A motion by Supervisor Mark Malecha: The procedure to contact the Township attorney with an issue is through the Chair. (Or the Vice Chair, when the Chair is not available.) All responses addressed to the Townboard will be sent to the Clerk/ Treasurer. The Clerk/ Treasurer will then distribute them to the Townboard. Motion seconded by Supervisor Connie Anderson. Motion carried.

If there is pressing business the Chair can make the decision to call the attorney, otherwise it needs to be addressed at the regular Townboard meeting.

If the attorney cannot reach the Chair within 24 hours, then they should contact the Vice Chair.

The following items need to be addressed by the Attorney:

1. Butch Hansen Conditional Use Permit -Town and Country Tree Care. The Township needs to find out how the CUP fits into the Ordinance. Forestry and Horticulture services need to be defined. The lawyer will review Mr. Hanson's application, etc. to see if any further action needs to take place to protect the Township from a potential 60-day rule issue.
2. Land transfer for Townhall site- Paperwork needs to be drawn up to acquire the land.
3. The Township records and documents need to be transferred from Law Firm of LeVander, Gillen and Miller.
4. State Building Codes- Does the Township need to comply with state building codes? Are they guidance or law?
5. Priority ordinance work- There are several ordinances that need updating. Current ordinance work is at the Law Firm of LeVander, Gillen and Miller. The records need to be transferred to Murnane, Conlin, White & Brandt Law Firm.

A motion by Supervisor Connie Anderson: To draft a letter to Tim Kuntz at LeVander, Gillen and Miller law firm requesting all Township materials to be returned to the Township and to direct Clerk/Treasurer Nanett Leine to pickup the materials from the law firm. The land transfer documents will be transferred to Louise Toscano Seeba, Township Attorney. Motion seconded by Supervisor Kenny Miller. Motion carried.

Mining Renewals- Storlie Mine

The Township has received a letter from Castle Rock Bank for Letter of Credit, for the Bond. Mr. Storlie's application for a permit from the State has been submitted and is being processed. The certificate of Liability Insurance has been received- The certificate holder is incorrect. Ryan Contracting will be contacted to correct the information. Eureka Township needs to be name insured certificate holder. (Ordinance No. 31Section 13.04 Liability Insurance)

The Storlie mine's berm along 235th street has not been moved back or seeded to meet the setback requirements stated in the Ordinance. Supervisor Mark Malecha will contact Mr. Storlie and make sure the berm is moved, a silt fence is installed and vegetation is established.

8. H. Other Business

Kenneth Miller 9405 267th St W Lakeville has filed a formal complaint against his neighbor Michael Kelly 9493 267th St W Lakeville. Mr. Kelly's horse pen is non compliant with Ordinance No. 20 (Section 9.2 Performance Standards for the keeping of Animals) Animals may not be confined in a pen, feedlot or building within 175 feet of any residential dwelling not owned or leased by the owner of the animals. The current pen is 90 feet from Mr. Miller's home. By Ordinance (Section 6.1) the Building Inspector is the Enforcing Officer. Building Inspector, Ron Wasmund will be notified in writing: to inspect the site for compliance and report the findings to the Townboard.

County questioned lot splits/ platting of land

Clerk/Treasurer Nanett Leine received a phone call from Gloria Murphy, from the County. Bob Ruddle is splitting property into what looks like lots that would be platted in a development. She asked the Township to work with the County on a plat procedure. Clerk/Treasurer Nanett Leine will research and report back to the Townboard at the June 9 Townboard meeting.

Old Business

Envisioning Task Force

A motion by Supervisor Kenny Miller: to accept the Envisioning Task force final report in August. The envisioning task force will be dissolved at that time. Motion seconded by Supervisor Mark Malecha. A friendly amendment by Supervisor Mark Malecha: At the August Townboard meeting. The friendly amendment was accepted. Motion carried.

Steve Barry- Iberia Ave

No update available

Ditch on Chub Lake Road

Brian Watson from the Soil and Water District will be meeting with the Sidel's this week to address the water problem. Supervisor Mark Malecha will try to attend the meeting.

245th St Road in poor condition

Mark Malecha e-mailed Sheriff Don Gudmundson explaining that 245th St. has been closed to allow it to firm up and improve. The Town board would like the deputies to put a sting out on the road, so people will get the message not to use the road until it is reopened. The Sheriff needs to be contacted and updated when the road opens.

Terry Petter- follow up on building permit inspection fees

Information was presented to the Town board on Terri Petter's building permit. There were questions of the board that could not be answered..

A motion by Supervisor Kenny Miller: That the Town board continues discussion on Terri Petter's building permit at the June meeting and request Terri Petter and Ron Wasmund to be present. Motion seconded by Supervisor Connie Anderson. Motion carried.

A motion by Supervisor Mark Malecha: To extend the Townboard meeting until 10:30 pm to finish business. Motion seconded by Supervisor Connie Anderson. Motion carried.

Mountain Engineering Follow up

Clerk/Treasurer Nanett Leine talked to Mike Little of Mountain Environmental, Inc. he said that at the present time there is no plan to spread whey or wood ash on land in Eureka Township. The letter is required by the MPCA. If Mountain Environmental is interested in pursuing the application of wood ash or whey fertilizer they need to come before the Town board before doing so.

County CIP Follow up

265th Street Bridge

Construction on the new bridge on 265th Street has been postponed until 2004.

A motion by Supervisor Kenny Miller: That Supervisor Mark Malecha contact Pat Pariseau and Steve Strachan to find out if the bridge project could be funded at the State level. Motion seconded by Supervisor Dan Rogers. Motion carried.

Supervisor Don Pflaum will try to attend the Dakota County CIP meeting.

Town hall Committee

Supervisor Kenny Miller has collected information from the Town hall committee. He will try to put together a new committee. He is waiting for the land acquisition to be completed, before proceeding.

New Business

Resolution to support the East West Corridor Study

A motion by Supervisor Kenny Miller: To pass a resolution in supporting the East/ West Corridor Study. Motion seconded by Supervisor Mark Malecha. Motion carried.

Resolution for Illegal Dumping

A motion by Supervisor Connie Anderson: to accept the resolution drafted by Dakota County Attorney, James Backstrom concerning illegal dumping along roadways and ditches. Motion seconded by Supervisor Kenny Miller. Motion carried.

Planner Feasibility

A motion by Supervisor Kenny Miller: To table the planner feasibility study until there is money in the budget. Motion seconded by Supervisor Connie Anderson. Vote: taken 4 yeas, 1 nay. Motion carried.

Airport

For informational purposes Supervisor Mark Malecha presented an article that was in the St. Paul newspaper on the future plans of Airlake Airport.

Adopt the Clerk/ Treasurer Duties

A motion by Supervisor Connie Anderson: To adopt the duties of the combined Town Clerk/ Treasurer Position, now an appointed position that Nanett Leine currently holds in the Township. To adopt these duties (see attached) in replacement of her current duties. She would now work under the duties established April 13, 2003. Motion seconded by Supervisor Kenny Miller. Motion carried.

Clerk/ Treasurer Presentation

As approved by the Town board. E- Mail addresses were handed out to the Town board. And will be handed out to the Planning Commission members.

Ordinances on the website- all Ordinances in effect may be placed on the website.

RASP signs are the new double sided sign. The cost will be according to the number ordered.

Mowing at the Town hall

Nanett and Erik Leine mowed the town hall property. The mowing was late, and the grass need to be raked and re mowed. Trimming was also done. It took 3 hours to complete the task. Erik Leine has agreed to mow the town hall and trim as needed.

A motion by Mark Malecha: To pay \$80 for the first mowing at the Town hall. Each additional mowing during the season paid at \$20. Motion seconded by Supervisor Kenny Miller. Motion carried.

The Commercial task force requested a plat book. The Town board instructed Treasurer Nanett Leine to purchase 2 plat books.

A motion by Supervisor Connie Anderson: To purchase a bulletin board so the Planning Commission and Town board can have separate posting places. Motion seconded by Supervisor Kenny Miller. Motion carried.

Supervisor Kenny Miller will purchase the bulletin board.

Date Comp/ Ordinance Meeting

Set date at Town board/ Planning Commission Round table meeting Jun 2, 2003.

A motion by Supervisor Kenny Miller: To adjourn. Motion seconded by Mark Malecha. Motion carried. Meeting adjourned at 10:45 pm.