

Eureka Township
Dakota County
State of Minnesota

Eureka Town Board Meeting of June 13, 2011

Call to Order

Chair Brian Budenski called the June 13, 2011, Eureka Town Board meeting to order at 7:00 p.m. Members present were Supervisors Nancy Sauber, Brian Budenski, Dan Rogers, Pete Storlie and Kenny Miller. Clerk/Treasurer Nanett Sandstrom was present to record the minutes. Also present was Carrie Jennings as Planning Commission Liaison. See attached attendance sheet for additional persons in attendance.

The meeting opened with the Pledge of Allegiance.

Approval of Agenda

The following additions were made to the agenda:

Other Business H. RFQ for Engineering Services

New Business A. Meeting times was moved up to I. of Other Business

Old Business 7. Other, a. Attorney Communications

A motion by Supervisor Brian Budenski: To approve the agenda as amended. The motion was seconded by Supervisor Kenny Miller. The motion carried by unanimous vote.

Public Comment Period

A citizen had a complaint about a neighbor who built a runway for model or remote-control airplanes; the noise is obnoxious. They fly all day Saturday and all day Sunday. He has heard that they want to expand. Everyone has a right to a hobby. He doesn't want to shut him down, just cut back the operation. He has not yet spoken to his neighbor causing the noise and will speak to his other neighbors.

The Town Board Chair asked that the complaint be submitted in writing. The Township has a Noise Ordinance against creating a nuisance.

Supervisor Nancy Sauber read a statement into the record in response to Terri Petter's comments at the May 9th Town Board Meeting. *See attachment.*

Treasurer's Report

Checking Account Balance: \$842.63. Outstanding Checks \$75.00. Savings Account Balance: \$270,081.58. CD Account Balances: \$65,667.36. The Ledger Balance is \$339,090.12.

A motion by Supervisor Dan Rogers: To approve the Treasurer's Report as presented. The motion was seconded by Supervisor Nancy Sauber. The motion carried by unanimous vote.

The Town Board reviewed the Claims List and Net Pay Account Distribution.

Bills and Receipts

The Clerk presented the following bills for payment:

Henry's Excavating	Road maintenance thru 5/31/2011	\$6,355.00
MNSPECT	Inspection Service -May	\$302.86
Dakota Electric Association	Town Hall Electric	\$73.36
Frontier Communications	Phone Service Town Hall	\$112.12
Culligan	Water Softener Town Hall	\$23.51
Dick's Sanitation	Garbage Service Town Hall	\$44.39
T & C Commercial Cleaning	Clean Town Hall – June	\$42.85
Kelly & Lemmons	Legal Services thru 5/31/2011	\$1,060.00
PERA	Payroll Period 5/1/2011 to 5/31/2011	\$176.47
Nanett Sandstrom	Expenses 5/1/2011 to 5/31/2011	\$57.38
TKDA	Commercial/ Industrial Study	\$1,423.00
Pro-Sweep	Street Sweeping	\$975.00
ECM Publishers	Legal Ads	\$49.00
IRS	June Deposit 941	\$539.29
Nancy Sauber	SLUC Training	\$48.00
Eureka Sand & Gravel	Class 5 Road Gravel	\$2,792.56
ProService Lawn	Lawn Maintenance May2011	\$360.00
Castle Rock Materials	Limestone	\$8,821.40
Carol Kelly	PC Recorder Payroll 5-1-2011 to 5-31-2011	\$37.74
Nanett Sandstrom	Clerk Payroll 5-1-2011 to 5-31-2011	\$955.57
Quality Dust Control	Dust Control 33,622 gallons @ .698	\$23,468.16
Kenny Miller	Reimbursement- mileage	\$39.00
State of MN	Withholding 2 nd Qtr	89.40
Northfield Ambulance Association	Ambulance Assessment 2011	\$206.00
Brian Budenski	Town Board Payroll 2 nd Qtr 2011	\$283.05
Kenny Miller	Town Board Payroll 2 nd Qtr 2011	\$358.53
Dan Rogers	Town Board Payroll 2 nd Qtr 2011	\$320.79
Pete Storlie	Town Board Payroll 2 nd Qtr 2011	\$217.00
Lu Barfknecht	Planning Commission Payroll 2 nd Qtr 2011	\$150.96
Marl Ceminsky	Planning Commission Payroll 2 nd Qtr 2011	\$136.81
Carrie Jennings	Planning Commission Payroll 2 nd Qtr 2011	\$132.09
Gayle Klausner	Planning Commission Payroll 2 nd Qtr 2011	\$75.48
Vince Mako	Planning Commission Payroll 2 nd Qtr 2011	\$75.48
Ken Olstad	Planning Commission Payroll 2 nd Qtr 2011	\$47.17
Total Bills Presented		\$49,849.42

A motion by Supervisor Nancy Sauber: To approve Claims List and Net Pay Account Distribution as presented. The motion was seconded by Supervisor Dan Rogers. Roll call vote was taken on the motion: Kenny Miller- aye; Pete Storlie-aye; Brian Budenski-aye; Nancy Sauber-aye; and Dan Rogers-aye. The motion passed unanimously.

The Town Board reviewed the following financial reports prepared by the Clerk: Current Investments, Statement of Receipts and Balances, Cash Control Statement, Disbursements Register, and Receipts Register.

The following receipts were received in May:

- **Local Permits**

Mark Nelson – <i>Airstrip CUP review</i>	\$15.00	Michael Conboy - <i>Septic Permit 11-05-02</i>	\$280.00
Gerald Swedin - <i>Permit 11-04</i>	\$253.55	Knight & Sons - <i>Permit ET11-009</i>	\$105.00
Advanced Septic - <i>Septic Permit 11-05-01</i>	\$280.00	Dave Twitte - <i>Permit ET11-010</i>	\$105.00

- **Other Receipts**

Mount Olivet - <i>in Lieu of taxes</i>	\$1,500.00	South Cedar Greenhouse - <i>Newsletter Ad</i>	\$35.00
MN Dept of Revenue	\$586.58		

TOTAL RECEIPTS AS OF MAY 31, 2011 **\$3,160.13**

A motion by Supervisor Nancy Sauber: To approve the balance of the Financial Reports as presented. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

CD maturing 6/29/2011

The Clerk presented current CD Rates from Castle Rock Bank.

A motion by Supervisor Kenny Miller: To reinvest the CD as it matures on June 29, 2011, into a 5-year CD. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

Budget

The Town Board reviewed the budget.

Contractor Time

Township Road Contractor Mark Henry was present.

The Road Contractor was asked to contact Diamond Mower to rent brush mowing equipment at a cost of \$4,000 to \$5,000. This will leave approximately \$4,000 in the budget for this item in reserve.

Supervisor Kenny Miller will contact Anderson Bobcat to mow the Township ditches.

Dan Rogers will contact Dakota County about two signs on Dodd Blvd. that need attention.

Mark Henry obtained quotes from EFA, a Division of Safety Signs, and from M&R for signs. A motion by Supervisor Pete Storlie to order signs from M&R Signs. The motion was seconded by Supervisor Nancy Sauber. The motion carried by unanimous vote.

Most of the dust proofing has been completed. A section of Highview Ave., Ipava and 265th has not been dust proofed, due to road work in these areas.

Sheriff's Deputy

A Sheriff's Deputy stopped in to address any Board and Citizen concerns. If something suspicious is observed, one should call 911, and state it is a non-emergency call.

Land Use & Zoning Issues

A. Ag Preserves

1. Bob Donnelly

Bob Donnelly requested to place 74.97 Acres, Parcel ID 13-02500-01-020, into the Ag Preserves program. He also asked a question about “tolerable erosion” which was mentioned in the newsletter. A motion by Supervisor Brian Budenski: To allow Parcel ID 13-02500-01-020 into Ag Preserve. The motion was seconded by Pete Storlie. The motion carried by unanimous vote.

Other Business

A. Northfield Ambulance

Brian Edwards, EMS Operations Manager, Northfield Hospital EMS and Edith Nelson, Secretary of Northfield Ambulance Association, were present to address the Town Board on the Northfield Ambulance Service.

Northfield Ambulance has served the Township since 1988. They service the southern 6 sections of the Township per an agreement with ALF. This is the first year that Northfield Ambulance has charged for its services. They have assessed a charge of \$1 per citizen, based on 2 persons per household (206 citizens) in their service area. The dues will cover dispatch fees.

A motion by Supervisor Kenny Miller: To settle the account with Northfield Ambulance Association. The motion was seconded by Supervisor Nancy Sauber. Roll call vote was taken on the motion: Kenny Miller- aye; Pete Storlie-aye; Brian Budenski-aye; Nancy Sauber-aye; and Dan Rogers-aye. The motion passed unanimously.

The Town Hall was offered to hold a Northfield Ambulance meeting in the future.

B. Planning Commission Update

Carrie Jennings was present as Planning Commission Liaison. Mike Greco made a presentation on Roles and Responsibilities of the Planning Commission. Carrie gave a brief overview of the presentation. A copy of the presentation is available for review.

Gayle Klauser requested to attend a training session. A motion by Supervisor Nancy Sauber: To approve \$60 for Gayle Klauser to attend the “Your Role as a Planning Commission Member” Government Training Services Session. The motion was seconded by Supervisor Pete Storlie. The motion carried by unanimous vote.

The Planning Commission requested that a PowerPoint projector be purchased.

C. Roundtable Meeting of Planning Commission and Town Board

Carrie Jennings will send out a Doodle Poll to setup the meeting. It will be scheduled the week of July 18th to 21st.

D. Ceminsky Questions

The Town Board discussed the questions that were presented by Planning Commissioner Mark Ceminsky. Supervisor Nancy Sauber will write up answers as discussed by the Town Board.

E. Complaint 235th St. W.

A written complaint was received by the Clerk that a building was moved onto the Petter property, at 10132 235th St. The complainant asked if a permit was required. Upon receiving the complaint, the Zoning Administrator contacted the Building Inspector to check on the complaint. After inspecting the property, the Building Inspector spoke with Supervisor Nancy Sauber. A move-in permit is required for the structure. It is larger than 120 sq. ft. Terri Petter told the Building Inspector that she was not sure if the building was going to be placed on her property or her mother's property. She would know by the end of the summer.

The Town Board asked that the Clerk contact the Building Inspector and ask him to submit a written report on his inspection. They asked Scott to send Terri Petter a letter stating that a Building Permit Application needs to be submitted for moving a building or structure into the Township and a double fee will be assessed on the permit for not obtaining a permit prior to moving in the building.

The Clerk was asked to send a letter to the complainant that the issue is being addressed.

F. Denmark Ave. Road Complaint

A complaint was sent to the Clerk by e-mail on concerns with the condition of Denmark Ave near Prairie Creek School.

The Township is doing all they can do to maintain the road with the current budget. If the complainant can find additional funding, the Town Board would welcome it. The Clerk was asked to send a letter to the complainant with the Board's response.

A 10-minute recess was taken.

G. Road Repair- Highview and Chub Lake Culverts

Chub Lake Culverts- The culverts need to be replaced under the road at the Chub Lake crossing. The culverts are restricting the flow under the road. DNR Permits need to be obtained. The Road/Bridge Rebuild Fund will be used to fund the project with proposed 50% County Matching Funds, if approved. The cost is \$15,000 to \$20,000 to install the culverts.

Supervisor Dan Rogers will work with the Planning Commission on obtaining DNR permits and RFQ for Engineering Services.

Supervisor Kenny Miller recused himself from discussion due to a possible conflict of interest as gravel supplier to the Township.

Highview Ave.

10 loads of gravel will be added to Highview Ave. near Country Stone.

H. RFQ for Engineering Services

It was discussed if TKDA will be used for Township Engineering services or if a RFQ should be put out for services. Planner and Engineer Services can be from different providers. No decision was made at this time on obtaining RFQ for general Engineering Services.

It was decided to put out an RFQ specifically for the Chub Lake project.

A motion by Supervisor Pete Storlie: Two Supervisors should meet with potential Engineers to discuss the project. The motion was seconded by Supervisor Brian Budenski.

The motion was amended to contact the 5 firms as discussed and to set up meeting times at the project site to discuss the project. The motion carried by unanimous vote.

I. Meeting Times and Scheduling of Special Meetings

Supervisor Pete Storlie requested that an ending meeting time needs to be placed on meetings. He suggested 10:30 pm.

Another meeting date can be set at the beginning of the meeting.

By holding two meetings, the cost of the meeting doubles as Town Board members are paid for each meeting. If two meetings are anticipated, the Attorney would be scheduled for one of the two meetings to keep cost down.

The Town Board decided to continue the meeting until 10:30 pm and look at the agenda at that time.

Minutes Approval

A motion by Supervisor Nancy Sauber: To approve the Town Board Meeting minutes of May 9, 2011, as presented. The motion was seconded by Supervisor Dan Rogers. The motion carried by unanimous vote.

The following corrections were made to the Special Town Board Meeting Minutes of May 27, 2011: Page 2, at the top- "Staging of trucks is still" was removed, "The tying down of loads is still taking place" and page 3, third paragraph from bottom- add "it"- sentence should read: "... made it a better agreement."

A motion by Supervisor Nancy Sauber: To approve the Special Meeting Minutes of May 27, 2011, as amended. The motion was seconded by Supervisor Dan Rogers. The motion carried by unanimous vote.

Old Business

A. Commercial/Industrial Task Force Meeting

The Town Board discussed the Commercial/Task Force Newsletter article. A quorum of the Task Force was also present: Jeff Otto, Kenny Miller, Chair Jim Sauber, and Nancy Sauber. The Special Meeting of the Task Force was properly posted, so those members discussed the changes to the article first, approved them, and then the Board approved them. Jeff Otto will add the changes to the article and send it back to Nancy for a final review of her suggested and approved changes. A final draft then will be sent to all the Task Force members. Because of this progress, the June 27th Task Force meeting was cancelled. An August meeting is proposed to be scheduled for Monday, August 15th, or Monday, August 22nd.

B. Newsletter

Jody Arman-Jones was present to discuss the Newsletter. The publications now will be labeled spring, summer, fall and winter. The Planning Commission opening will be posted in the newsletter. A note on financial assistance for failing septic systems thru CDA will also be

included. Nancy Sauber will send Jody the information on noxious weeds that will be discussed at the MAT session in June.

C. Misc Updates

1. Windmill Mine

Supervisor Nancy Sauber followed up with Ron Quanbeck, TKDA, on the Windmill Site Plan. The vegetation information needs to be added and the part about the fence. Ron confirmed that he felt the length of the newer berm is reasonable, even though it is not the same distance as the trees that were to have been planted along that border of the mine. Kenny had expressed concern for security reasons for the office, etc. The Board agreed with the changes as stated.

Ron will send the information to Kirsten Pauly, Sunde Engineering Inc., and copy Kenny Miller, Eureka Sand and Gravel. The final site plan copy will come back to the Town Board for approval and insertion into the file.

2. County Stone

The complete SWPPP, the file record on the septic from Darrell Gilmer, the OSHA report on white noise alarms and the annual \$2,500 payment for road maintenance for 2011 are all items that are still missing. The septic report for the file was requested by the Board; the other items are required under the Country Stone agreement.

3. Fire Department Contract and Negotiations

Dan Rogers is talking with Lakeville and Farmington. Lakeville is putting together a proposal for the next meeting.

4. "Tours" addition to the Agricultural Building Exemption Form

The Town Board agreed to add "Tours" to the Agricultural Building Exemption Form.

5. Reminder on Wat Lao

Supervisor Dan Rogers is planning on attending the June festival and is going to check on the junk cars complaint at that time as agreed to earlier.

6. Windmill Mine Site Inspection

A date will be set at the July Town Board Meeting so that everything to be inspected will be in place.

New Business

A. Proposed Variance Ordinance Questions & Schedule

The Town Board requested that the Planning Commission set a Public Hearing, with the Township Attorney present, for the proposed Variance Ordinance. Supervisor Brian Budenski will contact Planning Commission Chair Carrie Jennings.

B. Central Valley- Propane Contract

Current propane prepay is at \$1.84. Last year the Township used 542.6 gallons.

A motion by Supervisor Kenny Miller: To authorize Supervisor Brian Budenski and Clerk Nanett Sandstrom to ask for the propane purchase at a threshold of \$1.60 per gallon or less. The motion was seconded by Supervisor Nancy Sauber. The motion carried by unanimous vote.

C. Met Council Land Use Inventory Map

Supervisors Dan Rogers and Nancy Sauber will review the Met Council Land Use Inventory Map.

D. Dakota Heritage City Donation Request

Dakota City is seeking donations. A motion by Supervisor Nancy Sauber: To donate \$100 to Dakota City Heritage Village. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote. The Clerk was asked to send an email of the Board's intentions. A check will be drafted in July.

E. VRWJPO CIP proposal

The Board received a copy of the letter sent from Travis Thiel. No action was taken.

F. Attorney Communications

Supervisor Pete Storlie had comments on Attorney communications. He felt that the Attorney needs to be informed of agenda items prior to the meeting so that he is prepared. Background Information on items being sent to the Attorney should be forwarded to all Town Board members.

Nancy Sauber, Primary Attorney Contact Person, stated that she does inform the Attorney of agenda items ahead of the meetings that he attends; there is a half-hour bill on the last statement that reflects precisely that. Nancy said that she will endeavor to send out the questions as consistently as possible, as she has done on various occasions thus far. Sometimes she speaks to Trevor on the phone. In those instances, she will write up the questions to preface the email response from the Attorney. She had just done that on an email that had written questions, but which was not "chained", so as to inform the Board of what the questions were that she had sent before the reply from Trevor.

G. LBAE Training

Pete Storlie has signed up for the training, per Board policy for newly-elected members. Since the only session he is able to attend is held in northern Minnesota, Pete will submit a request with receipts for reimbursement for additional costs as well as the session fee itself.

A motion by Supervisor Brian Budenski: To adjourn. The motion was seconded by Supervisor Nancy Sauber.

Meeting adjourned at 10:43 p.m.