

Eureka Township
Dakota County
State of Minnesota

Special Eureka Townboard Meeting

June 9, 2004

Chair Don Pflaum called the Special Meeting of the Eureka Town board to order at 7:01 pm.

Town board members present were Chair Don Pflaum, Supervisor Kenny Miller, Supervisor Mark Malecha, Supervisor Dan Rogers and Supervisor Connie Anderson. Clerk/ Treasurer Nanett Leine recorded the minutes.

Planning Commission Members present were Butch Hansen, Richard Stevens and Francie Madden.

Township Consultant Gary Oberts, Emmons and Olivier Resources (EOR) was present.

Agenda: Strategy Meeting- Elko/ New Market Waste Treatment Facility

The New Market Town board, Met Council Rep, Brian McDaniel, Dwaine Otte, Dakota County Soil and Water District and Bob Erickson, Lakeville Administrator.

Gary Oberts, Eureka Township Consultant updated the town board on issues for Eureka Township relating to the Proposed Elko/ New Market Waste Water Facility. (*See attachments*)

Additional comments included:

- There is no program in place once construction is over for storm water. This is a volume control issue.
- The waste water treatment plant would be upgraded from a Class C to a Class A plant, which would require an on duty operator and more samples for better control. (Effluent as it leaves the plant.)

Bob Johnson recommended that Eureka Township and New Market Township petition the Environmental Quality Board (EQB). 20 signatures are required on the petition.

Eureka Township outlined their strategy for an agreement on the proposed Elko/ New Market treatment facility

New Market Township was in agreement with Eureka Townships approach, they will put together a list of their major issues, to share with the Eureka Town Board.

The ground water issue is a major concern in New Market Township.

- It was questioned whether the DNR is aware that additional pipes are being put into the Vermillion River, they need to issue permits for the pipes. Also the fluctuation in Rice Lake needs to be addressed by the DNR. Gary Oberts will check with Pat Lynch on these two issues.

Eureka Township is looking for a joint strategy between New Market Township, Dakota County Soil and Water and Eureka Township.

A draft letter was received from the Vermillion River Joint Powers Board (VRJPB) proposing that they facilitate a roundtable for options of the WWTP expansion. Delaying the decision on the EAW for 120 days. This would be a favorable option for the township.

Eureka Townships request to Elko/ New Market Includes:

1. The plant comes into compliance with the effluent outflow. (in 30- 60 days) until the new line is in place.

The Eureka Town Boards goal is to make the Vermillion River fishable and swimmable.

2. Provide a surface water management plan.
3. Prove the water temperature will not increase in the trout stream and if it does that a remedy be put into place.
4. Expansion capacity limited to 350 to 450,000 gallons per day. The MET Council put the sewer line on fast track to be in place by 2008.
5. Eureka Township and New Market Township receive a percentage of all development and building permits fees to assist them in paying for culvert upgrades, residences property damage due to the increase of water flow, etc.
6. No new industrial waste may be generated until the sewer line is in place.
7. Elko/ New Market must sign onto the Empire plant MOV.
8. No further expansion of the plant will be allowed and the plant will cease operation after a sewer line is installed.

If the citizens board decides if an EIS is required. If you do not like the decision you need to go to court.

If the township sends a petition to the EQB, it needs to be sent before the MPCA citizens board meets. It needs to be drawn correctly and timely. The township can withdraw the petition from the EQB. Chair Don Pflaum will contact the EQB and obtain a draft petition.

The Eureka town board will proceed with a dual track request: request an EIS and send a petition to the EQB.

New Market Township agreed to go forward with a petition. Each Township will submit a petition.

New Market Township's most important issue is size limitation.

It was commented that the consultant should check with environmental services what types of waste strength do you mandate strength monitoring at an additional cost for treatment. (Strength charge businesses like Arden Foods and Conagra.)

A motion by Supervisor Mark Malecha: We go forth with our Elko/ New Market EIS, and petition plan, to include any additions from New Market Township. Motion seconded by Supervisor Dan Rogers.

A motion by Supervisor Mark Malecha: To direct Chair Don Pflaum to obtain a sample petition from EQB, to draft a petition, to circulate to township citizens, to be sent to the EQB. Motion seconded by Supervisor Connie Anderson.

- The consultant will prepare the petition.
- The petition will state that the township is requesting an EIS.
- All town board members will collect signatures.
- Gary Oberts will take the petition to the EQB.
- The petition is asking the EQB to order an EIS.
- Need to make sure that dual track approach is allowed.

A vote was taken on the motion. The motion carried.

A motion by Supervisor Mark Malecha: To send to the MPCA our position along a signed letter similar to the draft letter from VRJPB or a letter from Eureka Township requesting a mediator and 120 day extension of the process. Motion seconded by Supervisor Connie Anderson for discussion purposes.

Discussion followed. Supervisor Mark Malecha rescinded his motion.

June 16, 2004 Special Town board meeting Elko/ New Market Waste Water Treatment Plant. 7:00 pm Eureka Town Hall. All interested parties will be invited. Objective: Negotiations with Elko/ New Market on Proposed expansion of the Waste Water Treatment Plant.

A Motion by Supervisor Kenny Miller: To adjourn. Motion seconded by Supervisor Connie Anderson.

Meeting adjourned at: 9.18 pm.