

Eureka Township

Dakota County

State of Minnesota

Eureka Townboard Meeting
July 12, 2004

Call to Order:

Chair Don Pflaum called the regular monthly meeting of Eureka Township to order at 7:00 PM. Present were Supervisors Don Pflaum, Connie Anderson, Mark Malecha, Kenny Miller, Dan Rogers and Clerk/Treasurer Nanett Leine.

The meeting opened with the Pledge of Allegiance.

Approval of Agenda:

Add: Ground breaking- New Town Hall

7. Planning Commission Other Business B. 4. Building question

Move Dan Ryan- Gazebo to B. Planning Commission

8. Old Business H. CIP Contract

Add: 9. New Business- D. Land Use

A motion by Supervisor Mark Malecha: To approve the agenda as amended. Motion seconded by Supervisor Dan Rogers. Motion carried.

The town board and all those in attendance for the July 12, 2004 town board meeting walked to the new town hall site for ground breaking.

The agenda was amended as follows: Move consent agenda items to first order of business.

Add: 9. New Business E. AT & T facility at Cedar and 250th Street

A motion by Supervisor Mark Malecha: To approve the amended agenda. Motion seconded by Supervisor Kenny Miller. Motion Carried.

Planning Commission Land use permits and Related Items:

Planning Commission Meeting

Consent Agenda

1. Harold Beckett- 25450 Cedar Ave, Farmington requested a zoning permit for a 28' diameter above ground pool. Property ID# 13-02200-018-26.

Permit # 04-018 issued for \$211.06

2. Dave Metzger- 5853 235th St W Farmington requested a zoning permit for a 35' x 28' garage. Property ID# 13-01100-010-04.

Permit # 04-018 pending for \$541.46

A motion by Supervisor Mark Malecha: To approve the planning commission consent agenda items. Motion seconded by Supervisor Kenny Miller. Motion carried.

Minutes:

A motion by Supervisor Connie Anderson: To approve the Regular Townboard Minutes of June 14, 2004 as presented. Motion seconded by Supervisor Dan Rogers. Motion carried.

A motion by Supervisor Mark Malecha: To approve the Special Meeting Minutes of June 2, 2004 as presented. Motion seconded by Supervisor Kenny Miller. Motion carried.

A Motion by Supervisor Mark Malecha: To approve the Special Meeting Minutes of June 9, 2004 as presented. The motion was seconded by Supervisor Dan Rogers. Motion Carried.

A motion by Supervisor Mark Malecha: To approve the June 16, 2004 Special Meeting Minutes with the following additions- Add: Deputy Clerk/ Treasurer Jeannie Nordstrom to record the minutes. Add "s" to Obert. Motion seconded by Supervisor Connie Anderson.

June 21, 2004 Special Meeting Minutes. Correct spelling of "Tiede". A motion that was rescinded is missing. A motion by Supervisor Mark Malecha: To delay approval of these minutes until next meeting. Motion seconded by Supervisor Dan Rogers.

Treasurer's Report

Treasurer Nanett Leine reported that there is \$525.75 in checking, \$115,486.15 in the savings account and \$121,055.06 in savings (Former CD). The federal tax liability account was \$1564.62, MN tax liability \$4.00, County Sewer inspection permits \$200.00 and State surcharge liability \$1,256.36.

Motion by Supervisor Connie Anderson: To approve the treasurer report as presented. Motion seconded by Supervisor Dan Rogers. Motion carried.

Bills and Receipts

Clerk/Treasurer Nanett Leine presented the following bills for payment:

BeSure Inspection Services	Building & Septic permits	\$4,897.84
Mark Henry Excavating	Grade Roads	\$7,491.00
Mark Henry Excavating LLP	Eureka Town hall site work	\$5,265.00
Dakota Electric	Electric Bill	\$10.54
Frontier Communications	Telephone- town hall	\$103.33
Frontier Communications	Telephone- office	\$83.54
Nanett Leine	Payroll 6/1/04 to 6/30/04	\$1,333.83
Nanett Leine	expenses	\$530.52
PERA	Payroll 6/1/2004 to 6/30/04	\$162.51
Murnane, Conlin, Brandt & White	legal fees	\$3,078.73
Erik Leine	mow town hall June 7, 14, 21, 28	\$80.00
Solberg Aggregate	3/4" lime rock	\$5,467.98
Calvin Hedlund	New Town Hall- land preparation	\$1,090.00
Dust Coating Inc.	Invoice #0215 & 0237	\$18,909.52
Internal Revenue Service	2nd qtr 941	\$1,564.62

State of Minnesota	2nd qtr taxes	\$4.00
MN State Treasurer	state surcharge	\$987.01
Dakota County Treasurer	septic fees	\$280.00
Minnesota Association of Townships	summer short course 2 registrations	\$70.00
Bachman's	refund overcharge State Sur charge	\$410.52
Highview Church	refund overcharge State Sur charge	\$99.34
Bob Knutson	refund overcharge State Sur charge	\$107.30
Emmons & Olivier Resources	consultant service	\$25,000.00
TOTAL BILLS PRESENTED		\$77,027.13

Charges that relate directly to the "New Town Hall" need to be tracked. (Land preparation and Calvin Hedlund)

The dust control labor needs to be added to Henry Excavating breakdown.

Supervisor Connie Anderson asked if the Emmons and Olivier bill is the final bill. Chair Don Pflaum explained the total amount of services given \$30,000 the current bill to this date is for \$25,000. The original quote was \$20,000. New Market Township has approached the town board to assist financially in payment of bills relating to Elko/ New Market waste water treatment facility.

A motion by Supervisor Mark Malecha: to approve payment of the Junes bills totaling \$77,027.13. Motion seconded by Supervisor Dan Rogers. Motion carried.

Approval of June receipts

The following receipts were deposited in June:

• <u>Building Permits</u>			
Bob Knutson- <i>application fee</i>	\$50.00	Ray Hall- <i>Ag building permit</i>	\$25.00
Mark Parranto- <i>application fee</i>	\$25.00	Dan Ryan- <i>application fee</i>	\$25.00
Mark Parranto- <i>Ag building permit</i>	\$25.00	Ron Leh- <i>application fee</i>	\$25.00
John Aaberg- <i>application fee</i>	\$25.00	Ron Leh- <i>building permit- addition</i>	\$912.50
John Aaberg- <i>building permit- garage</i>	\$779.04	Mike Greco- <i>application fee</i>	\$25.00
Ray Hall- <i>application fee</i>	\$25.00	Mike Greco- <i>building permit- deck</i>	\$138.86
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• <u>Septic / HVAC</u>			
Bohn- <i>furnace replacement</i>	\$65.00	Hetchler- <i>Septic</i>	\$280.00
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• <u>Other Receipts</u>			
Met Con- <i>town hall plans</i>	\$50.00	Interest earned	\$814.09
Dicks Gunsmithing- <i>CUP (3 years)</i>	\$45.00		
			Total Receipts in June \$3,334.49

A motion by Supervisor Kenny Miller: To approve receipts as presented. Motion seconded by Supervisor Connie Anderson. Motion Carried.

Contractor time

Roads

Signage is needed on Chub Lake Road. Road contractor, Mark Henry recommended that a DOT traffic study/ sign study by an engineer to remove liability from Township on sign placement. He also recommended lowering the speed limit.

Supervisor Mark Malecha will check with the county on a recommended engineer for a sign study. He will report back at the August Meeting.

Jennifer Lenarz / Deputy Sheriff introduced herself to the Town board and those attending. She asked if there were any concerns or comments that needed to be addressed by the sheriff's department. She addressed many town board and citizen concerns.

Eureka Estates still needs barricades at the dead ends (3) Mark Henry should proceed with purchase and placement of barricades. (approved 6/9/03)

The cul-de-sac on Iceland path needs a "no outlet" sign and Rice Lake Heights.

A motion by Supervisor Connie Anderson: For purchase and placement of 2 "no outlet" signs for Eureka Estates and Rice Lake Heights. Motion seconded by Supervisor Kenny Miller.

Motion Carried.

Mark Henry had inventoried the traffic sign stock. Approximately \$200.00 in signs need to be purchased.

Castle Rock School signage- contact Castle Rock with intentions before proceeding.

Culverts

The Road Contractor, Henry Excavating has been commissioned to do the culvert work on Highview, Iberia and Fordham. The 54' concrete culvert approx. \$7,500. other 2 culverts \$2,000 each. The township will purchase the culverts.

A motion by Supervisor Kenny Miller: TO authorize the Road Contractor, Mark Henry Excavating to do culvert work as soon as possible. Motion seconded by Supervisor Dan Rogers. Motion Carried.

Town Hall Site Work

Mark Henry Excavating completed the New Town Hall site work, the site was inspected by Instant Testing Co. and tests completed. The building pad soils are acceptable for fill placement.

Contract

Moved to August meeting.

Planning Commission, land use permits and related business- continued

B. Dan Ryan- 7417 280th St Farmington requested a building permit for a 20' x 44' pool and lawn shed 15' x 20'. The lawn shed was built without a building permit.

A motion by Supervisor Kenny Miller: To grant the building permit for the lawn shed with additional 50% penalty fee for construction without a permit. Motion seconded by Supervisor Connie Anderson. Motion Carried.

A motion by Supervisor Mark Malecha: To approve the pool permit. Motion seconded by Supervisor Kenny Miller. Motion Carried. **Permit # 04-014 issued for \$787.17**

Other Business-

B. Building Inspector

1. Adopt State Building Codes

The town board decided to send the proposed State Building code and perpetuating ordinance to the attorney for review.

A motion by Supervisor Kenny Miller: to move the adoption of the State Building Codes to the August Town Board meeting. Motion seconded by Supervisor Dan Rogers. Motion Carried.

2. Follow up on buildings without permits

A motion by Supervisor Kenny Miller: That Clerk/ Treasurer Nanett Leine will send a certified letter to Dick Martin asking him to appear at the next Town board meeting.

3. Follow up on Noise complaint

Supervisor Connie Anderson is in the process of working on the noise complaint.

4. Building question

Supervisor Mark Malecha asked if the pole building being erected on Dodd and 235th street was under a building permit. The permit was granted October 2003 permit # 03-012.

The planning commission requested the building inspector to attend the August 2, 2004 planning commission meeting. He will be first on the agenda at 7:00 pm.

Ordinance enforcement was discussed. At the June 14, 2003 Town Board Meeting a policy had been put into place that two town board members will follow up on complaints.

New Business

A. Jeff Nawrocki- Metropolitan Airport Commission (8:00PM)

Jeff Nawrocki introduced himself; he is the new manager of the Air Lake Airport Commission. The next Airport meeting is in September.

Planning Commission business continued

A. Lot split/ road/ road frontage question- Strom property

Kristine Erickson/ Gordon Strom would like to split 5 acres (North side with existing home) from parcel ID # 13-01900-010-75. (80 acres) Then in the future possibly split off 5 acres directly south of this parcel as another building site. This property lies at the end of 257th St. and has no road frontage. The corner of each property would touch the existing road.

Comments included: At the present time shared driveways are not permitted. The second split (south) a question of Road frontage. If the second split is applied for the town board would ask for a covenant by landowners for a cul-de-sac or turn around for road maintenance purposes. They were informed that they need to request a split from the town board.

Old Business

A. SEH Interceptor

The MET Council is looking at various options for Interceptor to Elko/ New Market area. Cost studies were presented Option D & E both run through Eureka Township. The MET Council has policies to keep development at bay, they will support the township in their decision. Costs of the septic line are assessed at the time of hookup.

The planning commission has scheduled an informational open house on the Upper Vermillion River Interceptor on June 26, 2004. This is a question and answer session to obtain citizen comments on the proposed interceptor line. A report will be given at the August Town Board meeting.

B. Town Hall

Finalizing the Financing added to the August 12, 2004 Town Board Meeting agenda. The MPCA Permit has been issued.

C. Road Projects

The specs are being finalized/ tonnages. Work will start in August.

D. Centurytel Fiber II

All gathered information will be sent to Attorney, Peter Tiede for review. Centurytel Fiber II is in violation of the CUP. The town board is asking for removal of the building.

E. Appro Development

A motion by Supervisor Mark Malecha: Clerk/ Treasurer Nanett Leine make copies of all related documents to send to the attorney, for legal advise on this issue. Motion seconded by Supervisor Kenny Miller. Motion Carried.

F. Elko/ New Market Septic Treatment Facility

Supervisor Don Pflaum updated citizens on this issue. Additional work needs to be done including testing water. Supervisor Don Pflaum will contact New Market Township and the consultant, Gary Oberts and invite them to a meeting on Wednesday June 21. The township needs to investigate other avenues.

G. 2 citizen 's complaints – burning trash

Another citizen had a complaint of a neighbor burning trash. Clerk/ Treasurer Nanett Leine will send a letter to Charlie Liane, Tree Masters and inform him that it is illegal to burn.

Clerk/ Treasurer Nanett Leine contacted Lakeville and Farmington Fire Departments. The procedure to follow on illegal burning is to contact the Sheriff Department (They have jurisdiction in the township) when the legal burning is taking place (They need to catch them actually burning to present a citation or warning)

H. Canadian Pacific Railroad Contract

The second copy (township) needs to be signed by the Chair, attested by the clerk for the bridge work to move forward

New Business continued

D. Land Use

Supervisor Kenny Miller removed himself as a town board member on this issue, it affects mining operators in the township.

It was noted that Friedges Landscaping is hauling in and selling black dirt and gravel as part of their operations of business. Gravel mining businesses are not allowed under their CUP to import and sell materials onsite.

A motion by Supervisor Connie Anderson: To send a certified letter to Friedges Landscaping asking them to attend the August 12, 2004 Town Board Meeting to address this issue. Motion seconded by Supervisor Dan Rogers. Motion Carried.

E. AT & T facility at Cedar and 250th Street

It was noted that the Fiber Optic Station issued a CUP under AT & T is not being maintained per the conditional use permit. Supervisor Dan Rogers will contact the current owner on CUP conditions.

Other Business

Clerk/Treasurer Presentation

Clerk/ treasurer presentation: See attached sheet for information.

Meetings

B. 7-27-04 Meeting rescheduled for 8-2-04 at 8:00pm (following regular planning commission business)

A post card will be sent informing Eureka Township citizens of the July 26, 2004 open house. The July 28, 2004 MPCA open house will also be included.

A motion by Supervisor Mark Malecha: To purchase stamps and post cards for the meeting notice. Motion seconded by Supervisor Connie Anderson. Motion Carried.

A motion by Supervisor Mark Malecha: To adjourn. Motion seconded by Supervisor Connie Anderson.

Meeting Adjourned.