

Eureka Township
Dakota County
State of Minnesota

Eureka Town Board Meeting
August 22, 2005

Call to Order:

Supervisor Connie Anderson called the regular monthly meeting of Eureka Township to order at 7:00 p.m. The meeting had been rescheduled from August 8, due to a lack of a quorum. Present at the meeting were Supervisors Connie Anderson, Dan Rogers, Gloria Belzer, Cheryl Monson, Mark Malecha and Deputy Clerk-Treasurer Jeanne Nordstrom to record the minutes.

The meeting opened with the Pledge of Allegiance.

Approval of Agenda:

A motion to accept the agenda was made by Supervisor Cheryl Monson. The motion was seconded by Supervisor Dan Rogers. The motion passed.

Audience:

The audience was given time to speak about pertinent issues. No one from the audience participated.

Minutes:

Minutes were reviewed from the Regular Town Board Meeting of July 11, 2005. Supervisor Gloria Belzer asked that some changes be made.

1. Supervisor Belzer asked that some things she said during the discussion of Item 1, page 5 of 7 be included in the minutes, the reason being that she voted “no” to the split.

Discussion was held about what should be included in minutes. Supervisor Mark Malecha moved that the July 11 minutes are tabled until next month and summaries of the Supervisor’s discussions are included. Supervisor Gloria Belzer to give clerk a summary of her discussion that entailed that night.

2. Supervisor Gloria Belzer would also like to note that she voted “no” to the Hanson CUP for a second dwelling. Supervisor Gloria Belzer was the only dissenting vote.

3. Supervisor Mark Malecha also has a change for the July 11 minutes. The change is under the **Approval of Agenda**, second line: Two supervisors **have** (instead of “has”) removed themselves...

The minutes for the July 11 Town Board Meeting were not approved.

Minutes were reviewed from the Special Town Board Meeting of July 18, 2005. Supervisor Mark Malecha noted that these minutes deal with an issue from the previous meeting and asked if a vote could take place. Supervisor Connie Anderson said it is a separate issue. Supervisor Gloria Belzer made a motion to approve the minutes. Supervisor Dan Rogers seconded the motion. The motion passed.

Treasurer Report

The Treasurer's Report was read. Deputy clerk treasurer Jeanne Nordstrom reported that there is \$539.62 in checking, \$167,846.21 in savings account and \$140,000 in CD investments. County sewer inspection permit liabilities are \$160.00, Federal tax liabilities are \$570.33, MN tax liabilities are \$84.27, and the State surcharge building permit liabilities are \$274.00. Supervisor Mark Malecha made a motion to approve the report. Supervisor Dan Rogers seconded the motion. The motion carried.

Bills and Receipts

The following bills were presented for approval:

BeSure Inspection Services	July Inspector Fees	\$5,576.50
Murnane and Brandt	Statement # as of June 30, 2005	\$187.69
Dustcoating Inc.	Invoice #5188 applied 7/1/05	\$11,657.09
Erik Leine	Mowing town hall July 2005	\$225.00
Pat Fossum	payroll 7/1/2005 to 7/31/05	\$60.03
Nanett Leine	payroll 7/1/2005 to 7/31/05	\$1,771.53
Jeanne Nordstrom	payroll 7/1/2005 to 7/31/05	\$189.32
PERA	payroll 7/1/2005 to 7/31/05	\$233.86
Nanett Leine	expenses 7/1/05 to 8/6/05	\$117.45
Jeanne Nordstrom	expenses 7/1/05 to 7/31/05	\$91.25
Farm Road Services	road maintenance thru 7/31/05	\$8,185.00
Dakota Electric	electric town hall	\$52.43
Frontier Communications	phone service	\$108.83
Castle Rock Bank	Town Hall loan payment no. 2	\$26,446.19
ALF Ambulance	first half 2005	\$5,512.04
Swisher	restroom sanitation service	\$25.00
Culligan	water softener rental	\$23.38
Dakota County Recordors Office	Record cluster agreement- Sly	\$46.00
Dakota County Recordors Office	Record CUP Hansen	\$46.00
Total Bills for July		\$60,554.59

Supervisor Dan Rogers made a motion to approve the bills. Supervisor Cheryl Monson seconded the motion. The motion carried.

The following receipts were deposited in July.

<ul style="list-style-type: none"> • <u>Building Permits</u> 				
Chavez- C& M Home Builders	Application Fee	\$50.00	Jeremy Gore - Addition	\$748.06
Chavez- C& M Home Builders-	new home	\$6,065.69	Gordon Mincke –Application Fee	\$25.00
Jeremy Gore -	Application Fee	\$25.00	Gordon Mincke – Building permit	\$610.86
<ul style="list-style-type: none"> • <u>Other Permits</u> 				
Jorgensen’s Landing-	septic permit- abandonment hanger #24H	\$280.00		
MPV Aviation-	septic permit- abandonment hanger #42A	\$280.00		
Alice Storlie-	Plumbing	\$60.00		
<ul style="list-style-type: none"> • <u>Other Receipts</u> 				
Dakota County –	Current tax first half 2005	\$184,907.00		
Dakota County –	Delinquent tax	\$2,032.44		
Total Receipts in July		\$195,134.91		

Supervisor Dan Rogers made a motion to approve the receipts as presented. The motion was seconded by Supervisor Mark Malecha. The motion passed.

Budget

The town board reviewed the budget. The dust control category was discussed.

Planning Commission

Building Inspector items (Mr. Hegner had to leave by 7:30 pm)

1. Bob Carlson -Septic permit – Mr. Hegner has not made contact with Mr. Carlson.
2. Wat Lao Occupancy permit. Their occupancy permit has been approved; Mr. Hegner will get it to them this week. Mr. Hegner has directed them to the Planning Commission in order to build a gate (entry) and to get a permit for their sign at the same time. This item will be moved to the Planning Commission agenda.
3. Tousignant –Cedar Ave- moved a building into township without a permit. Mr. Tousignant spoke with the board and completed the paperwork for moving a building into the township. Supervisors Mark Malecha and Supervisor Cheryl Monson will inspect it. The cost is \$150 plus building inspector fee.
4. Complaint - Eureka Estates. Mr. Hegner has not been able to investigate these due to personal reasons.
5. Complaint – Conroy Farm. The Conroy’s were not present at the town board meeting. There are a number of issues. A follow up will be done by Supervisors Connie Anderson and Gloria Belzer who will contact them, find out their intentions and make a determination of where to go next. This item should move to the October agenda.

Possible Consent agenda items

1. **Tim Murphy** 9110 225th St W, Lakeville Property ID #13-00500-040-50) requested a permit to build a new home.
Building Permit #05-08-018 issued for \$8,752.39
2. **Todd Bachman**- 26345, 26347 & 26401 Galaxie Avenue (Property ID # 13-02700-010-27, 13-02700-011-28 & 13-02700-011-29) lot split/adjust property boundaries.
3. **Lonnie Malowitz** – 9840 250th Street W, Lakeville (Property ID # 13-01900-014-03) lean to existing pole shed 40' X 32' (42' setback noted on application permit)
Ag Zoning Compliance Permit #000993 Issued for \$50.00
4. **Jim Larson** 24720 Iberia Avenue, Lakeville (Property ID # 13-01900-014-03) 3' x 20" addition to front of existing garage and 25'4" x 14' addition to north side of garage.
Building Permit #05-08-020 issued for \$329.06

A motion was made by Supervisor Mark Malecha to approve all of the four above permits. Supervisor Cheryl Monson seconded the motion. The motion carried.

5. Mike Northrup not present.
6. Mary Ann Sly – **Road frontage**. The Town Board determined that the road in front of the Sly property is a township road. Supervisor Mark Malecha made a motion that the Board recognizes that Fairgreen Avenue running from 23750 plus 415 feet is a township road. Supervisor Connie Anderson seconded the motion. The motion carried.

Cluster: Supervisor Mark Malecha made a motion to approve the Sly property cluster. Supervisor Gloria Belzer seconded the motion. The motion carried.

Lot Split: They need to describe it correctly. Contact surveyor and change. Whole property is A, split off Parcel is B. Board approved it subject to them getting it changed and to me to seal.

Supervisor Mark Malecha made a motion to approve the Sly lot split as long as they provide a corrected description of Parcel A – the whole property and Parcel B – the split off piece of property. Supervisor Gloria Belzer seconded the motion. Motion carried. The Sly's will make arrangements with deputy clerk-treasurer.

7. Joretta Lorentson – Lot split – Not present.
8. Wayne Doyle. The planning commission sent it forward with the board to answer the question of whether to approve the pole shed with no dwelling. Board determined Mr. Doyle's lot is unique to this because a building used to exist on the property and has a buildable site. Supervisor Mark Malecha made a motion to approve, Supervisor Cheryl Monson seconded the motion. The motion carried.
Building Permit #05-08-020 issued for \$635.86

Other related business

1. Airlake terminal. They applied to us for a permit and were told that we don't have the property; it is now in the city of Lakeville.

2. Monson pole building. Supervisor Connie Anderson received a letter from the county that she has applied for shoreland. Other clarification was whether it was for ag use. Supervisor Cheryl Monson stated that the property is ag; it is rebuilding the building that burnt down. Property records in the county do not show it in green acres or ag status. Board determined they must follow policies set for all citizens. Supervisor Cheryl Monson removed herself from the discussion. Supervisor Gloria Belzer made an amendment to the motion that Cheryl Monson's application for a pole shed does not qualify for ag and should be used for personal use. Supervisor Dan Rogers seconded the motion. Motion carried. The application for permit will have to be re-done unless proof of green acre status can be brought forward.
3. CenturyTel on 240th St – They inherited the building so Chris Nielsen is mowing as a private contractor for them. They haven't decided what they will do with the building. They have a CUP but it is just in the minutes. If there is a permit fee, Clerk to take care of it and take it off agenda.
4. AT&T – Clerk to follow up permit, take off agenda until CUP comes up and then put it back on agenda.
5. World Com – Clerk to follow up permit, take off agenda until CUP comes up and then put it back on agenda.
6. Planning Committee 3rd Monday of the month. Is there money for these extra meetings? Corey Behrendt answered that they plan to meet 4 months (through December). Clerk is not needed at these meetings so the cost will be \$640. It was determined that they should proceed.

Contractor Time

Roads

1. Chris Nielsen addressed the \$5,000 grant we have received to fix the north ditch on Chub. It has been dedicated to us already. Chris has met Brian (?) there and they are thinking rock check dams every 50 feet, rip rap and seeding. The board asked Mr. Nielsen to talk to Brian again, checking on trees and the ditch further up the road.
2. Ditch near 265th Street bridge has quit eroding since the grass has grown. Supervisor Connie Anderson to check with Clerk.

Culvert Issues

1. Castle Rock sent Supervisor Connie Anderson a letter about three driveways south of County Rd 80 that have erosion issues. They want Eureka township to take care of these driveways. Chris says the average cost is \$500 each installed (30 foot culverts). Supervisor Connie Anderson told Mr. Nielsen to run estimates for presentation at September Town Board meeting. Mr. Nielsen says a farmer wants a bigger culvert on the driveway where he is farming and is willing to pay for additional size. Connie would like that in writing. Supervisor Mark Malecha, Supervisor Dan Rogers and Chris Nielsen will work on estimates. This item should be put on the September agenda.

2. Chris Nielsen put together numbers for Hamburg bridge. He talked to Brian- there is wetland on both sides and can't lower it. Mr. Nielsen to get an estimate and pass it on to planning commission so they have an idea of the cost. We will set up a file for this so we are prepared for the future.

Other Issues:

1. Trees obstructing maintenance. Mr. Nielsen can't grade properly. Trees are full of leaves and are hanging over the road. We will try to follow what MAT says we should do but budget is a concern.
2. Mr. Nielsen's insurance company was called about a claim he feels should have been dealt with by township insurance. The board told Mr. Nielsen to call the township insurance company.
3. Sign concerns: Eureka Estates has no yield, stop signs or speed limit signs in the development. Supervisor Dan Rogers and Mr. Nielsen working on it.
3. A citizen expressed concern that resurfacing has been done on all but the western part of Eureka Estates – approximately ½ mile - Upper 240th, Idalia and 243rd. The township should look at it for next year.

Old Business

A. Town Hall

1. Status of Old Town Hall. There is interest in restoring and saving the building for Dakota City. The final decision comes down to the Fair Board. The move would be in approximately 2-3 months. The board will grant Dakota City whatever funds are left over from our cleanup costs (what is remaining of the \$4,000). Supervisor Connie Anderson to advise Rich Williams from Dakota City of this. He has said they will take Town Hall, outhouse, hand pump, but if they aren't able to take the Town Hall, the board agrees they can have the outhouse and hand pump.
2. Items from the old town hall. Chris Nielsen will take the desks and dispose of them. Supervisor Cheryl Monson did an inventory of old town hall items and gave it to the clerk. The items will be listed in the next newsletter (October) as a last chance for sealed bids and will also be posted outside the town hall. The deadline would be before the board meeting and the bids would be open during the November board meeting.
3. Restroom Sanitation Service. Ask clerk whether they are still in business.
4. Town Hall Committee Report – The committee hasn't met yet. A gentleman from the audience offered to mow. Said our Town Hall is an eyesore; he and many others are concerned about how bad our town hall looks. Board will ask Erik Leine to mow the whole thing. We will not be putting in water lines. We will spray for weeds as soon as Erik Leine mows the whole thing and then it will be seeded. We will try to do it in the next two weeks.

- B. Elko/New Market Interceptor. Town Board and Planning Commission set up a round table Tuesday, September 6 at approximately 8:00 pm to discuss all the

information being presented. It will be an open meeting with no public input. Others invited will be a County planning person, Met Council person (Bryce), and an engineer. A gentleman from the audience spoke up to ask that we make sure they put a big enough pipe in now and a “t” also. Asked if Eureka has asked for connector lines. The board said we haven’t been offered them. The gentleman said we need to ask that. Have we requested a future allocation flow in writing from Met Council? Yes, we have already requested that.

- C. Lakeville Annexation. Discussion was held. Supervisor Connie Anderson has followed up with MAT who told her that lots of cities are talking to townships about this. MAT suggested the township start involving the township attorney. They said there are many types of agreements we could do with Lakeville.

No formal annexation has been applied for. We could look at proceeding with orderly annexation with a “trigger” – that does not take place unless someone comes in to develop. We need to set high standards, think about contingencies, and insist that they have the infrastructure in place. Supervisor Connie Anderson will move forward with the attorney and ask him to put an agreement together that is aggressive and ask him to provide rough draft for September Town Board meeting.

- D. The board will have a closed meeting at 7 pm on September 6, 2005 to determine deputy clerk treasurer hourly rate of pay.

New Business

- A. Various complaints-Davis property. Supervisor Connie Anderson to follow up, talk to sheriff. Assign Bob Hegner last 3 items – keep this on agenda.
- B. Complaint-Leif Johnson, 256th & Dodd. Supervisor Gloria Belzer to verify it is located in the township and then contact Bob Hegner.
- C. Complaint-Country Joe Racing. Supervisor Connie Anderson has contacted and reminded them of the motion made by the previous board. Unfortunately, two days after she called, they were doing the same thing again. Attorney will be contacted. We will put together the original motion that was made, formal complaints and recorded times of violations. Will find out what is our legal position. Clerk to work with Supervisor Anderson on this.
- D. Complaint. Anonymous caller regarding dogs barking. Called three more times on Monday. Supervisor Dan Rogers concurs--says he has heard them too, various times. Supervisor Connie Anderson to call the Sheriff.

Clerk/Treasurer presentation.

Deputy clerk treasurer to attend the Thursday, August 25 meeting regarding Help America Vote Act (HAVA).

A motion made by Supervisor Gloria Belzer to adjourn. The motion was seconded by Supervisor Dan Rogers. The motion carried and the meeting was adjourned at 10:26 p.m.