

EUREKA TOWN BOARD MEETING OCTOBER 10, 1994

THE MEETING WAS CALLED TO ORDER BY CHAIRPERSON SCHINDELDECKER. PRESENT WERE SUPERVISORS KADLEC, JOHNSON, SMITH AND TOPP, CLERK LEINE AND TREASURE SCHULZ.

KADLEC MOVED TO ACCEPT THE MINUTES WITH THE FOLLOWING CHANGE. PARAGRAPH 7 ON PAGE 2. CHANGE "LANQUEST" TO "LONNQUIST". MOTION SECONDED BY TOPP AND CARRIED.

KADLEC MOVED TO ACCEPT THE TREASURES REPORT AS READ, SECONDED BY TOPP AND CARRIED.

TOPP MOVED TO PAY THE BILLS PRESENTED BY CLERK LEINE, SECONDED BY JOHNSON AND CARRIED.

WALTER BOHRN REQUESTED A PERMIT TO BUILD A THREE SEASONS PORCH WITH A DECK. SIGNED PLANS FROM BUILDING INSPECTOR ALONG WITH A PLACEMENT DRAWING WERE ON HAND. TOPP MOVED TO GRANT PERMIT SECONDED BY KADLEC AND CARRIED.

MIDDLEMIST/SLY PROPERTY ISSUE WAS ADDRESSED SHORTLY AFTER 8 PM. MIDDLEMIST AND HIS ATTORNEY, BENSON, SLY, SWEDIN AND THE TOWNSHIPS ATTORNEY WERE PRESENT. MIDDLEMIST AGAIN BROUGHT UP THE FACT THAT DAKOTA CO. SAID A ROAD WAS DEDICATED AT THIS LOCATION, A ROAD WAS IN FACT THERE, AND THEREFORE MIDDLEMIST FIGURED THERE WAS A ROAD AND WENT AHEAD AND PURCHASE THE PROPERTY FROM SLY.

THE TOWNSHIPS ATTORNEY INFORMED THE BOARD THAT, THE TOWNSHIP DOES OWN A ROAD AT THIS LOCATION. THE TOWNSHIP HAS ACCEPTED ROAD EASEMENTS, THE ROAD HAS NOT BEEN CONSTRUCTED, THE ROAD HAS NOT BEEN OFFICIAL OPENED, BUT THE TOWNSHIP DOES OWN THIS ROAD "ON PAPER". THE TOWNSHIP ATTORNEY SUGGESTED THAT THE TOWNSHIP ENTER INTO A "PRIVATE DRIVEWAY AGREEMENT" WITH MIDDLEMIST. THIS AGREEMENT WOULD ALLOW MIDDLEMIST TO BUILD ON THE PROPERTY HE HAS PURCHASED AND FULL FILL THE ORDINANCE REQUIREMENTS THAT WILL BE IN THE FUTURE. THIS AGREEMENT WOULD THEN BECOME NULL AND VOID UPON COMPLETION OF THE HIGHVIEW EXTENSION.

AFTER MUCH DISCUSSION FROM ALL PARTIES CONCERNED, TOPP MADE THE FOLLOWING MOTION. THE TOWNSHIP WILL ENTER INTO A PRIVATE DRIVEWAY AGREEMENT WITH MIDDLEMIST EXECUTED BY THE TOWNSHIPS ATTORNEY AND THE ATTORNEY FOR MIDDLEMIST, AND APPROVED BY THE TOWNSHIP, MIDDLEMIST, AND BENSON AT A SPECIAL MEETING FOR THIS PURPOSE AND PAID FOR BY MIDDLEMIST. KADLEC SECONDED THIS MOTION AND THE MOTION WAS CARRIED.

THE CHAIR INFORMED MIDDLEMIST THAT NOTHING WOULD BE PERMITTED UNTIL AFTER THE SPECIAL MEETING. THE CHAIR ALSO INFORMED MIDDLEMIST THAT A MOBILE HOME WOULD NOT BE PERMITTED IN THE TOWNSHIP.

DAN STORLIE, 10210 235TH ST. W., REQUESTED A PERMIT TO BUILD A HOUSE -GARAGE AT THIS LOCATION. SIGNED PLANS FOR THE HOUSE, SEPTIC, AND TOPOGRAPHY WERE PRESENTED. TOPP MOVED TO GRANT PERMIT, SECONDED BY KADLEC AND CARRIED.

MARK THOMPSON, 1032 - 225TH ST. W., REQUESTED A PERMIT FOR AN ADDITION TO HIS EXISTING HOUSE. SIGNED PLANS FOR THE PROJECT WERE ON HAND. KADLEC MOVED TO GRANT PERMIT, SECONDED BY SMITH AND CARRIED.

GLEN SHIRLEY, 7861 - 272ND ST. W., REQUEST A PERMIT FOR A HOUSE-GARAGE. SIGNED PLANS FOR BUILDING, SEPTIC AND TOPOGRAPHY WERE ON HAND. TOPP MOVED TO GRANT PERMIT CONTINGENT UPON THE A PERMIT FROM THE DAKOTA CO. SHORELAND AGENCY. THIS MOTION WAS SECONDED BY JOHNSON AND CARRIED.

EUGENE MALACCA, 10113 - 280TH ST. W., REQUESTED A POLE FRAME BUILDING PERMIT FOR A 60 X 80 POLE BUILDING. PLOT LOCATION OF BUILDING WAS ON HAND. SMITH MOVED TO GRANT PERMIT, SECONDED BY JOHNSON AND CARRIED.

CITIZENS THAT LIVE ALONG 235TH ST. W. FROM DODD RD. TO HIGHVIEW AVE., WANTED TO KNOW HOW COME TOUSIGNANT WAS ALLOWED TO BUILD SUCH A LARGE POLE BUILDING IN A RESIDENTIAL AREA. THE BOARD WAS INFORMED THAT THIS BUILDING WAS WAY OUT OF SIZE ACCORDING TO ANY OTHER STRUCTURE IN THE AREA. THE BOARD WAS ALSO INFORMED THAT THERE WERE TRUCKS PARKED ON THE ROAD AND IT WAS HARD TO GET AROUND THEM. THE RESIDENTS THAT USE THIS ROAD ALSO TOLD THE BOARD THAT THE HEAVY TRUCKS GOING INTO AND OUT OF THIS BUSINESS WERE TEARING UP THE ROAD. THE TOWN BOARD INFORMED THE CITIZENS PRESENT THAT THE TREE FARM THAT TOUSIGNANT IS RUNNING IS A PERMITTED BUSINESS BEING AG RELATED. CITIZENS WERE ALSO INFORMED THAT OTHER AG RELATED BUSINESS IN THE TOWNSHIP HAD BEEN GRANTED PERMITS FOR POLE STORAGE BUILDING WITHOUT HOUSES BEING REQUIRED. THE CITIZENS PRESENT ASKED THE BOARD NOT TO ALLOW ANY MORE OF THESE TYPE PERMITS WITH OUT SOME TYPE OF NOTIFICATION TO THE LAND OWNERS IN THE NEIGHBORHOOD. THE BOARD SAID THEY WOULD LOOK INTO THIS REQUEST.

EUGENE MALECHA, 10113 - 280TH ST. W., ASKED THE BOARD FOR HELP IN GETTING A FIELD ROAD INTO HIS PROPERTY OFF JAMAICA AVE. MALECHA ASK FOR THIS PERMIT TO BE IN WRITING. THE TOWN BOARD WILL TAKE A LOOK AT JAMAICA AVE. AND DETERMINE WHERE THE TOWNSHIP ROAD ENDS. THE BOARD WILL THEN INFORM MALECHA WHERE THE FIELD ROAD CAN BE LOCATED.

KADLEC MOVED TO ADJOURN, SECONDED BY TOPP AND CARRIED.

THE ABOVE MINUTES WERE APPROVED AS CORRECTED: PAGE 1, PARAGRAPH 9, ADD AFTER, "TOWNSHIP." "MR. MIDDLEMIST INDICATED THAT HE WOULD NOT BRING A MOBILE HOME INTO THE TOWNSHIP." PAGE 2, PARAGRAPH 3, CHANGE "MALACCA" TO "MALECHA", BY A MOTION FROM SMITH, SECONDED BY TOPP AND CARRIED, ON MONDAY NOVEMBER 14, 1994.