

## EUREKA TOWN BOARD MINUTES FOR JULY 13. 1992

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

JOHNSON MOVED TO ACCEPT THE JUNE MINUTES, SECONDED BY HELKENN AND CARRIED.

JOHNSON MOVED TO ACCEPT TRESURES REPORT, SECONDED BY HELKENN AND CARRIED.

HELKENN MOVED TO PAY THE BILLS, SECONDED BY JOHNSON AND CARRIED.

THE METROPOLITAN AIRPOSTS COMMISSION HAS INFORMED THE TOWNSHIP THAT THE MORATORIUM ON HANGERS AT AIRLAKE HAS BEEN LIFTED. SEE ATTACHED LETTER.

CRAG ADAMS, 12430 DANBURY WAY, ROSEMOUNT, REQUESTED A HANGER PERMIT FOR LOT 38G. HANGER TO BE 60 X 50 OF FREDRICKSON CONSTRUCTON. HELKENN MOVED TO GRANT PERMIT, SECONDED BY TOPP AND CARRIED.

STAN GARRIETY, 27L-60 VERNON AVE, ELKO, REQUESTED A HANGER PERMIT FOR LOT 38B. HANGER TO BE 50 X 50 OF FREDRICKSON CONSTRUCTON. JOHNSON MOVED TO GRANT PERMIT, SECONDED BY HELKENN AND CARRIED.

CARL MEYER, 1773 GABERO TR, EAGAN, REQUESTED A HANGER PERMIT FOR LOT 38F, HANGER TO BE 50 X 50 OF FREDRICKSON CONSTRUCTION. HELKENN MOVED TO GRANT PERMIT, SECONDED BY JOHNSON AND CARRIED.

GLENN HOLLAND, 1526 LONE OAK RD, EAGAN, REQUESTED A HANGER PERMIT FOR LOT 38A. HANGER TO BE 50 X 50 OF FREDRICKSON CONSTRUCTION. JOHNSON MOVED TO GRANT PERMIT, SECONDED BY HELKENN AND CARRIED.

DENNIS NOTEBOOM, 4405 CANTON CT, WEBESTER, REQUESTED A HANGER PERMIT FOR LOT 36A. HANGER TO BE 55 X 50 OF FREDRICKSON CONSTRUCTON. HELKENN MOVED TO GRANT PERMIT, SECONDED BY JOHNSON AND CARRIED.

ERLAN ANDERSON, 8635 267TH ST W, ASKED IF THE PROPERTY BEHIND HIGHVIEW CHURCH WAS BUILDABLE. THIS PROPERTY HAS A PIPE LINE RUNNING THROUGH IT. THE BOARD RULED THAT THIS PROPERTY SHOULD BE BUILDABLE.

CUDDIGAN CUSTOM BUILDERS, FOR DALE SWANSON, REQUESTED A PERMIT FOR A HOUSE-GARAGE ON LOT 3 BLOCK 10, OF EUREKA ESTATES. THE VALUE OF THIS PROJECT WAS \$84,554.00. THE PERMIT FEE IS \$572.00, THE SEPTIC FEE IS \$39.00. THE BUILDER INFORMED THE BOARD THAT MORTGAGE APPROVAL WAS NEEDED BEFORE HE WOULD START THIS PROJECT. HELKENN MOVED TO GRANT PERMIT, SECONDED BY TOPP AND CARRIED.

TOM CONROY, 23145 DENMARK AVE, FARMINGTON, REQUESTED A PERMIT FOR A HOUSE-GARAGE. SIGNED PLANS WERE SHOULD THE BOARD. THIS PROJECT

WAS VAUED AT \$142,128.00. THE PERMIT FEE IS \$1,008.50, THE SEPTIC FEE IS \$39.00. JOHNSON MOVED TO GRANT PERMIT, SECONDED BY HELKENN AND CARRIED.

LENORD DAVID, ELKO HOMES, 6540 PENNACLE DR. EDEN PRAIRIE, REQUESTED PERMITS FOR HOUSES AT LOT 6 BLOCK 11 AND LOT 2 BLOCK 9, OF EUREKA ESTATES. DUE TO NEW SHORE LAND RULES DUE OUT IN JULY OR AUGUST AND THE POSSIBLE OF A VARIANCE TO BUILD ON THESE PROPERTYS, HELKENN MOVED TO DENIE PERMIT UNTIL SHORE LAND RULING, SECONDED BY TOPP AND CARRIED. SEE ATTACHED LETTER FROM DAKOTA CO.

GERALD SWEDIN, 8800-235TH ST W, REQUESTED A PERMIT FOR A 22 X 24 NON-ATTACHED GARAGE. THE PERMIT FEE WAS ASSESSED AT \$99.00. HELKENN MOVED TO GRANT PERMIT, SECONDED BY JOHNSON AND CARRIED.

LORENTSON & WARWEG ARE REQUESTING A CONDITIONAL USE PERMIT TO REMOVE GRANULAR MATERIAL, AND REPLACE IT WITH TOPSOIL FROM ANOTHER LOCATION. THE LAND IN QUESTION IS THE NW1/4, SEC. 9, TWP 113N, RANGE 20W. A PUBLIC HEARING WAS HELD BY THE PLANNING COMMISSION ON JUL 6, 1992. THE BOARD HEARD COMMENTS FROM THE REQUESTERS AND THE PUBLIC. WHEN ASKED WERE THE TOP SOIL FOR THIS PROJECT WAS COMING FROM, THE PUBLIC WAS TOLD THAT GRANULAR MATERIAL WOULD GO TO AIRLAKE AND THAT TOP SOIL WOULD COME BACK TO THE MINING SITE. THE FOLLOWING LETTERS WERE PRESENTED TO THE BOARD. (SEE ATTACHED)

1. 1988 WARWEG-LORENTSON MINING REQUEST FROM THE PLANNING DEPT. OF DAKOTA CO.

2. REASON FOR OPPOSING THE PERMIT FOR WARWEG-LORENTSON

3. MINN. SOIL & WATER CONSERVATION DISTRICT REVIEW OF PROJECT

4. DAKOTA CO. PHYSICAL DEVELOPMENT PLANNER

THE EUREKA PLANNING COMMISSION RECOMMENDED THAT THE TOWNBOARD

DENIE THIS PERMIT. LORENTSON ASKED THE BOARD FOR A ROLL CALL VOTE ON ANY MOTION PRESENTED. HELKENN MOVED TO DENIE PERMIT, SECONDED BY SCHINDELDECKER.

1. HELKENN: NAY: VOTE TO DENIE PERMIT AT THIS TIME BECAUSE OF THE SOIL CONTAMINATION PROBLEM AT AIRLAKE. DO NOT WANT ANOTHER POTENTIAL NIGHTMARE LIKE THE PRESENT 225TH & HIGHVIEW PROBLEM.

2. SCHINDELDECKER: NAY: VOTE TO DENIE PERMIT BECAUSE OF THE BAD SOIL AT AIRLAKE.

3. JOHNSON: NAY: CITIZENS OF EUREKA AGAINST PROJECT. INFORMATION RECEIVED FROM MINN. SOIL & WATER SHOWS THAT THE REWARD RECEIVED NOT WORTH THE COST AND TROUBLE TO DO THE PROJECT.

4. TOPP: NAY: THE TOWNSHIP WOULD NEED TO MONITOR THIS PROJECT VERY CLOSELY. THE COST TO DO THIS MONITORING WOULD BE PROHIBITED TO THE TOWNSHIP AND WITHOUT MONITORING THE TOWNSHIP COULD NOT KEEP TRACK OF WHAT WAS GOING ON

5. KADLEC: NAY: ROAD PROBLEMS; TRUCK TRAFFIC WOULD BE PROHIBITIVE, THE COST TO KEEP UP THIS ROAD WOULD BE OUT OF LINE FOR THE TOWNSHIP. DO NOT WANT THE BUM SOIL AT AIRLAKE COMMING INTO THE TOWNSHIP.

THE VOTE TO DENIE C.U.P CARRIED.

LEE TOPP TALKED TO TOWNSHIP ATTORNEY ABOUT THE DAVID HAINKA PROBLEM. TOPP THEN WENT TO THE SHERIFF AND THE SHERIFF WROTE A TICKET TO THE AFFECT HE NEEDED TO CLEAN UP PROPERTY. ON JULY 9TH LEE TOPP FOR THE TOWNSHIP AND DAVID HAINKA APPEARED IN COURT. HANIKA TOLD COURT HE WANTED TO COOPERATE ON THIS CLEAN UP. THE TRIAL WAS CONTINUED TO JULY 15, TOPP TO INFORM COURT IF AREA IS CLEANED UP. THIS AREA IS NOW WITHIN THE SCOPE OF TWP ORDINANCE. TOPP TO INFORM THE COURT OF THIS. TOPP ALSO ASKED TO COURT IF THE

TWP COULD TOW & ADD CHARGES TO THE OFFENDER IN NEW CASES OF THIS TYPE. WE ARE WAITING FOR COURT RULING ON THIS REQUEST. TOPP REPORTS THAT THE NEIGHBORS ARE HAPPY WITH THE CLEAN UP.

JOHNSON MOVED TO ACCEPT THE FIRE CONTRACT WITH LAKEVILLE FOR 1993/4, SECONDED BY HELKENN AND CARRIED.

KADLEC INFORMED BOARD THAT A NEW AGREEMENT WITH FARMINGTON HAS BEEN AGREED TO. FARMINGTON TO MAINTAIN 225TH ST ON EVEN NUMBERED YEARS AND THE TWP MAINTAIN 225TH ON ODD YEARS,

JOHNSON INFORMED THE BOARD THAT THE 225TH ST. BRIDGE PROJECT HAS BEEN AWARDED. A PRECONSTRUCTION MEETING TO TAKE PLACE ON 16 JULY AT 10AM. THE TOWNSHIP MUST FURNISH AN ENGINEER FOR THIS PROJECT. CHAIRPERSON TO CONTACT DOHNUE AND ASK THEM TO REPRESENT THE TOWNSHIP.

JOHN CURRY ASKED THE BOARD WHEN THEY WERE GOING TO START MOWING DITCHES. HE ALSO ASKED WHEN THE TREES WERE GOING TO BE REMOVED. CURRY INFORMED THAT THE DITCHES WOULD BE STARTED AND FINISHED AS WEATHER PERMITTED.

HELKENN MOVED TO ACCEPT THE 1993/4 ALF CONTRACT WITH THE NEW MINIMUM OF \$1,050.00 AND MAXIMUM OF \$3,900.00, SECONDED BY SCHINDELDECKER AND CARRIED.

THE TOWNBOARD MEMBERS FROM CASTLE ROCK CAME TO TALK WITH EUREKA ABOUT THE FARMINGTON ANNEXATION LETTER. CASTLE ROCK IS NOT HAPPY WITH THE PROPOSSAL ANY MORE THAN EUREKA IS. THE TWO TOWNSHIPS AGREED THAT THE PROPER APPROACH WAS TO POLE CITIZENS OF THE TOWNSHIPS AND OBTAIN THEIR INPUT. IF LEGAL ASSISTANTS WAS NEEDED THAT THE TOWNSHIPS WOULD STAND UNITED AND SHARE COST INCURRED. TOPP MOVED TO HAVE A PUBLIC HEARING ON AUGUST 3, 1992 TO DISCUSS THE ANNEXATION PROPOSSAL BY FARMINGTON AND SEND LETTERS TO THE RESIDENTS IN THE AFFECTED AREA OF THE PUBLIC MEETING, SECONDED BY HELKENN AND CARRIED. CHAIRPERSON TO TALK TO MACKLIN AND GET INFORMATION ON ANNEXATION.

DRIVE WAY ROADS AND FLAGSTAFF TO BE GRAVELED THIS MONTH.

SCHINDELDECKER MOVED TO ADJOURN, SECONDED BY TOPP AND CARRIED.

HILMAN LEINE/CLERK  
gls