

Eureka Township minutes Aug 13, 1990

Chairperson Schindeldecker called the monthly Township meeting to order at 7:30 PM. Present were Supervisors Curry, Johnson, Kadlec and Topp, Clerk Leine and Treasure Schulz.

Clerk Leine read minutes for the July meeting. Minutes were corrected to read. "Topp moved to grant a C.U.P. that will allow the Buddhist Assoc. of MN. To use 4 ½ acres of land on the S1/2 of SE ¼ of Sec. 4, T 113, R20 for religious and worshiping purpose, C.U.P. to be for 15 to 20 people, twice a month, in the house only, contingent upon the satisfaction of Dakota County Shoreland Zoning permits and septic treatment requirement. Curry moved to accept minutes as corrected, seconded by Johnson and carried.

Johnson moved to accept the treasures report as read, seconded by Kadlec and carried.

Clerk Leine introduced bills totaling \$45,748.45. These bills included ALF first half 1990 services, 1990 Fire Protection from Lakeville, Grass mowing, and road maintenance on Highview. Kadlec moved to pay bills, seconded by Curry and carried.

Bob Newman, 24598 Iberia Ave, requested a permit for a 2100 finished Sq FT split entry house with attached garage. Value of construction was determined at \$111,004.00, with a \$669.50 assessed permit for the building and \$35.00 septic fee. Curry moved to grant permit, seconded by Kadlec and carried.

Chairperson Schindeldecker closed the Township meeting at 8 pm and opened the public hearing on the request for road extension from 267th St. south on Highview. Mr. David Grannis was present to give legal advice to the Townboard on this hearing. Jin Benson introduced a map the Christiania Lutheran Church owns showing a road was opened in 1870, and was registered with the county in 1859. Mr. Benson also informed board that Mr. Edwin Fredrickson remembers a road at this location going from 267th St. south to farmstead. Mr. Benson also introduced a 1937 aerial survey map that showed a road from 267th to Co. Rd. 86. Mr. Benson also informed the board that he is willing to build this road from 267th street for 3000 feet at no expense to the Township. Jerry Swedine stated that when he purchased the property in 1978 that there was a road at this location. Mr. Swedine also said that he was told by the 1978 TWP Board members that he would have no problem to have road upgraded if the need should arise. Mr. Swedine inform hearing, that road went all the way through and there were buildings at the cross road of Highview and Co. RD. 86. Robert Sly related to the board that he was also told a road existed at this location by the 1978 board members. Nr. Sly further stated he was being denied a permit because his property is now land locked. I'm paying taxes and getting nothing in return, was his statement.

Board member Topp stated that the Township wanted to make the correct decision on this petition. There are 6 to 9 similar Township roads and other permits have been denied because of land locked land. This decision will be a land mark for further development in the Township. Board members Kadlec asked land owners if they were willing to give up land on both sides of road right-a-way. The owners of property along proposed road agreed that the Township already owns this right-a-way. Clerk Leine read from 1978 TWP minutes that Mr. Swedin had asked for a temporary closing of this road (Highview South of 267th). The board informed Mr. Swedine that no permit was required. Permit to be grant by land owners if they wanted the road closed. Bob Newman informed board that if this case did go to court and that the court ruled in favor of the petition the Township would have to build and maintain the road and pay all the costs involved. At 9:00 pm Johnson moved to continue this public hearing until next month. Giving time for the TWP to contact persons that were mentioned and further study the new information brought to light. Legal council inform petitioners that the must post notice at Townhall and get waver in writing from landowners to make this completely legal. Schindeldecker seconded motion and motion carried.

Chairperson Schindeldecker reopened monthly Townboard meeting at 9 pm. With the continuation of Planning Commission.

Todd Lonquist, 300 Palimino Dr., Apple Valley requested a permit to build a 48 x 26 split level house with a 26 x 24 tuck under garage. Plus a second 28 x 32 stand alone garage. House to be located at Block 12, Lot 1 of Eureka

Estates. Board member informed Lonquist that this property was low in regards to the water and to plan basement accordingly. A value of \$75,959.00 was placed on house and tuck under garage. A value of \$12,867.00 was placed on stand alone garage. A fee of \$590.00 was assessed for the building and \$35.00 for the septic system. Kadlec moved to grant permit, seconded by Topp and carried.

Tanchith Chinakhmphet and Jeffrey Fevy Greenson of Wat Lao Buddhist Community, 22605 Cedar Ave. came before the board wanting to remodel horse barn for storage. Board members had visited site prior to meeting and found that the horse barn is where they wanted to hold services. The board found that this building was not usable for humans. Building does not meet fire code for public gatherings. This building does not have a septic system and must have one. This septic system must be separate from system planed for the house. This building is no usable because the roof will not hold snow load. Board members told the Wat Lao representatives, they must have a certified architect draw up plans for a building and the septic designs. Chairperson to send letter to the Wat Lao Buddhist Community stating facts.

Julius DeVos, 8530 235th St., requested a permit for a 24 x 30 stand alone garage. Building valued at \$10,339.00 carrying a fee of \$126.00. Curry moved to grant permit, seconded by Topp and carried.

Curry informed board that Lakeville and Farmington wants to cut the number of people on the Air Lake Advisory Board from 9 to 5 members. Board also told that if the community doesn't allow rezoning around the air port that M.A.C. will step around them.

Be it resolved that at the intersection of 240th St. and Iberia Ave., 240th St. be designated the "Through roadway" and that every driver of a vehicle on Iberia Ave. shall "yield" before entering or crossing the same, be it further resolved, that yield signs are hereby authorized and ordered as necessary to mark this intersection in accordance with Minnesota Manual of Uniform Traffic Control Devices. This motion was made by Kadlec, seconded by Topp and carried.

Curry moved to pay \$19,936.00 to Rud Construction for rebuilding Highview Ave. from 240th St. north to a distance of approximately ¾ miles, seconded by Kadlec and carried.

Johnson asked that a list of names be submitted to board for election judges.

Board was informed that the ditch along Chub Lake Road had lots of trash in them plus a sofa. Township road maintenance to gather said trash.

Robert Sly told board that Chubb Lake Road hasn't been graded in 5 weeks. He asked what the grading schedule was for this road. Board members told him they would get a copy of the schedule and give him.

To get into the AG Preserve one must apply by March of 1991

Kadlec moved to adjourn meeting at 11:00 P.M, seconded by Johnson and carried.