

Eureka Town Board Meeting
August 9, 1999

The meeting was called to order by Chairperson Schindlecker. Present were Supervisors Kadlec, Pflaum, Smith and Topp, Clerk Leine and Treasurer Schulz.

Leslie Vermillion, Dakota Co. Transportation Engineer and Donald Theisen, Dakota County Engineer, briefed the town board on the status of roads and bridges within the township's jurisdiction. This fall should see County Road 78, 235th St. between Cedar and Demark Ave and County Road 31, Denmark Ave from 235th St. north to the existing hard surface road, being pre worked for blacktopping in 2000. Pre construction contracts have been awarded in the past 2 weeks. There will be a utility meeting Monday, August 16, 1999 at 3 PM in room 334 for any one interested in attending. Ms. Vermillion told those in attendance that the Country Road 78 and 31 project would have to be completed before the last part of Cedar Ave., from Highway. 50 to 220th St. up-grade could be completed. This new hard surface road will be the Cedar Ave. detour. Dakota Co. will be rebuilding Cedar Ave. from Dodd Blvd. to 220th St. This project will start next year, and the detour will be County Road 31, Pilot Knob. Upon completion of the Cedar Ave. rebuild into a divided 4 lane highway, the county will look at resurfacing and installing turn lanes on Cedar Ave. south of 220th St.

The current plan then calls for the same type pre construction on County Road 80, 250th St. from Dodd Blvd to Cedar Ave. in late summer and early fall of 2000. Due to the number of homes along County Road 80 the county will be looking at the use of curb and gutter, maybe retaining walls and landscaping to help offset the loss of trees and other vegetation growing along the ditch right-of-way. The hard surface is to be layed in the fall of 2000 per the last update from Dakota Co.

Ms. Vermillion reported that the township had three bridges scheduled for replacement. The bridge located on 247th St. to be replaced this year at an estimated cost of \$85,000.00. Bridge R0311 on Hamburg Ave. is scheduled for replacement in 2002 at an estimated cost of \$100,000.00. Bridge L-3257 on 265th St., the wooden railroad bridge, is scheduled for replacement in 2003 at an estimated cost of \$350,000.00. This last bridge will be thoroughly studied to see if it should be replaced or removed with no replacement. Supervisor Kadlec and the Dakota Co. Transportation Dept. have entered into discussions about getting the bridges on Highview Ave. north and south of 225th St. added to the county's bridge maintenance list. They will then be eligible for county and state funding for replacement.

Supervisor Kadlec and County Engineer Donald Theisen have also opened talks in regard to the county's road turnback plan. One such discussion is for the county to keep 225th St. from Dodd Blvd west to the county line and hard surface this road and the township in turn would take control of County Road 80, 250th St., from Dodd Blvd west to the County line. County Engineer Donald Theisen told the township that the county and township should sit down and re-evaluate the current proposals and make sure the road returns are in the best interest of both the township and Dakota Co.

Chairperson Schindlecker then opened the meeting to the citizens present to ask questions. There were lots of questions and Ms. Vermillion and Mr. Theisen answered them as best they could. Chairperson Schindlecker thanked Ms. Vermillion and Mr. Theisen for their time and the updates given.

Keith Kimmel, 10312 - 267th St W., is requesting a permit to add a deck to his house. The deck would be 12 x 20. Mr. Kimmel provided lot and building plans for review by the board. Supervisor Smith moved to grant permit, seconded by Supervisor Pflaum and carried.

Mike Kalbfell, 9794 - 250th St. W., is requesting a permit to turn existing garage into living quarters and build a new garage. Mr. Kalbfell provided lot and building plans for review by the board. Supervisor Smith moved to grant permit, seconded by Supervisor Pflaum and carried.

Terri Petter, 24005 Dodd Blvd., is requesting a permit for a 72 x 96 pole frame building for the storage of animals. Lot and building plans were presented to the board for review. Supervisor Smith moved to grant permit, seconded by Supervisor Pflaum and carried. Permit fee for this project is \$345.60.

Andre Stouvenel, 6565 - 255th St. W., is asking for a permit to remove an existing mobile home and replace it with another mobile home. The current township ordinance does not allow for mobile homes except in special cases. The request by Mr. Stouvenel has been tabled until the township receives advice by our legal council pertaining to this subject. When this advice becomes available, the Chairperson will call for a special meeting to discuss this subject. Mr. Stouvenel requested a complete set of township ordinances. A fee of \$25.00 was charged.

The Sauber family, 22975 Dodd Blvd, is requesting a mining permit to mine gravel on a 40 acres parcel they own. The operator of this mine will be Eureka Sand and Gravel. Mr Miller owner/operator of Eureka Sand and Gravel gave a basic outline of the operation and how it would work. The hours of operation would be 7 Am to 7 PM. The recommended access to and from the pit would be 225th St. west to Scott Co. road 46. Mr. Miller has presented his plan to

the Dakota Co. DNR and Soil & Water Conservation departments and has them approved. The plan calls for land terraforming that allows water into the lake and not to be diverted from the lake. The mining operations will not be allowed to go below the high water mark listed for the lake. Citizens attending this hearing were concerned with truck traffic and noise. Issues that were brought up were:

No cement or blacktop plants to be used at this site.

Concern with truck traffic on 235th St. and 225th St. west from the pit to Dodd Blvd.

Dust control, speed and tonnage of trucks on 235th Street.

Safety at the intersection of 225th St. & Dodd Blvd.

Citizens asked the board to have this C.U.P. be drawn up by the township's attorney, addressing traffic patterns and dust control, and make sure that if there is any change of operators in the future that the C.U.P. address them. Supervisor Pflaum moved to table this request for a mining C.U.P. until September 13, 1999 at 8:30 PM, seconded by Supervisor Smith and carried. This will give the township's legal department time to review and assess this C.U.P. The board also stated that the persons requesting the C.U.P. would be assessed legal cost.

Supervisor Pflaum moved to accept the minutes for the July 12, 1999 town board meeting, seconded by Supervisor Smith and carried.

Supervisor Topp moved to accept the minutes of the special meeting of June 22, 1999, seconded by Supervisor Smith and carried.

Supervisor Topp moved to accept the minutes of the special meeting of June 28, 1999, seconded by Supervisor Smith and carried.

Supervisor Topp reported that the Juvlands have placed the 190 acres in their estate back on the market. The golf course proposed by Clyde Thompson and the Chub Lake Wetlands Preservation committee are also going ahead with plans. The board has instructed Treasurer Schulz to bill Clyde Thomson for the legal fees acquired by the township for legal advice in regarding the golf course. This bill will be for 3 hours at \$105.00 per hour, or \$315.00.

Supervisor Smith moved to accept the treasurer's report, seconded by Supervisor Pflaum and carried.

Clerk Leine presented bills totaling \$8,378.71 for town board review.

Farmington Independent	Legal ad	\$	27.00
Lakeville Publishing	Legal ad		44.92
Minn. Assoc of Twp Agengy	Public Official Liability		306.00

Dakota Co. Treasure-Auditor	Truth in Taxation 1999	205.00
Dakota Electric Assoc	Utilities	8.17
Eureka Sand & Gravel	Road Maintenance	6,992.12
Levander Gillen & Miller	Legal	755.50
Dakota Co. Dept. of Public Health	Septic permits	40.00

Supervisor Smith moved to pay bills as presented, seconded by Supervisor Pflaum and carried.

Dave & Mark Malecha, along with their MPCA consultant for Marigold Foods, came before the board to outline a plan that would allow Marigold Foods to lagoon whey on the SW1/4 of Section 31. They are asking for permission to start the engineering planning for this project. The lagoon would be large enough to store 18 months worth of whey. Per the MPCA consultant, Marigold produces approximately 3.8 million gallon a year. The lagoon would have a crust over the top that will contain any odor that is produced. The waste product would be knifed into the soil as fertilizer twice a year. The Malecha's stated that they farm enough land that they will be able to use all the waste that is stored. The MCPA consultant told the board that this lagoon would be licensed by the county and that the license would be renewable yearly on January 1. There will be a meeting with Warren Wilson of Dakota Co. on Wednesday August 11, 1999 at 3:30 PM at the Government Center in Apple Valley. Supervisor Pflaum will attempt to attend meeting and will call the county to talk about this project. Supervisor Kadlec will contact the SWCA and get their opinion about this project. The board will then discuss and determine if this project should fall into the Conditional Use Permit category.

Supervisor Topp reported no new news on the airport annexation.

Ken Miller, township maintenance contractor, showed the board a program that has been used to stop erosion that might be a good solution to the Chub Lake hill problem. Mr. Miller said that the SCS might have money available to help the township pay for this project.

Ken Miller, township maintenance contractor, informed the board that the brush cutter will be in use the last week of August. Mr. Miller asked the board to contact residents that might not want brush cut in from of their property and let him know who they are.

Frontier Communications, 14450 Burnhaven Drive, Burnsville, is requesting permission to bury cable in the ditch along Highview Ave in Section 4. Supervisor Kadlec moved to grant, seconded by Supervisor Smith and carried.

Supervisor Smith moved to adjourn, seconded by Supervisor Kadlec and carried.

gls - 8/9/99

4 revised 9/13/99 gls

