

*Eureka Township*  
*Dakota County*  
*State of Minnesota*

Special Eureka Townboard Meeting

March 15, 2004

Vice Chair Kenny Miller called the Special Meeting of the Eureka Town board to order at 7:02 pm.

Town board members present were Supervisor Kenny Miller, Supervisor Mark Malecha and Supervisor Connie Anderson. Clerk/ Treasurer Nanett Leine recorded the minutes.

Planning Commission members present were Francie Madden Butch Hansen, Cheryl Monson, Corey Behrendt and Calvin Pflaum.

Eureka Township Attorney, Louise Toscano Seeba was also present.

Agenda: Road Contractor  
Ordinance Work

*Road Contractor*

As of the March 8, 2004 Town board meeting the road maintenance Contractor, Braun Turf Farms resigned. Mark Henry Excavating LLP will be assuming the road contract.

The town board asked for the attorney's opinion on whether a mutual renewal clause could be added to the current contract. Louise advised that it is safest to let out for bids in May. By State Statute the contract needs to be let out for bids. A three year contract could be put into place. The bid must be awarded to the lowest responsible bidder, she advised against a renewal clause. Louise will contact Castle Rock to obtain a copy of their road contract agreement and advise the town board if this type of agreement would be an option. The town board asked for her finding before the April 12, 2004 Town Board Meeting.

Mark Henry Excavating LLP agreed to fulfilling the road maintenance contract for the next 3 months to finish the contract.

Supervisor Mark Malecha suggested having the county engineer to do an independent audit of the roads/ ditches to ascertain the damages that have been done to the roads by the previous contractor, Braun Turf Farms. Pictures/ date stamp will be taken to document damages.

*Ordinance Work*

The Township attorney, Louise Toscano Seeba presented the Town Board with an update draft copy of the ordinances that they have been reviewing.

The town board picked up where they left off on reviewing Zoning Ordinance No. 20

Section 7.52 Permitted Uses and Structures

F. 5.

Louise had put together 2 different interpretations on this issue. (*see attached*)

- Discussion followed that maybe it should be struck from the ordinance.
- Feedlot laws have their own set backs.
- The town board needs to decided that Option B would be accepted with the additional statement “not owned or leased by the owner of the property.” (250 ft setback from neighboring buildings, but on your own property you may build with in 250 ft)

F. 6.

- Delete (it is in 7.57)

G.

- OK

H.

- OK as defined in Ordinance 1, Chapter 4- Change “Building” to “Structure”

I.

- OK

7.53 Conditional Uses

(6.51 Criteria for Granting Conditional Uses was moved to Chapter 4, Section 14  
*page 29*)

A.

- Strike- “Outdoor” ( may need to be readdressed under commercial)
- Accepted the definition of Recreation Area.

B.

- Churches: Louise to clarify- If a church expands that is grandfathered in, does it need to apply for a CUP?
- Define: options- airstrip, airport, landing strip.
- ... and government owned facilities for the maintenance... (*remove the comma between facilities and for*)

C.

- Remove- addressed in feedlot ordinance.

D.

- 1. & 2. remove- addressed in a different section, no second dwellings allowed.

E. & F. Will be listed under 7.52/ but specifics under zoning.

E. 1.

- Discussion followed on what agricultural activities were to be allowed under a CUP. These are services that the PRIMARILY ENGAGED IN SERVICES ON A FEE OR CONTRACTING BASIS.

- Needs to be reworded to clarify.

E. 2.

- Keep- Boarding of Animals

E. 3.

- Remove- Breeding and sale of animals.

Ordinance review stopped at Section 7.53 F. Mining

Next Ordinance meeting: April 19, 2004 at 7:00 p.m.

A Motion by Supervisor Kenny Miller: to adjourn. The motion was seconded by Supervisor Connie Anderson.

Meeting adjourned at 9:20 pm.