

**EUREKA TOWNSHIP  
PLANNING COMMISSION MINUTES  
Regular Meeting  
August 3, 2009  
Eureka Town Hall  
Dakota County, Minnesota**

Members Present: Vince Mako, Ken Olstad, Kenny Miller, Pete Storlie, Cheryl Groves, and Clerk/Treasurer Nanett Sandstrom.

Audience attendance: Eureka Supervisor Jeff Otto, Carol Kelly, and Julie Larson

Meeting called to order by Chair Mako at 7:01 p.m.

**APPROVAL OF AGENDA**

Chair Mako asked if there are any additions to the agenda and was made as follows:

**D. Other Business**

Supervisor Jeff Otto update on Town Hall building

Review Commercial Industrial

Road Haulage

Mining Ordinance

Town Board & Planning Commission Communication (along with 1. Jeff Otto)

Motion by Ken Olstad moved to approve the agenda with the five additions, second by Cheryl Groves. Motion carried 5-0.

**PERMIT REQUESTS**

**Julie Larson**, 8297 250th St. W., Farmington, MN 55024 (PIN 13-01600-015-50)

Julie is requesting an Ag Building 16 x 24. Julie Larson was present to represent her application. There will be no water / no electric. Distances: 75 ft. from barn, 200 ft. from North property and 120 ft from East property. The nearest property, not Julie's is 120 ft. from the east property line plus another 60-70 ft. from the dwelling an estimated distance of 200 ft. Julie stated she may have a few chickens in building. The Planning Commission discussed the Ordinance requirement that states: Animals may not be confined in a pen or building within 175 feet of any residential dwelling not owned or leased by the owner. A Planning Commission member will check setbacks since the building is an agricultural use building. Julie was asked to note the distance on the application. Kenny Miller will inspect.

Motion by Kenny Miller: To accept the permit, as modified by Julie, permit application for forwarding to the Board. The motion was second by Pete Storlie. Ken Olstad asked for further discussion on page 53 of Ordinance3- All dwellings shall be separated by at least 250 feet from the nearest farm building, however this restriction shall not apply where the dwelling and the farm building are in common ownership.

The Planning Commission discussed which applies the 175 ft or the 250 ft. They reviewed page 89 of Ordinance 3- regarding 175 ft of domestic and non-domestic animals. Members determined that page 89 - 175 ft is the applicable to this permit. Motion carried 5-0. Clerk/Treasurer Nanett Sandstrom verified the measurement to be more than 350 feet from neighbor's house using the Dakota County Parcel Inquiry and had Julie add the info to her application.

### **INTERVIEW RECORDER APPLICANTS**

Motion by Vince Mako: requesting they go with interview now. The motion was second by Kenny Miller.

Carol Kelly, the only applicant present came before the Commission to be interviewed. She works during the tax season, but will be available for meetings. Clerk/Treasurer Nanett Sandstrom will guide the recorder with procedures.

There are two more people to interview. The Planning Commission will then make recommendation to the Town Board. There was no deadline stated in the newsletter. Since there is a potential of three candidates, the Planning Commission will wait until September to make a decision, so all members can interview. Candidates will be notified by e-mail to attend next meeting and Carol will be notified that a decision will be made then.

Motion by Kenny Miller: to continue this until next month's meeting and to interview the rest of the applicants and others that may come along by next month's PC meeting would be the decision time. The motion was second by Ken Olstad. Amendment by Pete Storlie: to put the date on the website. Kenny Miller accepts the amendment. Motion carried 5-0.

### **OTHER LAND AND ZONING ISSUES**

No issues to discuss.

### **APPROVAL OF MINUTES**

July 6, 2009 Regular meeting. Cheryl Groves stated the minutes should show the approval of the three Agenda items under Other Business: 2. Mining Ordinance; 3. Commercial Industrial Study Update; and 4. Planning Commission Recorder. Cheryl will make those corrections.

Second item is on the Special Planning Commission meeting of May 20, 2009. The change needs to specifically state that they added that there was a consensus among the Planning Commission that Bill Thibault did not have a clear plan to actively involve the task force in the C/I Study. Cheryl made that correction and will clarify specifically what those changes are in the minutes. Kenny Miller stated these would be procedural changes and nothing to the content of the minutes. Motion by Ken Olstad to approve the minutes with those two corrections, second by Vince Mako. Motion carried 5-0.

## **OTHER BUSINESS**

### **Supervisor Jeff Otto update on Town Hall building**

Town Board Supervisor Jeff Otto reported that estimates will be received for the damage to the Town Hall building he is contacting the original builder. Insurance companies will be covering the cost of damages.

Jeff Otto was contacted by Leigh Smick, City of Farmington Planner to have an open dialog meeting to share information between the two communities on Comprehensive Plans. Possible tentative meeting dates are August 19 or August 20, 2009 at 7:00 pm. This meeting would include one member each of council (Town Board and Planning Commission) and a planner from each community. Rotation of meeting places starting at Eureka Town Hall.

This morning Supervisor Carrie Jennings and Supervisor Jeff Otto met with Commissioner Joe Harris, Mark Zabel, and Travis Teal on the subject of the Vermillion River Watershed Water Management Plan and Water Management Resources Ordinance which Eureka Township has declined. Mark Zabel will be sending a letter to Eureka Township outlining land disturbance triggers that would initiate a technical review. The County is looking to do something that will be cooperative since the township declined on the adoption of the ordinance. The engineer cost will reflect back to the applicant. Commission Harris suggested there may have to be a joint powers agreement between the Watershed and Eureka to facilitate the management of a permit fee.

### **Review Commercial/ Industrial Study**

Some Planning Commission members feel a roundtable should be held on this subject. There needs to be better communication and an understanding between the Town Board & Planning Commission. Discussion included comments that new Planning Commission members did not receive all the documents to this subject. Additional status: The Board made no decision on the selection of a planner firm.

### **Road Haulage**

Status on legal right-of-ways are from our attorney. Supervisor Jeff Otto stated we have been getting some general information back. Kenny Miller stated there is information in the MN Association of Township Officer Handbook from MAT regarding matters of legal.

### **Mining Ordinance Update**

Right after the last Planning Commission meeting Kelly Brosseth owner of Kelly Aggregate decided that he wasn't going to proceed with the test amendment change. Pete Storlie stated for the record that he felt the whole ordinance was handled improperly and a let down to the township in general. Mr. Storlie stated he was concerned about how there was a change of the work group and a conflict by not allowing anyone who had a mining background. There should be a mixture of people in a group. Also how opinions and concerns by others were taken and created so many lists and redundant questions. The cost of EAW studies.

Planning Commission discussion followed on ways that the Planning Commission on what could have been done differently. Members felt they had good discussion and did their best to pass it on to the committee and then the committee changed due to a conflict. In the future, hopefully a better process will be taken.

## **Town Board & Planning Commission Communications**

A suggestion was made to put on the Planning Commission Agenda a scheduled time for a Town Board member to do an update. Discussion followed.

Motion by Vince Mako: request an agenda item that would be an update from the Supervisors during our meeting and Vince would take this request to the Board of Supervisors at the next meeting. The motion was second by Ken Olstad. Discussion followed: The Planning Commission just wants to be updated on what pertains to the Planning Commission. Motion carried 5-0.

Town Board Supervisor Jeff Otto is looking for ways to improve communications. A Round Table meeting is going to cost \$650.. Would like to enhance on the time set up now at meetings and is open to suggestions. Planning Commission is concerned that the Town Board spends so much time going over permits that the Planning Commission has already spent time reviewing at their meeting.

Motion by Pete Storlie: to recommend to the Town Board to have a “clear the air” roundtable session for protocol communication related issues. The motion was second by Cheryl Groves. Kenny Miller, Cheryl Groves, Vince Mako and Peter Storlie volunteered to not be paid for attending the roundtable. Ken Olstad did not volunteer and wishes to be paid. Motion carried 4-1, Vince Mako opposing vote. The request will be taken to the Board of Supervisors. There was a suggestion that there be an orientation/roundtable for new members each year.

Motion by Kenny Miller: to adjourn. The motion was second by Ken Olstad. Motion carried 5-0.

Meeting adjourned at 9:38 p.m.

Respectfully submitted by,  
Connie Anderson, Deputy Clerk