

**EUREKA TOWNSHIP  
PLANNING COMMISSION MINUTES  
REGULAR MEETING  
January 4, 2010  
Eureka Town Hall  
Dakota County, Minnesota**

The Eureka Township Planning Commission meeting was called to order by Chair Vince Mako at 7:08 p.m.

Members Present: Vince Mako, Ken Olstad, Pete Storlie, Kenny Miller, Cheryl Groves. The Town Board representative for the January meeting was Supervisor, Nancy Sauber. Supervisor, Jeff Otto, was also present and Jim Sauber, Chair of the Comp Plan Update Committee. Carol Kelly, Recorder was present.

**APPROVAL OF AGENDA**

Added Road Review as item 1 under Other Business.

**A. PERMIT REQUESTS**

None

**B. LAND USE & ZONING ITEMS**

**1. Update on Text amendment application – Kelly Aggregate**

Jeff Otto, Supervisor, provided the update and there was further discussion with the Planning Commission members. An extension of the application will be necessary in order to provide the time needed for the Town Board and Planning Commission to gain additional knowledge and further evaluate the operations and environmental impacts of mixed concrete and asphalt production plants. Representatives of Kelly Aggregate/Ames Construction are agreeable to an extension. There is an automatic 60-day extension that will end March 24. Another 60-day extension or more may be required; and, if so, must be agreed upon by the applicants. The next step is to schedule a joint meeting of the Town Board and Planning Commission along with representatives from the Vermillion Watershed (VRWJPO) and the Soil and Water Conservation District (SWCD). In addition, it was decided that a list of consultants/experts in this subject matter be sent to Ken Olstad by the Planning Commission members for presentation to the Town Board. These consultants/experts may be asked to provide additional information at the joint meeting. The Town Board will also schedule site visits to third party pits for all involved after the joint meeting.

**C. APPROVAL OF MINUTES**

A few corrections were made including the fact that Pete Storlie and not Vince Mako provided the Road Review information.

A motion by Ken Olstad: To approve minutes as corrected. The motion was seconded by Vince Mako and carried unanimously.

## **D. OTHER BUSINESS**

### **1. Road Review**

Pete Storlie provided a document listing the Capital Improvement Needs and the Maintenance Needs for Eureka Township. Also included were New Ideas for the Township.

A motion by Vince Mako: To forward the Road Review report to the Town Board. The motion was seconded by Pete Storlie and carried unanimously.

### **2. Newsletter**

- a. It was decided that a request for volunteers for the Commercial/Industrial Task Force should be added to the Newsletter. Previous applicants should also be contacted to see if they are still interested.

A motion by Pete Storlie: To forward to the Town Board the request to provide notice in the Newsletter and on the Website. Kenny Miller seconded the motion and it was carried unanimously.

- b. There was discussion about the pending Newsletter article regarding a pen or building that has confined animals. Currently the ordinance states that the pen/building may not be within 175 ft. from an adjacent dwelling. A pending ordinance update would require 250 ft. The existing article may cause confusion if not noted that this ordinance is “under current review”

A motion by Vince Mako: Cheryl to discuss with Jody, editor of Newsletter, and to remove from Newsletter article the reference to the 175 ft. Ken Olstad seconded the motion. The motion failed.

There was further discussion and the following motion was made:

A motion by Ken Olstad: Cheryl to discuss with Jody, editor of Newsletter, to add a note to the item referring to 175 ft. stating, “under current review”. Pete Storlie seconded the motion and it was passed unanimously.

### **3. Town Board Report**

Supervisor, Nancy Sauber, provided a Town Board update with input from Jeff Otto, Supervisor. There was discussion about the current lawsuit and when the judge would rule. Once the gag order was removed an article was written in the Star Tribune. Comments were made about the article.

It was suggested that road restrictions be posted to reflect weight restrictions during the spring.

Signatures on plan reviews and plan review fees:

There are issues surrounding the amount of fee charged for a plan review and collection of the fee. In addition there is confusion about when the signature of the owner is required on the plan review. Pete Storlie volunteered to gather information from other resources to come up with a flat fee approach that may assist in resolving some of the issues surrounding the amount of fees to charge, thereby providing owners with a better idea of the fees they will be assessed upfront.

#### **4. Professional Services Policy**

Nancy Sauber clarified some confusion at the last meeting regarding this policy and the role expected of the Planning Commission in reviewing the policy. This policy was originally drafted as an attorney engagement policy. There is a need to tailor the policy for a non-legal professional.

A motion by Pete Storlie: To provide the document on-line, via Nanett, for each member of the Planning Commission to make any notes/comments he/she finds appropriate in adopting the policy for the non-legal professional. Input to be reviewed at the next meeting of the Planning Commission. Ken Olstad seconded the motion and it was carried unanimously.

A 5-minute recess was called

#### **5. Ordinance and Comp Plan Updates**

##### **Comp Plan Update:**

Ken Olstad and Jim Sauber provided the review. The plan had been sent to the Met Council, Metropolitan Airport Commission, neighboring school districts, and local government units for comment. Jim Sauber provided a list of the comments. The following changes were made and/or issues raised:

Introduction – change resident to landowner

Chapter 2 – Natural, Agricultural, and Cultural Resources. There were some grammatical changes/corrections.

Chapter 3 - Land Use. There was confusion regarding the existing land use acreage for the airport vs. zoning. Jim Sauber will contact TKDA to confirm numbers for the airport. There was further discussion about the 2030 Planned Land Use table and how the total numbers were arrived at. Jim will again confirm

with the TKDA. He will also confirm that the maps in chapter 2 were updated by the TKDA.

Chapter 5 – Transportation. Due to comments from the Metropolitan Council, text was added to the information referring to traffic forecasts for the year 2030. Due to comments from the Metropolitan Airports Commission language was added to indicate that Eureka Township would consider the establishment of a joint airport zoning board in the future.

Other:

In response to a comment regarding the VRWJPO asking that the Comp Plan include information about the water management plan, Jeff Otto will write text to include in the Comp Plan to address this comment.

Another of the comments asked about the Township's enforcement of septic maintenance. There is a State mandated once every 3 year pumping requirement but currently no enforcement at the Township level. The Town Board will take this issue on as an action item.

There was a request from the Metropolitan Council for a map showing the number of current and proposed lanes for principal and A-minor arterial roads. There is an existing map in the Comp Plan reflecting this information. There are no principal roads in Eureka Township. There is a note on the existing map indicating that A-minor arterial roads are to remain two lanes through the year 2030. Refer Met Council to this map.

A motion by Vince Mako: To recess meeting and to reconvene on January 6, 2010 at 7:00 p.m. The motion was seconded by Kenny Miller and carried unanimously.

The meeting was recessed at 10:20 p.m.