

**EUREKA TOWNSHIP**

**DAKOTA COUNTY  
STATE OF MINNESOTA**

**PLANNING COMMISSION MEETING OF JULY 2, 2019**

**Call to Order**

The Eureka Township Planning Commission meeting was called to order at 7:05 p.m. by Chair Ralph Fredlund.

Members Present: Ralph Fredlund (Chair)  
Julie Larson (Commissioner)  
Randy Wood (Commissioner)  
Allen Novacek (Commissioner) arrived at 6:05 pm

Members Absent: Bill Funk (Vice Chair)

Others Present: Donovan Palmquist (Town Board Liaison)  
Ranee Solis (Town Clerk)  
Anne Adelman (Deputy Clerk)

See attached list for all others in attendance.

**Approval of the Agenda**

The following changes were made to the agenda:

1. Add item A. Text Amendment by Jerome Phillippe under New Business.

*Motion:* Commissioner Larson moved to approve the agenda as amended, seconded by Commissioner Novacek. *Motion carried 4-0.*

**Citizen Inquiry**

None

**Permit Requests**

**A. Friedges, Holdings, 2247 Highview Ave, PID# 13-00500-05-010 – Accessory Building.**

*Motion:* Chair Fredlund moved to forward the application with a recommendation that it be denied due to the following: (a) Office space and warehouse space is not an allowed use in the Agricultural District per page 50 of our Ordinances; (b) Office space and warehouse space use is not a permitted use or conditional use in the Agricultural District per page 51 of our Ordinances; (c) The Country Stone settlement agreement contains no language that allows for expansion of use nor construction of additional buildings, seconded by Commissioner Larson. *Motion carried 3-1, with Commissioner Novacek opposed.*

**B. Mark Hansen, 26190 Highview Ave, PID# 13-02800-27-020 – Ag Exempt Building.**

*Motion:* Commissioner Novacek moved to recommend approval of Mark Hansen's request for an Ag building on PID# 13-02800-27-020, seconded by Chair Fredlund. *Motion carried 3-0,* with Commissioner Larson recusing herself.

**Land Use**

**A. Jerome & Jeffrey Phillipe, 27798 Jamaica Ave, PID# 13-03100-52-013 – Lot Split.**

*Motion:* Commissioner Novacek moved to recommend approval of the Lot Split for Jerome Phillipe for PID# 13-03100-52-013, seconded by Chair Fredlund. *Motion carried 4-0.*

**Town Board Liaison Report** (Donovan Palmquist – Liaison)

Donovan Palmquist provided a summary of the June 10, 2019 Town Board meeting, see attached.

- Discussed a request for a radio tower permit by Jerome Phillipe and requested that he submit a text amendment.
- Checked on the status of the Chub Lake settlement, it was signed off on today and we should be getting a check shortly.
- Chub Lake road has been re-opened.
- Discussed having a special meeting with the Dakota County Sheriff to discuss enforcing the ordinances in the Town. There is a meeting scheduled with Tim Leslie in his office in July with the Town Board liaisons.
- Discussed the road budget to figure out a way to pay for necessary road repairs.
- The Township is getting a new website, which will be much more user friendly.
- The Board approved an Open House for the Commercial Work Group for July 9, 2019.

**Old Business**

None

**New Business**

**A. Jerome Phillipe, PID# 13-03100-52-014 – Set Public Hearing for Text Amendment.**

*Motion:* Chair Fredlund moved to schedule a Public Hearing for Jerome Phillip's Text Amendment request on Monday, July 22, 2019 at 7:00 p.m., seconded by Commissioner Novacek. *Motion carried 4-0.*

**Minutes Approval**

**A. May 6, 2019, Round Table meeting minutes.**

Commissioner Larson requested some punctuation and capitalization changes.

*Motion:* Chair Fredlund moved to approve the minutes as amended, seconded by Commissioner Wood. *Motion carried 4-0.*

**B. May 7, 2019, Planning Commission meeting minutes.**

Commissioner Larson requested some punctuation and capitalization changes.

*Motion:* Chair Fredlund moved to approve the minutes as amended, seconded by Commissioner Wood. *Motion carried 3-0, with Commissioner Novacek abstaining.*

**C. June 10, 2019, Planning Commission meeting minutes.**

Commissioner Larson requested some punctuation and capitalization changes.

*Motion:* Chair Fredlund moved to approve the minutes as amended, seconded by Commissioner Wood. *Motion carried 4-0.*

**Deputy Clerk Issues**

**A. Wayne Hallcock application for the IUP Temporary Borrow Pit was withdrawn.**

The Clerk reported that the Hallcock application for a temporary borrow pit had been withdrawn by the contractor. The Commission requested to have the withdrawal in writing.

**Adjournment**

*Motion:* Chair Fredlund moved to adjourn the meeting, seconded by Commissioner Larson. *Motion carried 4-0.*

Meeting adjourned at 7:40 p.m.

Respectfully submitted,

Ranee Solis

Ranee Solis, Clerk

Minutes Officially Approved on: 8-6-19  
Date

By: William Funk  
Planning Commission Vice Chair

# EUREKA TOWNSHIP

Dakota County, Minnesota



## Planning Commission Meeting

Attendance

Tuesday, July 2, 2019

7:00 PM

Printed Name

Address

Nancy Sauber  
Mark & Jodi Hansen  
Jody Arman-Jones  
Brian Ahern  
Ben Blomgren  
John & Julie

9445 225th St. W. Lkvl.  
26190 Highview Ave. Farmington  
6905 255th St. W. Fgtn.  
6515 035th St W Rgty  
3162 224th St W Farmington  
27798 Jamico Ave Kkvl.

## Summary of the June 10, 2019 Town Board Meeting

1. Discussion about taking out another CD was tabled until the July meeting to allow the Treasurer time to negotiate a better interest rate with the bank.
2. New residence permit for Mike & Eileen Devney was approved.
3. Communication tower permit for Jerome Phillippe was tabled until he reappears with a text amendment request.
4. Lot Split for David Laursen was approved.
5. Short-term IUP for Wayne Hallcock, Board exercised its right to a 60-day extension provided that he submits a reclamation plan. (Application was later withdrawn)
6. Julie Larson suggested restricting truck traffic on Highview or posting speed limit signs, the Board agreed to take the suggestion under advisement and directed the Road Supervisors to research and offer suggestions at the July meeting.
7. Attorney Lemmons to check on the status of the Chub Lake settlement. (Chair Palmquist signed the settlement agreement on July 2<sup>nd</sup> and the Clerk forwarded to the attorney).
8. Board approved the road repair of the two ½ mile roads: 240<sup>th</sup> from Essex to Denmark, and Flagstaff from 225<sup>th</sup> to the northern border.
9. Board directed Bryce Otte to get cost of “no through traffic” signs from Safety Signs.
10. Board directed Otte to add rock to the road at Chub Lake and get it open.
11. Board agreed to call a Special Meeting with the Dakota County Sheriff, Tim Leslie, to discuss the reasons for not enforcing our ordinances. Vice Chair Murphy was assigned to reach out to Tim Leslie with potential dates for the meeting.
12. Discussion on policy for calling Special Meetings included ensuring a quorum is available prior to sending out notice. It was suggested to return to utilizing Doodle Poll to obtain potential meeting dates. Attorney Lemmons agreed to check into the subject, as it relates to the open meeting law, and report back to the Board.
13. Discussion on waiving fees for demolition permits that are due to acts of nature concluded that the ordinances address a waiver clause under Ord. 7, Ch. 3, Sect. 2.
14. Board discussed whether the Township is responsible for fees from a lawsuit if the insurance company refused to cover the claim. Attorney Lemmons explained that the Township would not be responsible and further clarified that the Board cannot conduct a closed meeting to discuss a lawsuit that it is not a party to.
15. Board accepted and signed the 2019-2020 Road Maintenance agreement from Otte Excavating.
16. Board accepted and signed the Grounds Maintenance proposal from MN Dirt Works.
17. Board accepted the Website Services proposal from Marketing Clarity.
18. Board tabled the ordinance misdemeanor discussion until after the Special Meeting with the Sheriff's Department.
19. Attorney Lemmons was directed to revise the proposed Joint Resolution for an orderly annexation agreement with Lakeville and MAC and present it to the Board in July.
20. Board adopted Resolution 2019-07 amending Ord. 4, Ch. 2, Sect. 4 (F) Parking of commercial vehicles and other vehicles.
21. Board approved an Open House for the commercial work group to be held within 30 days.
22. Board approved the official Citizen Complaint Policy and Procedure for Ordinance Violations and also the Employee Complaint Policy & Procedures forms.

23. Attorney Lemmons was directed to provide the Clerk with the first letter sent to MN Paving & Materials, previously known as Sibley Aggregates, and directed Attorney Lemmons to send a second letter with return receipt service, informing them that they are still in violation and the Board did not approve their review.
24. Attorney Lemmons was directed to send a letter to Chris Hale demanding that he submit a demolition permit application with payment of the fees and penalties (double the fee). It was noted that Mr. Hale needs a temporary Certificate of Occupancy to inhabit the dwelling.
25. Board signed off that the dumping issue with Underground Systems has been resolved to the Board's satisfaction.
26. Clerk has submitted all open permits to Inspectron.
27. Board directed Attorney Lemmons to send a letter to Inspectron requesting the name, license number and certificate of insurance of the subcontractor performing septic inspections in the Township, if the Clerk has not received the information by 2:00 on June 13<sup>th</sup>. (Clerk received the information from Inspectron).
28. Board approved for the Clerk to sell the old voting booths on eBay.
29. Board tabled the approval of the Round Table meeting minutes to allow the Planning Commission to review and approve them at their July meeting.
30. Board approved the May 13, 2019 Town Board meeting minutes.