

# *Eureka Township*

## *Dakota County*

### *State of Minnesota*

Eureka Town Board Meeting  
January 8, 2007

#### **Call to Order**

Chair Cory Behrendt called the regular monthly meeting of Eureka Township to order at 7:00 PM. Members present were Supervisors Cory Behrendt, Gloria Belzer, Dan Rogers, Cheryl Monson, Gary Smith and Clerk/Treasurer Nanett Champlain, to record the minutes.

The meeting opened with the Pledge of Allegiance.

#### **Approval of Agenda**

Approval of November 3, 2006 minutes was moved to New Business D.  
Move Life Rebuilders to A. Old Business and Sauber Family Mine to B. Old Business.  
Added: New Business E.: Newsletter.

A motion by Supervisor Gloria Belzer: To approve the agenda as amended. Motion seconded by Supervisor Gary Smith. Motion carried by unanimous vote.

#### **Audience Comment Period**

Dean Monson asked to make comments on all items on the agenda, because he would not be able to have the opportunity to speak during the meeting. Chair Cory Behrendt allowed him 5 minutes to make comments. Mr. Monson commented that he would rather speak during the meeting than take time now to comment on items. Mr. Monson made no comment on agenda items at this time.

The representative from Life Rebuilders asked if she should stay to address any questions on their request before the Board. The Town Board asked that she do so.

Andrea Stouvenel asked for a recap of costs incurred as part of the Krapu Lawsuit and attorney documents relating to the case. He was asked to submit a written request for the requested documents.

Georgie Molitor asked if the Town Board had made a decision on whether to have an attorney present at meetings to address issues as they come up, to avoid having conflicts later.

Chair Cory Behrendt commented that this is on the agenda. The Township Association attorney will be meeting with the new Town Board in April to make better decisions and when an attorney is needed.

Andre Stouvenel asked about the Township audit. The Township is being audited by the State Auditors Office this year.

#### **Minutes**

The following additions were made to the December 11, 2006 Town Board Meeting minutes: Page 3- Terri Petter- Ordinance compliance: Mike Greco, Chair of the Planning Commission in his report to the Town Board indicated concerns of an ordinance violation in the keeping of exotic animals by Ms. Petter. Supervisor Gloria Belzer referred to ordinance No 3, Chapter 7, Section 3, Exotic Animals B. 1 & 2 and C. 5. and the Planning Commission minutes of November 2006 stating that Ms. Petter has admitted that she has full blooded wolves.

The ordinance states that if Ms. Petter possesses them legally that they can be grandfathered in.

Page 5: (4<sup>th</sup> paragraph) Mike Greco reported to the Board a possible ordinance violation, the possession of exotic animals by Terri Petter.

Page 7: Complaint update: strike- “remarkable” “should read “the improvements look good.”

A motion by Supervisor Dan Rogers: To approve the December 11, 2006 Town Board meeting minutes as amended. Motion seconded by Supervisor Cory Behrendt. Motion carried. Supervisor Gary Smith and Supervisor Cheryl Monson abstained from voting, they were not present at this meeting.

**Treasurer’s Report**

Treasurer Nanett Champlain reported that there is \$4,024.46 in checking, \$182,896.44 in the savings account and \$147,169.94 in CD investments. Overall total of accounts are \$334,090.84.

Motion by Supervisor Gary Smith: To approve the treasurer report as presented. Motion seconded by Supervisor Gloria Belzer. The motion carried by unanimous vote.

**Bills and Receipts**

Clerk/Treasurer Nanett Champlain presented the following bills for payment:

<b>Besure Inspections</b>	Inspection Services thru 12/31/06	<b>\$560.77</b>
<b>Otte Excavating</b>	Road Maintenance- November 2006	<b>\$2,768.25</b>
<b>Dakota Electric</b>	Electric Town Hall	<b>\$80.54</b>
<b>Frontier Communications</b>	Phone Service	<b>\$111.96</b>
<b>Culligan</b>	Water softener rent	<b>\$23.38</b>
<b>Dick’s Sanitation</b>	December	<b>\$35.00</b>
<b>Severson, Sheldon</b>	Legal Services thru 11/30/06	<b>\$2,287.00</b>
<b>MFRA</b>	Consultant Services thru	<b>\$3,903.88</b>
<b>ECM Publications</b>	Legal ad	<b>\$33.75</b>
<b>Nanett Champlain</b>	Expenses thru 12/31/06	<b>\$128.99</b>
<b>M-R Sign Co.</b>	RASP Signs	<b>\$444.81</b>
<b>IRS</b>	941 Deposit January	<b>\$376.88</b>
<b>PERA</b>	Payroll period 12/1/06 to 12/30/06	<b>\$240.69</b>
<b>State of Minnesota</b>	4 <sup>th</sup> Qtr State Tax	<b>\$365.47</b>
<b>State of Minnesota</b>	4 <sup>th</sup> Qtr 2006 State Surcharge	<b>\$12.00</b>
<b>Minnesota Dept of Labor</b>	4 <sup>th</sup> Qtr 2006 State Surcharge	<b>\$72.17</b>
<b>Dakota County Treasurer</b>	4 <sup>th</sup> Qtr Septic fees	<b>\$120.00</b>
<b>SR Stevens</b>	Clean up Town hall site	<b>\$2,585.00</b>
<b>Castle Rock Bank</b>	Loan Payment #5	<b>\$26,446.19</b>
<b>Nanett Champlain</b>	Payroll 12/01/06 to 12/31/06	<b>\$1,424.36</b>
<b>Pat Fossum</b>	Cleaning Town Hall December 2006	<b>49.87</b>
<b>Total Bills presented</b>		<b>\$42,070.96</b>

The following receipts were deposited in December:

• **Building Permits**

Nancy Sauber- <i>Permit 06-11-022</i>	\$966.36	David Tousignant- <i>permit 06-11-023</i>	\$469.26
Lonnie Malwitz- <i>Application sign permit</i>	\$25.00	Terri Petter- <i>zoning application fee</i>	\$25.00
Fireside Hearth- <i>HVAC permit</i>	\$60.00	Majestic- <i>Building Permit Mohn</i>	\$139.00

• **Other Receipts**

Dakota County- <i>second half taxes</i>	\$171,000.00	Nancy Sauber- <i>History project</i>	\$100.00
Dakota County- <i>delinquent taxes</i>	\$4,273.84	Dakota Electric- <i>capital credits</i>	\$9.46
Dept. of Finance- <i>Market Value Credit</i>	\$8,097.54	SR Stevens- <i>History project</i>	\$50.00
Ackerman Furniture- <i>History project</i>	\$200.00	Cammack- <i>RASP Sign</i>	\$11.63
Gloria Belzer- <i>History project</i>	\$100.00	Ordorff- <i>RASP Sign</i>	\$11.63
Sharon Buckley- <i>History project</i>	\$100.00	Shelly Thompson- <i>RASP Sign</i>	\$11.63
Carrie Jennings- <i>History project</i>	\$20.00	Castle Rock Bank- <i>Interest CD</i>	\$248.34
Jody Arman Jones - <i>History project</i>	\$50.00	Castle Rock Bank- <i>Interest on Savings</i>	\$684.20
Cash- <i>History project</i>	\$13.00	Castle Rock Bank- <i>Interest CD</i>	\$349.07
Bernadette Wood- <i>History project</i>	\$100.00		
Linda Sauber- <i>History project</i>	\$100.00		

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**TOTAL RECEIPTS DEPOSITED IN DECEMBER**

**\$186,617.55**

It was noted that checks # 4959, 4965, 4967 & 4970 are not listed on the disbursement register, these are voided checks.

Supervisor Gary Smith asked if payment had been made for the capping of the wells at the old Town hall. A bill had not been received, so no payment was made this month.

A motion by Supervisor Gloria Belzer: To approve bills and receipts as presented. Motion seconded by Supervisor Dan Rogers. Motion carried by unanimous vote.

**Budget**

To date a bill has not been received from Lakeville Fire Department for 2006. The last payment was made September 2005. The clerk has an inquiry into Lakeville Fire Department for the 2006 billing.

The Town Board reviewed the budget.

**Road Contractor Time**

The road contractor is using chip rock (3/8" minus clear lime rock. chip) on gravel roads rather than salt and sand mix. It is less expensive and binds to the ice, making the roads safer. 2 loads are stock piled at Nielsen's Farm. Supervisor Gary Smith asked that the road contractor be more proactive on sanding of the roads. The roads will be graded, if the temperature gets to 40°.

**Planning Commission**

**Terri Petter- building permit request**

Terri Petter, 24005 Dodd Blvd, Lakeville (Property ID # 13-00700-011-50) requested to build a 60' x 28' building at 10132 235<sup>th</sup> St E. The building will be used for Ag use, animals and personal use. The requested building is two stories with a basement

Ms. Petter was not present. Attorney Kristen Kingsbury represented Ms. Petter. Township attorney Corrine Thomson was present to address this issue.

Attorney Kristin Kingsbury stated that she mistaking informed the Planning Commission that the horses were going to be located on the main floor. They will only be housed in the basement. The horses will enter through an atrium style door. There will probably be stables installed at some point. Chair Cory Behrendt asked about ventilation in the building. Ms. Kingsbury could only speak to issued shown in the plans, ventilation of the building was not outlined on the plans.

Chair Cory Behrendt asked the building inspector if ventilation would be required in a closed building if there are horses and manure in the basement. Bob Hegner's response: Yes, he rated the building as a 1 hour fire resistance, because of its size. The basement floor is concrete and will need sealing. There is in floor heat. The heat will migrate up the stairwell to heat the building. His concern is that the ceiling is 8' 8", you could not ride a horse into the building. The horses will need to go down stairs to enter the basement, unless the basement is a walkout.

Chair Cory Behrendt asked if there are any precautions to keep the horses out of the bathrooms and mechanical room. Ms. Kingsbury's felt some type of precaution would be taken but she did not know what it would be.

Town Board concerns include: The building has an open stairwell, allowing odors from the horses and manure to travel through the entire building. The plans do not include any ventilation. The manure will be on top of a heated floor. The bathrooms and the mechanical room are open, allowing the horses to enter these areas. There are windows located in the basement area, where the horses would be held, are these safety windows or protected. Plans show an open stairway, that horses could enter. The design of the building looks like a building being used for people rather than animals.

Supervisor Cheryl Monson commented that we are basically issuing a permit for a glorified barn fumes go up in the top of a barn all the time. She would definitely want to see something across the steps for safety reasons. As far as bathrooms she has been in barns with bathrooms and the doors are kept shut.

The plans show two bathrooms side by side, both in the basement and the upper level. Ms. Kingsbury stated that Terri and Dan like to have their own bathrooms.

The building plans do not show the intended use of the lower level or the intended use of the main floor. Ms. Kingsbury indicated that the main floor will be used for storage. The building plans show a kitchen and offices on the upper floor. Ms. Kingsbury stated it is not a kitchen. It is a washer, dryer, two sinks and a refrigerator.

Supervisor Gloria Belzer recapped the application: The building is 60'x 28' with 4 bathrooms, 2 offices and a utility room. No bedrooms or classrooms. Ms. Kingsbury stated "the plans do not have bedrooms or classrooms." Supervisor Gloria Belzer asked if bedrooms or classrooms will be added. Ms. Kingsbury stated "no". The application shows Ag Use, Animal Use and Personal Use: The ag and animal use will only be used for the housing of Ms. Petter's 18 personal horses on a rotating basis. Ms. Kingsbury stated "yes" The building will also be used for storage of Ag tools and equipment, feed for personal horses, personal garden tools and equipment, personal office space and western artifacts for personal decor. There will be two horse stalls in the lower level, the entry for the horses will be in the lower level and the horses will only be housed in the lower level. Ms. Kingsbury: yes, although, she meant "too" not "two" stalls. The horses will be rotated; she does not know how many stalls. Ms. Petter is not requesting an ag exemption, the building will also be used for personal use.

Supervisor Cory Behrendt raised concerns over the long term use of the building. Sequential owners need to understand that even though this is a large and attractive building that it can only be used for personal use.

Attorney Corrine Thomson stated under the building code that the Building Official can require that the plans be submitted with as much detail as necessary to determine whether the building is going to

comply with all relevant codes: The use of each area can be designated on the plans, the location of stalls be shown, to determine the number of horses in the building at anyone time, so you can determine the amount of manure may be accumulated in the building at any time, to determine ventilation requirements. The building code provides that once the building has been constructed that there cannot be any changes in the character or use of the structure except provided by the building code. If there is a change in use, the owner may have to submit a new application to determine whether the new use is compliant with building codes for that particular use. Given that this building is unusual, not the typical barn, that in the building permit itself specify some of those requirements: any changes in any use will require a new building permit. Due to the nature of the plan, the structure is designed in a way that someone might think it is a commercial building or could easily be adapted to a use that does not comply with Township ordinances. The Town Board might want to impose a requirement such as the recording of a declaration that would put future buyers on notice that this property cannot be adapted to commercial uses.

Ms. Kingsbury stated that on the application Ms. Petter certifies that she will comply with Eureka Township Ordinances and State of Minnesota laws. If she was to ever sell the property, the new owners would need to comply with Township Ordinances and State Laws.

Supervisor Gary Smith asked the Township attorney if the Town Board could require an annual inspection of the building, to make sure the building is being used as intended purposes on the permit. Corrine Thomson's answer was yes, you have the ability to determine if properties are be used in compliance with zoning ordinances. Ms. Kingsbury stated "Ms. Petter will agree to that."

The septic system submitted is way oversized for the intended use of the building.

Supervisor Cheryl Monson stated "So basically this is just a glorified barn like I originally said."

Corrine Thomson recommended imposing conditions to the building permit to insure that the building is being used in conformance of the building code (reiterating on the building permit): No commercial use of the building is allowed. Any change in use, to the building code would require a new permit application. This application is unusual it has design features that are above and beyond what is necessary for barn use and can readily be adapted to use that is not allowed by zoning codes.

Ms. Kingsbury stated that Ms. Petter is well aware that if any use requires a conditional use permit or special approval of the board that she needs to come back before the Board. She has certified that she will be in compliance with all laws.

There was discussion on the type of animals that the barn could be used for. Ms. Kingsbury had stated that the building would be used to house Ms. Petter's 18 personal horses on a rotating basis. The use of the building, in relating to the keeping of animals would not be limited to horses. Any farm type animal allowed under Township ordinances would be allowed to be kept in the barn.

Cheryl Monson stated "We are an Ag community, it doesn't matter if she has horses, cows, pigs, she can change her mind on the animal she wants at any time she is not going to be stuck with putting horses in here." "Its an animal unit"

A motion by Supervisor Cheryl Monson: To approve Terri Petter's request for a permit for a multi use ag, animal and personal use to be governed by Bob Hegner, our building official to comply with all the regulations. Motion seconded by Supervisor Dan Rogers.

Attorney Corrine Thomson recommended that the uses for each area be shown on the plan. The permit include these three statements: 1. The building may only be used for the use specified in the approved building plan. 2. The building cannot be used for any commercial use including the boarding of animals. 3. Any change in the character or use of the structure must conform to Minnesota Rules 1300.0220 sub. 3.

Supervisor Gloria Belzer entertained the following friendly amendment: To include the recommendations of legal council: 1. The building may only be used for the uses specified in the approved building plan. 2. The building cannot be used for any commercial use, including the boarding of animals. 3. Any change in the character or use of the structure must conform to Minnesota Rules 1300.0220 sub. 3. Supervisor Gary Smith seconded the friendly amendment. The approved building plan includes labeling the use of all rooms.

Vote was taken on the friendly amendment. All members voted in favor of the amendment. Vote was taken on the motion. Motion carried by unanimous vote.

A motion by Supervisor Cory Behrendt: To bring New Business Item C. Life Re-Builders Inc. to the table. Motion seconded by Supervisor Cheryl Monson. Motion carried by unanimous vote.

### **Life-Re-Builders Inc. Country Joe Miller- Raffle Permit**

Life Re-Builders is holding a raffle at 22222 Dodd Blvd., Lakeville. (Joe Miller property) The Minnesota gambling Board requires the Township to sign off, acknowledging that the organization is holding a raffle within the Township limits. Drawing will be August 3, 2007.

A motion by Supervisor Cory Behrendt: To sign the acknowledgement for Life Re-Builders Inc. Motion seconded by Supervisor Gloria Belzer. Motion carried by unanimous vote.

### **Storlie Pit- dewatering permit**

John Storlie is asking permission to dewater at his mining pit. He would bury a pipe under the road, water will be directed to the Vermillion River. All dewater activities will be located on his property. He is looking for a 90-120 day permit for each year. The end goal is to make a nice lake. 1:10 slope in the water. Mr. Storlie has talked to Dakota County Soil and Water and the DNR.

Current Township Ordinances do not allow dewatering. The Storlie CUP was issued under Ordinance No. 13. Ordinance No. 13 does not address dewatering.

A motion by Supervisor Gloria Belzer: To get an attorney opinion regarding the Storlie Gravel Pit, how it relates to the gravel pit in the old ordinance as to dewatering and also if a variance is necessary, required or appropriate. Motion seconded by Supervisor Dan Rogers. Motion carried by unanimous vote.

A motion by Supervisor Cory Behrendt: to table B., C., D. to the end of the agenda and to move to the Wat Lao CUP review. Motion seconded by Supervisor Gloria Belzer. Motion carried by unanimous vote.

### **Wat Lao CUP Review**

CUP Review: Wat Lao Buddhist Temple, 22605 Cedar Ave., Farmington.

Rick Siri-Outhay represented Wat Lao. He presented the dates for Wat Lao Celebrations in 2007.

Lao New Year will be held on Saturday, April 14<sup>th</sup>, 2007. Expected attendance is 200-300 people. Pravet, Religious Festival will be held on Saturday, June 23 and Sunday June 24, 2007. Expected attendance is 300-700 people. (come and go)

Chair Cory Behrendt opened the floor to public comment. Hearing no public comments, the public comment period was closed.

A motion by Supervisor Cory Behrendt: To recognize the 2007 review of the Wat Lao facility at 22605 Cedar Ave. Motion seconded by Supervisor Cheryl Monson. Motion carried by unanimous vote.

## **Old Business**

### **Sauber Family Mine**

Rita and Jim Sauber represented the Sauber mine. The Sauber family has some concerns on the reclamation of their property. Per Article 9: The property has not been seeded. The reclaiming must be completed within 9 months of the completion of the contract. The contract was terminated March 30, 2006. Water has filled the reclaimed area and created a pond. Mr. Miller entered the property on January 3 or 4<sup>th</sup> and dug a 4' deep trench in an effort to drain the property. The property is eroding. 8 feet of fill needed to be added to bring the land to the permit requirements (stay above the 280° contour) Minimum of 3" of top soil must be present. A 20 foot setback is required on the property line. The Sauber's will be required by the County to continue paying commercial taxes, because the property has not been brought back to agricultural standards. They feel the reclamation has not been done according to permit requirements. Pictures were presented to the Town Board.

The Town Board has not received the final report on the Engineering Survey.

A motion by Supervisor Cory Behrendt: That two Board members go out to look at the property and issues that have been identified and return to the February meeting where discussion with Mr. Miller of the presentation of final reclamation documentation. Motion seconded by Supervisor Gloria Belzer. Motion carried by unanimous vote. Supervisor Gary Smith and Supervisor Cory Behrendt will inspect the property. Kenny Miller will be invited to attend the inspection.

### **Robert Ripley- rezoning of property**

Supervisor Dan Rogers was in contact with the Township attorney. He indicated that the 10 parcels could be rezoned. Language would need to be developed for the Comprehensive plan. R1 zoning district would be put together describing those 10 lots. These 10 lots would be the only lots within R1 zoning district. The Comp plan would need to be submitted to the Met Council. A comprehensive guide amendment would need to be developed and amend the zoning code. A public hearing would need to be held. Then the property could be rezoned under the ordinances. The lot then would become a buildable lot.

Supervisor Cory Behrendt questioned whether the Board of Appeals process could grant the property buildable without rezoning/ Ordinance changes.

Supervisor Cheryl Monson stated that there are other cases in the Township that are similar- where pieces of properties were split up but never recorded with the county, but recorded with the Township. All these properties should be corrected at this time.

A motion by Supervisor Cory Behrendt: To allow Supervisor Dan Rogers to continue discussion with the Town Attorney and Planner from MFRA, Bill Weber to develop ordinance language that could be adopted to apply to the Ripley situation, specific with consideration to other cases how language might apply and to also pursue the possibly of using the Board of Appeals to resolve this situation. Motion seconded by Supervisor Gloria Belzer. Motion carried by unanimous vote.

## **New Business**

### **Jeff Tonsager- Buildable Lot Question**

Jeff Tonsager, owner of property located on 245<sup>th</sup> St W Property ID # 13-01400-020-30 asked if his property is buildable. Mr. Tonsager owns 40 acres, the property is located in two different qtr/qtr sections. The NE Qtr and SE Qtr of the SW Qtr of Section 14 There are no houses located in the SE Qtr/ Qtr section. There are two grandfathered lots located in this qtr/qtr section.(recorded with the county before 1982) Mr. Tonsager's property was split in 1991. The Town Board determined that Mr. Tonsager's property is buildable on a first come first serve basis.

### **South Cedar Greenhouse**

No updates from the attorney on sign permit fee payment.

### **Charles Butch Hansen**

Moving forward with process, update next month.

### **MinnCan Update**

Chair Cory Behrendt has been monitoring progress on the MinnCan project. He will continue communications with MinnCan representatives. The Township is very interested in the process, making sure that all residents are represented equally and fairly. Supervisor Cory Behrendt will continue to pursue the avenues, if the opportunity comes for the Township to take action, he will inform the Town Board.

### **Country Joe Racing- update**

The request has been submitted to the attorney. The Town Board is waiting for a response.

### **Friedges**

The request has been submitted to the attorney. The Town Board is waiting for a response.

### **24185 Denmark Ave. Lackore Tree Cutting**

Supervisor Dan Rogers reported that he and Chris Nielsen met with Lackores. It was agreed upon to remove some of the trees. Trees closest to the road and branches overhanging the road were removed. Lackore's would not agree to the removal of all trees the Township felt were in the road right of way. Supervisor Gary Smith asked about the tree stumps, he felt that they would interfere with the ditch mowing. Chris Nielsen felt he had cut them as low as he could, to the dirt level.

### **Cross Nursery Sign**

The clerk contacted Don Cross and informed him that the sign on the corner of 225<sup>th</sup> and Highview had not been removed as he had indicated when he applied for his new sign permit. Mr. Cross indicated that he would like to leave the sign. The Town Board asked that a sign permit application be completed and presented to the Planning Commission.

### **Terri Petter- Building Permit- continued**



Kristin Kingsbury, Attorney for Terri Petter asked what the status was for Ms. Petter's permit. Was there more that needed to happen on the issuance of the permit? Chair Cory Behrendt stated that the Town Board is expecting the building plans to be updated with the room use designations. The clarifications stated by Township Attorney Corrine Thomson will be added to the permit. Ms. Kingsbury stated she will not be adding any more to the record. The record is as it is. She will not update the plans. The motion made by the Board was to approve the permit, based on the room use designations being added to the building plans.

A motion by Supervisor Cory Behrendt: To continued the permit discussion with Attorney Corrine Thomson in light that the applicant chooses not to complete the application requirements as the Town Board has laid out. Motion seconded by Supervisor Gloria Belzer. Motion carried by unanimous vote.

### **Planning Commission related Items:**

#### **Approve new permit forms and instruction sheets**

The Planning Commission submitted draft application forms and instruction sheets for permits. The Planning Commission recommended that the lot split form and the building cluster documents review these two documents, they are legal documents.

A motion by Supervisor Cheryl Monson: To accept and start using all the new applications presented to the Town Board, except for the building right cluster agreement and the lot split approval application. These will be sent to the attorney to make sure everything is properly worded to protect both the Township and the citizens. Motion seconded by Supervisor Dan Rogers. Motion carried by unanimous vote.

#### **Ordinance Review**

Planning Commission has scheduled Special Planning Commission meetings for Ordinance review on January 17<sup>th</sup> and January 20<sup>th</sup>. The Town Board should forward any suggestions to the clerk.

#### **Planning Consultant assistance with planning issues**

Supervisor Gloria Belzer contacted Bill Weber, MFRA. The cost would depend on what type of work needed to be done. His usual fee is \$125.00/ hr. Gloria indicated that retainment would be on an "as needed" and requested basis, to include: Assist with Zoning Ordinance revisions and updates, review and provide recommendations on permit requests, zoning applications, variances, conduct research and provide recommendations on other Planning and zoning issues. Mr. Weber will submit a proposal.

A motion by Supervisor Cory Behrendt: To direct the Planning Commission to obtain an agreement from MFRA/ Bill Weber for planning services on a periodic consulting basis and to include the items listed as a potential for work. Motion seconded by Supervisor Gary Smith. Motion carried by unanimous vote.

#### **Attorney/ planner consultation on permit requests**

Last meeting the Town Board had discussed the possibility of having an attorney or planner available to the Planning Commission or Town Board on a "real time basis" opposed to "after the fact" of a request being presented. Discussion continued on this proposal. Supervisor Cory Behrendt will write a policy of engagement for Town Board review at the February Town Board meeting.

#### **Planning Commission Update- Chair Mike Greco**

The Envisioning Forum is February 20, 2007 a post card announcement will be sent to all citizens.

The Planning Commission is looking into grants for railroad crossing and road upgrades, installation of a rain garden around the Town hall property and funding for guard rails on 265<sup>th</sup> St Bridge.

The Planning Commission is working with Bob Hegner on details and the process of reporting of building permits.

The Planning Commission asked to change the application due dates for the submittal of permit applications to 14 days before the next regular scheduled Planning Commission meeting. This would be published in the January newsletter, enforcing this policy in March.

A motion by Supervisor Cory Behrendt: To appoint Supervisor Cheryl Monson to audit the sending process for the Strategic Envisioning post cards. Motion seconded by Supervisor Gloria Belzer. Motion carried by unanimous vote.

The Planning Commission should move forward with the possibility of obtaining grants.

A motion by Supervisor Cory Behrendt: To approve the Planning Commission to move the due date to 10 days (Thursday) before the Planning Commission meeting. Motion seconded by Supervisor Dan Rogers. Motion carried by unanimous vote.

## **New Business**

### **Petition letter- clerk**

The clerk found a petition letter on her desk. The petition was dated 8/17/06. The clerk discovered the letter on her desk after the December Town Board Meeting. The petition contained no signatures. The Town Board's policy is that complaints be in writing and signed. The Town Board noted that the clerk presented a letter of complaint, with no indication of the source. No action was taken.

### **Special Town Board Meeting Minutes November 2, 2006**

A motion by Supervisor Cory Behrendt: To table the November 2, 2006 meeting minutes until next month. Motion seconded by Supervisor Cheryl Monson. Motion carried by unanimous vote.

### **Newsletter**

The draft newsletter will be sent to Town Board members for approval next week.

### **Clerk/ Treasurer Presentation**

S & S Tree Service Specialists- The clerk received advertisement from this company.

The clerk received a letter from Dakota County of all the utility permits in Dakota County in 2006. A copy was put in each Supervisors packet.

2006 Audit- The clerk received a letter from The State Auditor Office that they will perform the audit in June or July. They will be in contact with the clerk closer to the audit date.

A motion by Supervisor Cheryl Monson: To adjourn. Motion seconded by Supervisor Gloria Belzer.

Meeting adjourned at 11:09 pm.

