

Eureka Township
Dakota County
State of Minnesota

Eureka Town Board Meeting of December 12, 2011

Call to Order

Chair Brian Budenski called the December 12, 2011, Eureka Town Board meeting to order at 7:00 p.m. Members present were Supervisors Brian Budenski, Nancy Sauber, Dan Rogers, Pete Storlie and Kenny Miller. Clerk/Treasurer Nanett Sandstrom was present to record the minutes. Also present was Carrie Jennings as Planning Commission Liaison, Township Attorney Trevor Oliver and Building Official Scott Qualle. See attached attendance sheet for additional persons in attendance.

The meeting opened with the Pledge of Allegiance.

Approval of Agenda

The following items were added to the agenda:

Budget: Gravel Report

New Business: Town Hall Rental Procedures

Other Business: G. MNSPECT

H. State Mechanical Nonconforming

Minutes: Motion to preserve October, November and December Town Board meeting recordings

The Road Contractor was not present at the meeting because of an illness.

A motion by Supervisor Brian Budenski: To approve the agenda as amended. The motion was seconded by Supervisor Nancy Sauber. The motion carried by unanimous vote.

The Newsletter will be published after the January Town Board Meeting.

Public Comment Period

None

Treasurer's Report

Checking Account Balance: \$1,015.70. Outstanding Checks \$483.90. Savings Account Balance: \$228,975.46. CD Account Balances: \$67,167.58. Outstanding Deposits: \$3,651.32. The Ledger Balance is \$300,326.16.

A motion by Supervisor Nancy Sauber: To accept the Treasurer's Report of December 12, 2011, as presented. The motion was seconded by Supervisor Kenny Miller. The motion carried by unanimous vote.

The Town Board reviewed the Claims List and Net Pay Account Distribution.

Bills and Receipts

The Clerk presented the following bills for payment:

Henry's Excavating	Road maintenance thru 11/30/2011	\$5,421.50
MNSPECT	Inspection Services November 2011	\$315.89
Dakota Electric Association	Town Hall Electric	\$82.30
Frontier Communications	Phone Service Town Hall	\$114.37
Culligan	Water Softener Town Hall	\$23.51
Dick's Sanitation	Garbage Service Town Hall	\$46.51
T & C Commercial Cleaning	Clean Town Hall – December	\$42.85
Kelly & Lemmons	Legal Services thru 11/30/2011	\$1,613.75
Yaggy & Colby Associates	Chub Lake Culvert	\$581.00
PERA	Payroll Period 11/1/2011 to 11/30/2011	\$123.75
Dan Rogers	Softener Salt	\$59.81
Julie Larson	Mileage	\$48.96
Carrie Jennings	Mileage road review	\$40.80
IRS	December Deposit 941	\$465.29
USPS	Newsletter mailing	\$175.00
Mark Ceminsky	Mileage	\$21.42
Nanett Sandstrom	Expenses 10-12-2011 to 11-31-2011	\$33.00
Nanett Sandstrom	Payroll 11-1-2011 to 11-30-2011	\$767.82
Julie Larson	Payroll 11-1-2011 to 11-30-2011	\$346.73
Carol Kelly	Payroll 11-1-2011 to 11-30-2011	\$25.94
Brian Budenski	Town Board Payroll 4 th Qtr 2011	\$292.48
Kenny Miller	Town Board Payroll 4 th Qtr 2011	\$217.00
Dan Rogers	Town Board Payroll 4 th Qtr 2011	\$217.00
Pete Storlie	Town Board Payroll 4 th Qtr 2011	\$217.00
Lu Barfknecht	Planning Commission Payroll 4 th Qtr 2011	\$235.87
Mark Ceminsky	Planning Commission Payroll 4 th Qtr 2011	\$297.20
Carrie Jennings	Planning Commission Payroll 4 th Qtr 2011	\$254.74
Gayle Klauser	Planning Commission Payroll 4 th Qtr 2011	<u>\$188.70</u>

Bills Presented **\$12,270.19**

Additional Claim (*approved later in agenda*) **Darrel Gilmer-** septic inspections **\$400.00**

Total Bills Presented **\$12,670.19**

Supervisor Nancy Sauber reviewed the Attorney billing charges, and they are appropriate.

A motion by Supervisor Nancy Sauber: To approve the Claims List and Net Pay Account Distribution as submitted 12-08-2011. The motion was seconded by Supervisor Kenny Miller. Roll call vote was taken on the motion: Kenny Miller-aye; Pete Storlie-aye; Brian Budenski- aye; Nancy Sauber-aye; and Dan Rogers-aye. The motion passed unanimously.

The Town Board reviewed the following financial reports prepared by the Clerk: Current Investments, Statement of Receipts and Balances, Cash Control Statement, Disbursements Register, and Receipts Register.

It was noted that Check 6403 & 6428 are voided checks.

The following receipts were received in November:

• **Local Permits**

Bill Kuhns – Application Fee	\$25.00	Bob Donnelly- Utility Permit 11-11	\$25.00
Elder Jones- Permit ET	\$105.00	Sauber Plumbing- Septic Permit	\$280.00
Gayle Schleif- Driveway application	\$50.00	Michael Conboy- Septic Permit	\$280.00
Elder Jones- Permit ET11-	\$105.00	Bill Kuhns – Permit 11-15	\$305.07
Elder Jones- Permit ET11-	\$105.00		

• **Other Receipts**

Mount Olivet Retreat – In lieu of taxes	\$1,500.00	Oliver Leine- Escrow payment	\$371.25
Bob Donnelly- Bond utility permit 11-11	\$500.00		

TOTAL RECEIPTS AS OF NOVEMBER 30, 2011 **\$3,651.32**

A motion by Supervisor Nancy Sauber: To accept the remaining Financial Reports as presented for the December 12, 2011, meeting. The motion was seconded by Supervisor Dan Rogers. The motion carried by unanimous vote.

Anderson Bobcat check #6389 for \$100 was not received by Anderson Bobcat. The check will be reissued. No stop payment will be made on the missing check.

Budget

The budget will be reviewed later in the meeting.

Gravel Report

Supervisor Kenny Miller Reported on gravel expenditures. His report was exclusive of labor and machine costs. The numbers only show delivered tons of gravel. There were two repair projects this spring that were projects outside the budget. These included emergency repair to Highview Ave., north of 225th St.W. and graveling on the east end of 220th St., which is Farmington's portion of 220th St. Farmington has been billed for this repair.

The graveling of Highview Ave north of 225th St. in October is shown in the budget under Road/Bridge Rebuild. This project will be reimbursed 50% by Dakota County and \$15,000 by three other interested parties. Those payments have not been received yet.

Supervisor Miller will work further on the report so that it tallies with the numbers shown in the budget. He will present this work at the next Board Meeting.

Planning Commission, Land Use Permits and Related Items

B. Land Use & Zoning Issues

1. CUP

A. Prairie Creek School, 27695 Denmark Ave.

Simon Tyler, Director of Prairie Creek School, was present to represent Prairie Creek School in the review of their CUP. There have been no significant changes over the past

year. He presented the Town Board with the school's 2011 Annual Report on Curriculum, Instruction and Student Achievement. It includes all the compliance documentation, as required by the CUP. It was left with the Clerk.

The floor was opened for public comment. Hearing none, the floor was closed to public comment.

A motion by: Supervisor Nancy Sauber: To approve the review of Prairie Creek's Conditional Use Permit. Motion seconded by: Supervisor Pete Storlie. Motion carried by unanimous vote.

B. Wat Lao, 22605 Cedar Ave.

Sayphet Phabmisay was present to represent Wat Lao in their CUP review. Supervisor Dan Rogers reported on the outstanding complaint on the property. According to Sy, the vehicles have been removed from the property or put in inside storage. Supervisor Rogers will follow up by visiting the property to observe this.

A list of events taking place in 2012 was given to the Clerk. There will be 12 gatherings. These gatherings will be smaller, between 50 and 100 people in attendance. Unless 300 will be reached, no Outdoor Assembly permit is required.

The floor was opened to public input; hearing none, Supervisor Brian Budenski moved to approve the review of the Conditional Use Permit for Wat Lao of MN located at 22605 Cedar Ave. Motion seconded by: Supervisor Pete Storlie. Motion carried by unanimous vote.

Other Business

A. Farmington Fire Contract

Supervisor Brian Budenski spoke with David McKnight, Farmington City Administrator, on the proposed Fire Contract between the City of Farmington and Eureka Township. The proposed contract for 2012 is \$28,952. A 3% increase is proposed in 2013 and another 3% increase in 2014. The agreement will be sent to the Farmington City Attorney for review. Once received by Eureka Township, it will be forwarded to the Township Attorney for review.

B. Planning Commission Report

Carrie Jennings was present to represent the Planning Commission. They are going to start working on the Wind and Lighting Ordinances. They will review model ordinances. They are going to talk to Greenvale Township about the new billboard in their Township to see how it fits into their ordinances.

C. Final Report for Commercial/Industrial Task Force- Sherri Buss

Sherri Buss, TKDA, was present to present the final report for Phase I of the Commercial/Industrial study. Sherri gave an overview of the report. Task Force member Jim Sauber highlighted changes to the final report. Task Force member Jeff Otto commented on reasons that the study was initiated.

The Task Force concluded that it would be premature at this time to move ahead with Phase II of the study.

A motion by Supervisor Nancy Sauber: To accept the Commercial/Industrial Task Force report and recommendation as presented by Sherri Buss of TKDA, Senior Planner. Motion seconded by: Supervisor Brian Budenski: Motion carried by unanimous vote. *A copy of the Final Task Force Report is attached to these minutes.*

D. Proposed Ordinance 7 changes

A few months ago, the Township Attorney had suggested that Ordinance 7, Fees, be updated to include the Building Code Fee schedule and any fees that are collected as a matter of best practices. Supervisor Nancy Sauber updated the ordinance to reflect some of the proposed changes. Nancy will continue to work on the updating of this Ordinance and will present the changes at the next Town Board meeting.

E. Report on Vermillion River Watershed Meeting

Supervisor Nancy Sauber reported on the VRWJPO Meeting which she attended. Nancy spoke with County Commissioner Joe Harris, Watershed Administrator Mark Zabel, and Watershed Specialist Travis Thiel on a way to streamline the permitting process, which was agreed to at the meeting. The applicant may go to the JPO and the Planning Commission at the same time, rather than waiting to hear from the JPO before only then going to apply to the Planning Commission. The Town Board *cannot* move on a permit until the JPO has approved the permit. There are *no* approvals contingent on the JPO's action. The JPO can take up to 60 days to act upon the permit application, which they are allowed to do by law. They have stated that their intent is to act as quickly as possible on applications, subject to their meeting schedule. If there are *any* changes to an application, the applicant would need to go back to the Township Planning Commission *and* to the JPO before the Town Board could act on the permit. Even if the changes seem to be minor, the JPO reserves the right to view them themselves and to make that determination themselves, as the enforcing body. The Township must notify them of *any* changes. The JPO fees are based on the standard County billing fees. This is their ordinance and their fee schedule, since the Township declined to adopt the ordinance.

The cleanup on the shooting range- The JPO charged the city of Lakeville only \$10, because the PCA is involved. Their requirements are more stringent than the JPO's. Lakeville's regulations are more restrictive than the JPO's as well.

The Town Board asked that the Clerk contact the MPCA and ask them to send a report to the Township on the cleanup and that they attend a meeting to answer any questions the Town Board may have.

F. North Cannon Watershed meeting

Nancy Sauber reported on the meeting that she attended. Membership fees have not increased since 2004. They have done everything they can to reduce costs, but after paying for the upcoming water plan that is required by the State every ten years, and after making up the running \$7,000 deficit for this year's work, the reserve resources will be nearly depleted. Necessarily, membership fees will be increased to cover the deficit going forward. The current total fees for all the townships and small cities are \$15,000. This will be increased to \$22,500. Currently Eureka Township pays \$1,041 a year for its share to the WMO. The increase will be about \$500 per year.

Eureka Township will host the February 1, 2012, Meeting.

G. MNSPECT

Pete Storlie asked that MNSPECT's situation be reviewed by the Township Attorney. He has concerns that it may affect the Township.

H. State Mechanical Nonconforming

Supervisor Pete Storlie commented that he feels that a nonconforming use that has a lesser disturbance than the current nonconforming business should be allowed to take over a nonconforming use location. He feels that the nonconforming use ordinance needs to be changed; it is outdated. He would like to see a text amendment to current ordinances. The ordinance does not allow simple changes to be made.

The Township Attorney was asked to comment on the issue. He outlined the process to make changes to the Ordinance. The Township is somewhat limited as to what it can do under current State Statutes. Allowing a new noncompliant use, whether of a lesser impact or not, is a line the Township cannot cross. The nonconforming law allows a nonconforming use (legal when started and then the ordinances changed) to continue under specific circumstances. Any new use must conform to the current Ordinances. The different use must meet the zoning code.

The Town Board took a 10-minute recess.

Citizen Business

A. Terri Petter Exotic Animal Complaint

The letter that the Building Inspector asked Terri Petter to sign after the November Town Board meeting was not signed. This property has a game farm license from the DNR. Game laws are going to preempt Township Ordinances. The holder of a game farm permit is allowed to hold certain animals. Cougars are listed under game farm laws and are permitted small game. Trevor is in the process of gathering historical information. There is a State Statute on exotic animals. There are 6 exceptions. It does not apply to fur-bearing animals in the possession of a licensed game farm. Game Farm licenses are all that matter. Trevor has copies of 2 game farm licenses for the property, a State Department of Agriculture Fur Farm Registration and USDA Class E Exhibitor's License. He is following up with some of the agencies to get more records that go along with these. As far as the Township is concerned, there are no illegally kept animals because of the game and fish laws.

A citizen asked about disposal of animal bones and carcasses. Terri commented that they decompose animal carcasses in manure and wood chips. She is working with the Board of Animal Health on the correct process for decomposing animal remains.

B. Terri Petter Animal Exhibition Land Use

Eureka Township Ordinances do not allow Animal Exhibition as a Land Use. Exhibition of animals is detailed on Terri's website, and has been advertised in the newspaper and on road signs.

Terri Petter commented that animal exhibition is a secondary use of the property. The Township Attorney commented what had been talked about in the past is where the line was for it to be an accessory use. Anything worthy of advertisements in the paper, soliciting customers is far

beyond that line. This was an occasional, discrete thing, nothing purposely done for the public. Assuming the fur farm was the primary purpose for the animals, what was acceptable for letting people see animals was on an occasional basis. Advertising for people to come in is well past that point. The other question raised in gathering data on the licenses, is what the primary purpose of the animals is. The business described before was pelting that was done when the animals passed on naturally. The game farm license requires records of game in possession, acquisition, births and deaths. It also requires the accounting of how many animals have come in and out. Also looking at what pelts sell for, Trevor doesn't see enough animals coming through. The farm has accumulated quite a few animals from where it was 5 years ago. From the records he has been able to obtain, he does not see enough animals coming in and out to establish that the primary purpose is for the fur as opposed to supporting an exhibition. The rules about possession of animals have to interact with the State, but the rules for land use do not. Fur farming is in the Township Ordinance as an agricultural use. The pelts are the only thing that makes it an agricultural use. Having these animals does not make it an agricultural use. Data dealing with this topic is still coming in. The ads and presentation of this property on the web makes it very clear what is going on. From the publicly available data, it seems the fur farm is the ancillary accessory use of whatever other purpose the animals are on the property for.

Dan Storlie commented that the DNR does not care unless it is a red fox or a grey fox. They do not look at any other color of fox. They don't care if they have 10,000 ranch fox because they are not Minnesota native animals. The DNR does not have any numbers on arctic or the 76 colors of ranch fox. Terri commented that her numbers fluctuate; she has baby fox every year. If she is having babies every year and her numbers do not fluctuate, then she must be pelting something, she stated. Terri commented that when the nonconforming use registration took place she was told that she did not need to register as nonconforming because she was an agricultural use. She stated that she has been having tours on the farm for years. She said what she was doing with the retail and animal exhibit was a primary use as a fur farm and an ag use. Terri provided a newspaper ad dated July 6, 2006, talking about the exhibition of her animals. She commented that she had her exotic animals 'way before the exotic animals ordinance was put into place. She claims she was misinformed by the Town Board at that time. She stated that she would have signed up as a nonconforming use at that time and this discussion would not be taking place at this time.

The Township Attorney commented that the issue is not the exotic animals ordinance; it is the Zoning Ordinance. The list of permitted and conditional uses has not changed since 2004.

Advertising for the property reads: your donation for admission is greatly appreciated; \$7.50 for adults and \$5.00 for kids and seniors. Terri commented that no one has asked to not to pay. The Township Attorney said that charging admission is not the determining factor in itself. The bigger issue in the advertising is the invitation of the general public. You would be looking for items that make it look like commercial activity such as open invitation, open hours compared to ad hoc or inadvertent, things you do to be a friendly neighbor or supporting your community. Terri commented that she has 7 wolves on exhibit; she has 32 in total. She has over 60 fox and 7 ranch fox on exhibit and 2 arctic fox. She has fewer than 1/6 of her animals on exhibit. Dan Storlie commented that he lost over 300 pelts in the fire last year.

The Township Attorney commented that the first application for a game farm was August 2006. The records show that the starter animals were bought between June and October 2006. This

also includes 1 arctic fox. There is nothing referring to fur farming to 2004. As far as the licenses provided, the property applied for and was given a game farm license in August 2006. It was registered as a fur farm with the Department of Agriculture early in 2007. The USDA exhibitor's license was obtained around the same time in 2007. It does not appear that it was going in 2004. Terri commented that she did not have her licenses then. Dan Storlie commented licenses were not required before then. Arctic fox can be purchased without a license.

C. Terri Petter - Building Moved In Without A Permit

Terri moved a building onto the property without a permit. The Building Inspector gave her until the end of summer to apply for permits and permanently place the building on the property. Terri commented that it is a portable building (on skids) and a permit is not required.

Township Ordinances read that any building moved into the Township requires a move-in permit. The building was moved into the Township without a move-in permit and a building permit has not been obtained to fix it permanently to the ground. By State Statute, a building that has been in place 180 days or more is a permanent structure. "Permanent" or "Temporary" has nothing to do with portability. The Town Board advised Ms. Petter to obtain the permits for the building.

D. Terri Petter - Fence Without A Permit

A fence 8 feet tall has been erected on the property. Terri commented that it is a USDA requirement. The Township Building Official commented that fences less than 6 feet tall are exempt from the building code. There are no exemptions for fences over 6 feet tall. A permit and inspections are required. The permit is based on the value of the fence. The Town Board advised that Ms. Petter obtain permits for the fence.

E. Ag Letter from MNSPECT not signed

Terri Petter did not sign the letter drafted by the Township Building Official as discussed at the November 12, 2011, Town Board Meeting. Terri commented that she asked for clarification on the content of the letter, and the Building Official did not respond to her questions. The Building Inspector commented that he understood from the meeting that clarifications to the letter had been discussed at the Board meeting. He was able to make minor changes. Ms. Petter was asking more. The Tuesday after the Friday that the letter was to be signed, he attempted to post a stop work order on the building. Terri declined to allow him to post the stop work order on the building at that time. He was preparing to hand Terri the stop work order, when Dan Storlie approached in an uncertain manner and Scott left the property without leaving the order.

The question remains if the property is being used for Ag purposes. The Town Board supports the Building Inspector in that the letter needs to be signed by Terri indicating the building will be used for ag purposes. The Building Official commented that a Building Inspector from his office was on the property and looked at the building during construction. A stop work order was not placed on the building at that time. He was unable at that time to determine if the building was to be classified as an ag building or not. At that time, Ms. Petter was told that a letter would need to be signed stating the building would be for Ag use.

Zoning Compliance permit #001019 for an ag building was issued to Terri Petter on April 11, 2011. This permit was not for the building and location that Terri is constructing. Terri did not submit an amended building permit showing the changes to the building and location of the

current building. The original building did not have plumbing. The current building plan shows 2 kitchens and 4 bathrooms. A new application needs to be submitted for approval by the Town Board.

The Building Official commented that the use and occupancy classification of a building for the purposes of a building code is under the purview of the Building Official.

The Attorney commented that the purpose of the letter is, that with the updated plans, there are some features of the building that appear that the building could be used for the public. The key issue is if used by the public, it is a non-ag building. The purpose of the letter was to get the representations on paper and it would clear the way. Without that letter, the design features stand alone. The Building Official made his determination based on those features that it didn't qualify as an ag building. It looked to have a commercial purpose. The path to appeal the Building Inspector's determination is the Township's Board of Appeals and Adjustment or the Department of Labor and Industry.

Terri Petter commented that she does not have a problem with signing a letter that the building will be used only for ag purposes. But, she said, she will not sign the Building Official's letter. She will write her own. The Town Board will accept only the Building Official's letter. Terri told the Board that she will take care of the other outstanding issues soon: the move-in permit and related permit per Ordinance and the fence permit. The Building Official commented that he articulated the letter in the way that he has to make sure that Terri understands the implications of deviating from the requirements of ag and, second, to acknowledge the best he can articulate all the things that he is aware of that may or not be happening on the property and address those issues in advance, so she can't say she didn't know that they were an issue or a problem.

The Building Official handed Terri Petter the Stop Work Order- stating "you may not occupy the building until it is either determined as ag or permits are obtained and a Certificate of Occupancy is issued."

The Township Attorney commented that it is the Building Official who is supposed to review an application and make a determination. Submitting an application and making statements is not the final word. There were features in the plans that were submitted that caught the Building Official's eye that the building might not be ag. The decision was based on the plans, not the use. When the plans were changed, everything should have been stopped and the plans reviewed. A building is supposed to be built as the plans are submitted. You cannot submit one set of plans and then build something completely different. It is not allowable. We were trying to deal with this when construction was progressing when it should not have been. It is not an issue of representations in the application or future compliance. The issue is that, as the building was submitted, and designed it is not in the Building Official's opinion an ag building. It is a commercial building. It requires a full paid-up permit, full inspections and possibly other structural features that might be built into this because engineered plans have not been submitted.

F. Money due Township

Terri Petter owes \$5 on Zoning permit ##001019 and \$67.50 for a conversation initiated by Carol Cooper, Attorney representing Terri Petter at the April 11, 2011, Town Board Meeting. At

the November Town Board meeting the Clerk was told by the Town Board to bill Terri Petter for this charge.

Terri Petter commented that this is going to court. She has tried to work through things and talk to people, and it gets nowhere.

At 10:30 p.m. the Town Board took a break. The meeting resumed at 10:45 p.m.

A motion by: Supervisor Kenny Miller: To issue an ag building permit. Motion seconded by Pete Storlie. Discussion took place on the motion, including the Attorney reiterating when asked that the determination of the building falls to the Building Official, not to the Town Board. The Town Board deals with zoning; the Building Official with the proper permitting of buildings. Supervisor Kenny Miller withdrew the motion. Supervisor Pete Storlie withdrew his second.

Building Official

Building Official Scott Qualle informed the Town Board that the Septic rules have been updated twice recently, in 2008 and 2011. The Township Attorney will check to see that the Township Septic Ordinance is up-to-date.

Minutes

Motion to preserve October, November and December Town Board Meeting Recordings

A motion by Supervisor Nancy Sauber: To preserve the recordings of the October, November, December Town Board Meetings. Motion seconded by Supervisor Dan Rogers. Motion carried by unanimous vote.

The Clerk had an additional claim that was not presented on the Claims List. A bill from Darrel Gilmer was submitted -a claim for \$400.00 for 2 compliance inspections. A motion by Supervisor Kenny Miller: To accept the addition to the Claims List. The motion was seconded by Supervisor Nancy Sauber. Roll call vote was taken on the motion: Kenny Miller-aye; Pete Storlie-aye; Brian Budenski- aye; Nancy Sauber-aye; and Dan Rogers-aye. The motion passed unanimously.

A motion by Supervisor Nancy Sauber: To approve the October 11, 2011, Town Board Meeting minutes as presented. Motion seconded by Supervisor Brian Budenski. Motion carried by unanimous vote.

A motion by Supervisor Brian Budenski: To approve the Roundtable Meeting minutes of November 10, 2011, as presented. Motion seconded by Supervisor Dan Rogers. Motion carried by unanimous vote.

The following correction was made to the November 14, 2011, Town Board meeting minutes: Call to order- meeting date changed from October 11, 2011, to November 14, 2011. DNA was changed to DNR in two places on page 6. Footer was updated to November 14, 2011. A motion by Supervisor Nancy Sauber: To approve the Town Board Meeting minutes of November 14, 2011, with the corrections noted. Motion seconded by Supervisor Dan Rogers. Motion carried by unanimous vote.

Old Business

A. Misc. Updates

1. Mahoney follow-up, inspection photos

A follow-up inspection needs to take place. Pictures of the inspection and of all inspections should be taken. Supervisor Kenny Miller will contact Mike next week.

2. Progressive Insurance Claim

Reimbursement for the tree claim was never received. Supervisor Brian Budenski commented that they said they will not cover the tree replacement.

3. Non-Compliant Septic Letters

No update from Darrel Gilmer. The two claims from Darrel were for septic compliance.

4. Windmill- Response from TKDA

The final site plan has not been received. Nancy will contact TKDA and ask for a copy of the final documents.

5. Wat Lao Inspection- already addressed.

6. Other

a. Sauber Trust- The letter to the Trust has not been sent. This will be done.

b. 225th St. W./Highview Ave. Culvert Permits

The letters have been sent out. There hasn't been adequate time for response.

c. Charles Liane – Moved-in Structure & Use

Supervisor Kenny Miller will contact Dee McDaniels, Dakota County Water Resource Department.

New Business

Town Hall Rental Procedure

Kenny Miller expressed concerns with Town Hall rental. The facility was used on Saturday. When driving by on Monday morning, he found the lights had been left on and the heat turned up to 75 degrees. The policy needs to be reviewed and updated to include charges for an inspection fee and other items. This topic will be added to next month's agenda.

The red tag notice that the Building Official gave Terri was left on the table at the meeting. The Township Attorney commented that Terri has been given notice of it. The red tag needs to be posted on the building. The Building Official was advised to obtain an administrative warrant from the Sheriff to enter the property to post the notice.

A motion by Supervisor Kenny Miller: To adjourn. Motion seconded by: Supervisor Nancy Sauber.

Meeting adjourned at 11:10 p.m.