

Eureka Township
Dakota County
State of Minnesota

Eureka Town Board Meeting of March 12, 2012

Call to Order

Chair Brian Budenski called the March 12, 2012, Eureka Town Board meeting to order at 7:00 p.m. Members present were Supervisors Nancy Sauber, Brian Budenski, Dan Rogers, Pete Storlie and Kenny Miller. Clerk/Treasurer Nanett Sandstrom was present to record the minutes. Gayle Klauser as Planning Commission Liaison. See attached attendance sheet for additional persons in attendance.

The meeting opened with the Pledge of Allegiance.

Approval of Agenda

The following additions were made to the agenda:

- New Business- F. Annual Meeting
- G. Race Track Info on Website ?
- Old Business- remove items 2 & 3

A motion by Supervisor Brian Budenski: To approve the agenda for March 12, 2012, as amended. The motion was seconded by Supervisor Nancy Sauber. The motion carried by unanimous vote.

Public Comment Period

Becky McIntyre, 26255 Galaxie Ave, from Real Tree Church introduced herself to the Town Board. They are renting the Town Hall for services starting this fall. The Town Board will discuss the church's use of the Town Hall under Old Business.

Treasurer's Report

Checking Account Balance: \$3,023.51. Outstanding Checks \$1,998.11. Savings Account Balance: \$346,167.87. CD Account Balances: \$67,814.65. The Ledger Balance is \$415,007.92.

A motion by Supervisor Nancy Sauber: To approve the Treasurer's Report of March 12, 2012, as presented. The motion was seconded by Supervisor Dan Rogers. The motion carried by unanimous vote.

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

Bills and Receipts

The Clerk presented the following bills for payment:

Henry's Excavating	Road maintenance thru 2/29/2012	\$1,894.00
MNSPECT	Inspection Service – February 2012	\$420.00
Dakota Electric Association	Town Hall Electric	\$113.64
Frontier Communications	Phone Service Town Hall	\$113.73

Culligan	Water Softener Town Hall	\$23.51
Dick's Sanitation	Garbage Service Town Hall- March 2012	\$45.98
T & C Commercial Cleaning	Clean Town Hall – March 2012	\$42.85
Kelly & Lemmons	Legal Services thru 2/29/2012	\$823.75
PERA	Payroll Period 2/1/2012 to 2/29/2012	\$159.43
ECM Publishers	Legal Ads	\$336.00
Blue Earth Interactive	2011 Annual web site hosting	\$348.00
Graphic Design	500 optical scan ballots	\$156.04
Gold Mine Dezine	Newsletter	\$176.76
Carol Kelly	PC Recorder- 2/1/2012 to 2/29/2012	\$73.12
Nanett Sandstrom	Clerk Payroll 2/1/2012 to 2/29/2012	\$887.30
Dakota County Officers Assn	2012 JPA Pump Maintenance program	\$1,502.82
IRS	March Deposit	\$582.19
Carrie Jennings	Mileage	\$34.41
Larson Allen LLP	2011 Audit – Partial payment	\$3,779.09
Dakota County Sheriff's Office	Exotic animal complaint	\$2,080.00
Julie Larson	Reimbursement office and mileage	\$54.70
State of MN	Withholding 1 st Qtr 2012	\$50.11
MAT	Spring Short Course	\$50.00
Julie Larson	Deputy Payroll 2/1/2012 to 2/29/2012	\$400.99
Brian Budenski	Supervisor Payroll 1 st Qtr 2012	\$396.27
Kenny Miller	Supervisor Payroll 1 st Qtr 2012	\$245.31
Dan Rogers	Supervisor Payroll 1 st Qtr 2012	\$245.31
Pete Storlie	Supervisor Payroll 1 st Qtr 2012	\$292.48
Lu Berfknecht	Planning Commission Payroll 1 st Qtr 2012	\$150.96
Mark Ceminsky	Planning Commission Payroll 1 st Qtr 2012	\$122.65
Fredrick Frana	Planning Commission Payroll 1 st Qtr 2012	\$75.48
Carrie Jennings	Planning Commission Payroll 1 st Qtr 2012	\$132.09
Gayle Klausner	Planning Commission Payroll 1 st Qtr 2012	\$150.96
Total Bills Presented		\$15,959.93

One claim was deleted from the Claims List. The attorney was contacted and it was not proper use of Township funds.

A motion by Supervisor Nancy Sauber: To approve Claims List and Net Pay Account Distribution with the one correction as made on the claims list as presented. The motion was seconded by Supervisor Dan Rogers. 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 #6493 is a voided check. Two typo corrections were made to the Receipts Register.

The following receipts were received in February:

• **Local Permits**

Gayle Schleif- <i>Permit 12-001</i>	\$1,615.55	Hansen Airstrip- <i>CUP Review</i>	\$25.00
Jill Woehrle- <i>Plan Review changes</i>	\$60.00	Tiller Corporation- <i>2011 mining Review</i>	\$150.00
Sauber Trust- <i>Lot split application</i>	\$25.00	John Storlie- <i>2011 mining Review</i>	\$150.00
Mitch Larson- <i>Application fees</i>	\$100.00	Eureka Sand - <i>2011 mining Review</i>	\$343.06

• **Other Receipts**

Terri Petter- <i>Data Practices Request</i>	\$191.88	Gloria Belzer- <i>CD</i>	\$5.00
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TOTAL RECEIPTS AS OF FEBRUARY 29, 2012 **\$2,665.49**

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

Monthly Budget

The Town Board reviewed the Monthly Budget.

Farmington Fire Credit

The Clerk received a Credit Memo of \$24,003.00 from Farmington Fire for 2011. The credit will be applied towards the 1st quarter 2012 billing of \$7,238.00 which is currently due.

TKDA Billing- *(From February Town Board Meeting)*

The TKDA billing for the Commercial/Industrial Study Phase I was slightly over (\$214.68) the contracted price. More meetings were held than planned. The overage came on drafting the final report.

Outstanding Invoices

The Town Board reviewed the Outstanding Invoices for the Township. Supervisor Brian Budenski will contact Farmington. An Invoice will be sent to Country Stone for the amount owed for 2012. Northern Natural Gas and MN Energy will be sent assessment notices for the Highview Avenue upgrade.

Deputy Sheriff

A Deputy Sheriff was present to address Town Board and citizen concerns. The Sheriff's Department does residence checks. They ask that you give them the date you are leaving and returning and an emergency contact number.

Dakota County Sheriff's Bill for Exotic Animals Investigation

The bill (\$2,080) was approved for payment. The complaint was phoned in as an Ordinance violation. A portion of the billing was for State and Federal Law enforcement. Nancy Sauber talked with Trevor Oliver, Township Attorney, who stated that as of December 2nd, the Township Ordinance portion was ended with his input to the Sheriff. Supervisor Kenny Miller will ask the Sheriff's Office for a breakdown on the charges on the bill.

Planning Commission, Land Use Permits and Related Items

A. Land and Use & Zoning Issues

1. Sauber Trust Split

Larry Sauber was present to represent the lot split. The VRWJPO was not contacted prior to attending the Township meetings. The Town Board cannot act on the application before receiving notice from the VRWJPO. Larry will talk to the VRWJPO about his split.

2. Madden Mine

Steve Madden were present. Steve Madden owns a portion of the Madden property that contains acreage that could still be mined under the Special Use Mining Permit for James Madden. (September 9, 1985) The property is located in the NW1/4 of the NW1/4 of Section 7. There has been no active mining in the past 12 months. The \$150 review fee was received by the Clerk.

3. Ritchie and Joan Storlie- Lot Split Questions

Joan and Ritchie Storlie are planning on splitting property they recently purchased. The Town Board answered their questions relating to the lot split. They were asked to contact the VRWJPO to see if the lot split would trigger any of their requirements.

Other Business

A. Hat Trick-Land Use Question at Highview and 225th and Culvert Permits

No representative present. They will be asked to send a representative to the April meetings of the Planning Commission and the Town Board for follow-up on these matters.

B. Planning Commission Update

Gayle Klauser was present as Planning Commission Liaison.

Dylan & Julie Larson came with a request for a lot split and cluster located on property they own 250th St. W. The VRWJPO was contacted earlier that day and there were JPO requirements to build on the site. As a result they decided to move back to the original site on Highview Ave.

The Building permit on Highview Ave was approved by the Town Board at the February Town Board meeting, contingent on obtaining a driveway permit from the County. The applicant had not contacted the VRWJPO prior to receiving Town Board approval for the Building Permit. The Town Board cannot issue a building permit without the VRWJPO approval regarding watershed rules.

The Larsons made it very clear to the Planning Commission that they were only trying to find out if it was a buildable lot. They were not requesting a building permit at that time. The Planning Commission passed the application onto the Town Board as a buildable lot.

There was a comment that the cover letter from the Planning Commission stated something different, that it was being passed to the Board for a building permit approval.

Town Board members commented that Larsons are starting over in the permitting process.

Sauber Lot split- The application as presented to the Planning Commission was not complete. There were no signatures or survey.

The Planning Commission was asked to review the instruction sheets for permits to see if they need to be updated.

Checklist- The information checklist was reviewed and updated. It will be reviewed again for suggested changes to ensure that it is clear.

Cell Towers, Wind Turbines and Sign Ordinances- Information is being gathered from other entities in Dakota County. The information will be put into a spreadsheet for further review.

Open permits- The Planning Commission requested to receive an open permit list from the Building Inspector each month.

C. Ordinance 7 Fee Schedule

The draft Ordinance 7 Fee Schedule was presented to the Town Board for consideration.

A motion by Supervisor Nancy Sauber: To adopt changes to Ordinance 7, Chapter 2, relevant sections as presented. Motion seconded by Supervisor Dan Rogers.

Discussion on the fee schedule followed. Supervisor Pete Storlie opposed adding the fees to Ordinance 7. He felt it would be easier to add it to the website instead of incorporating it into the Ordinances. Nancy Sauber stated that the additions should be put into the Ordinance, along with the other fees already listed there, such as for IUPs and CUPs. Vote was taken on the motion. Four Supervisors voted in favor of the motion; Pete Storlie opposed. The motion carried.

D. NCRWMO Report

Supervisor Nancy Sauber reported on the NCRWMO meeting. Handouts from the meeting were given to each Supervisor. The plan needs to be updated by 2013. The kick-off meeting of the Board of Managers was already held. They are seeking one to two Citizen Advisors from each Township. Chub Lake residents will be invited to meetings for input. There will be a number of meetings, including the Pac meetings and the WMO Board of Managers meetings. Carol Cooper agreed to be the citizen advisor from the Township.

E. Training Opportunities

The Town Board members received a packet outlining current training opportunities. New Town Board members are authorized to attend the Dakota County Officers meeting, even though they are not sworn in. They may attend, but may not vote.

F. Employee Review Date

The Employee Review date was set for Thursday, March 15, 2012, after the Board on Canvass at 7:00 p.m.

G. Office Help

The continuance of office help will be discussed at the Employee Review.

Roads

Ditch Drainage Complaint Ipava and 267th

Road Contractor Mark Henry was present to discuss the ditch drainage complaint. The new culvert was set at the same grade as the old culvert. The east is the downstream side. The silt and accumulated debris was cleaned out. There is 4-5" of water standing on the downside of the culvert. The drainage downstream is not good. The water is running out of the surrounding property and into the pipe. The culvert is not the problem. Cleaning out the ditch may help.

The VRWJPO will be contacted about possible drainage issues, prior to completing any work.

The road sign on Highview and 225th St. is missing.

At 8:45 pm the Town Board took a 10-minute recess

Old Business

A. Misc. Updates

- 1. Wat Lao-** Supervisor Dan Rogers called and left a message, but has received a return call. He stated that he will complete this task before is he off the Board.
- 2. Country Stone-** The SWPPP has been requested from the County and the OSHA report has been requested from the State. There are reportedly no beeper noises coming from the operation.

3. Town Hall Rental

No progress made on updating the policy.

4. Town Hall Use by Church

McIntyre, 26255 Galaxie Ave., was present to represent the Church. They will be renting the Town Hall once a month in June, July and August. Beginning September 16th, they will be holding a Sunday service every week. They have Liability Insurance. Supervisor Kenny Miller and Supervisor Pete Storlie will meet with McIntyre's before the next Town Board Meeting to discuss the details of the use.

A motion by Supervisor Kenny Miller: That the Township enters into a contractual agreement with Real Tree Church for the use of the Town Hall building for their services. With the details to be negotiated between the Church and two Board members, Pete Storlie and Kenny Miller, before the next Town Board meeting. Motion seconded by Supervisor Dan Rogers.

After a clarification asked for by Nancy Sauber, a friendly amendment was added by Supervisor Kenny Miller to his motion: This will be a yearly commitment. The details to be negotiated will include: Copy of Liability Insurance, detailed schedule of events, cleaning agreement, key holders and possible key deposit for entrance door to building. Supervisor Dan Rogers accepted the amendment. Vote was taken on the motion. Motion carried by unanimous vote.

5. Liane – Move-in Building Permit

Tabled until the April Town Board meeting.

6. Non-Pump Septic Update

The Clerk will check with the Septic Inspector on the status of non-pump septic compliance inspections

Minutes

A. **Town Board Meeting minutes of February 13, 2012**

Minor typing errors were corrected in the February 13, 2012, Town Board minutes.

A motion by Supervisor Brian Budenski: To approve the February 13, 2012, Town Board Meeting minutes as amended by Supervisor Nancy Sauber. The motion was seconded by Supervisor Dan Rogers. The motion carried by unanimous vote.

B. **Clarification of January Minutes- Dee McDaniels**

An e-mail was received from Dee McDaniels, Dakota County Water Resource Department, clarifying the January Town Board minutes of January 9, 2012, Old Business Updates, items 5 & 6, as had been reported by Kenny Miller. *See attached correspondence dated February 15, 2012.*

New Business

A. **Newsletter**

Jody Arman-Jones was present to discuss the content of the next newsletter. It will be published after the April Town Board meeting.

B. **Reorganizational Meeting date**

The Reorganization meeting was scheduled for Monday, March 26, 2012, at 7:00 pm.

C. **Farmington Veteran's Memorial**

Nancy Sauber had contacted the MAT attorney to see if it is possible for the Township to donate to the memorial. It was Kyle Hartnett's opinion that under State Statute township governments are not able to donate to such a cause.

D. **ALF Ambulance**

A letter from Northfield Hospital & Clinics and ALF Ambulance was distributed to the Town Board for informational purposes. They are jointly making an application to the Emergency Medical Services Regulatory Board to eliminate a boundary overlap that currently exists for the ambulance service.

E. **Mowing Quotes Out for April Meeting**

Mowing quotes will be accepted for the April Town Board meeting.

F. **Proposed Race Track Info on Website?**

The Town Board discussed if race track information should be placed on the Township website for citizens' information. One opinion offered was that it was in another township and does not affect Eureka. A contrary opinion offered was that, although in another Township, the noise would reportedly be heard up to 30 miles away and thus would affect Eureka. It was decided not to put it on the website.

G. **Annual Meeting**

Annual meeting assignments were discussed.

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

Meeting adjourned at 10:09 p.m.