

***Eureka Township***  
*Dakota County*  
*State of Minnesota*

Special Eureka Townboard Meeting

May 17, 2004

Chair Don Pflaum called the Special Meeting of the Eureka Town board to order at 7:17 pm.

Town board members present were Chair Don Pflaum, Supervisor Kenny Miller, Supervisor Mark Malecha, Supervisor Dan Rogers and Supervisor Connie Anderson. Clerk/ Treasurer Nanett Leine recorded the minutes.

Planning Commission members present were Butch Hansen, Cheryl Monson, Corey Behrendt and Richard Stevens.

Eureka Township Attorney, Louise Toscano Seeba was also present.

Agenda: Newsletter Review for Publication  
Centurytel Fiber Co.- Non compliance of CUP  
Town Hall Bid Contract  
Ordinance Work  
PERA- DCP Plan for Elected Officials  
Road Maintenance Bid Specs

***Newsletter***

The town board reviewed the Township Newsletter and made corrections as needed.

A motion by Supervisor Dan Rogers: To approve the newsletter for publication as corrected. Motion seconded by Supervisor Kenny Miller. Motion carried.

***Centurytel Fiber Co.- Non Compliance of CUP***

The town board discussed the options with Attorney, Louise Toscano Seeba on how proceed with the non compliance of Centurytel Fibers Conditional Use Permit. The Town board is asking that the building be removed or the township will have it removed, assessing the costs against the property.

The town board needs to locate a copy of the conditions set on the original conditional use permit, before proceeding. The town board needs written conditions to prove non compliance.

A motion by Supervisor Mark Malecha: To table this item until the June 14, 2004 Town Board Meeting, so conditions of the CUP can be located. Motion seconded by Supervisor Dan Rogers. Motion carried.

### ***Town Hall Bid Contract***

Attorney, Louise Toscano Seeba sent a letter to the town board addressing some comments regarding the insurance, bond requirements and the liquidated damages clause.

Supervisor Kenny Miller stated that Charles Radloff, Architect is drafting an addendum to correct the errors that Louise found.

### ***Ordinance Work***

The town board reviewed questions from the last Ordinance meeting:

- The definitions for Agriculture and Horticulture were updated.
- Louise did not feel that Agricultural Services and Horticultural Service needed to be defined.

The town board came to an agreement that they do not need to be defined. It is clearly stated under: Conditional Uses and Structures- Agricultural Activities “1. Agricultural service establishments primarily engaged in performing agricultural or horticultural services on a fee or contract basis.”

- Road side stands – Under Minnesota State Statutes they do not need a license to sell produce, local ordinances deal with roadside stands. (unless they sell potatoes or apples, then they need to meet certain standards.)

If this is made a CUP use, then they would need to be compliant with MN State Statutes and Standards.

- Performance Standards- were put into Chapter 4 and broken into 3 sections: Performance Standards, Building Regulations and Building Permits.

The town board continued reviewing Zoning Ordinance No. 20

## **8.6 Parking**

- Move the sentence “Except for short term parking (six hours or less) and guest parking.” To the end of the paragraph.

## **8.7 Setbacks**

Delete

## **8.8 Soil Erosion and Sedimentation Control**

- Supervisor Connie Anderson will check with Dakota County Soil and Water to update this section, (8.8 to 8.94) or possibly delete it- applicable Local, County, State and Federal Standards.

#### 8.81 General Standards

- A. change the word “best” to “least”

### **8.10 Sewage Disposal Standards**

- Delete 8.101
- A. Enforced as provided by current Minnesota State Laws.
- It was suggested that an alternate sight for septic systems should be mandatory and not allow the future buildings on this site.

Bob Hegner, Building Inspector will be contacted for comments on this at the June 14 town board meeting.

#### 8.11 Refuse

- Remove the word”vacant” and replace with “land owner”.
- Delete the last sentence.

#### 8.12 Bulk Storage

- All applicable laws
- Need to include under ground storage.
- ? Anything over 1000 gallons needs a CUP
- Supervisor Kenny Miller will check on the size and definition for “bulk storage”
- **Bulk storage listed under Conditional Uses**

#### 8.13 Nuisance Characteristics

- Move to a separate Ordinance- Livability. (8.131 to 8.134)

## **Section 9**

### **9.1 Performance Standards for Agricultural Operations**

- Make sure the setbacks are the same.
- Delete “The farm is adjacent to or within” replace with “Farm buildings are within 250 ft of non farm dwelling
- Enter the word”or” between the 2 paragraphs.

### **9.2 Performance Standards for the Keeping of Animals**

- Definition of Pen, confined, pasture
- Use Minnesota Rule 7020- Feedlots

## **Section 10**

- Review under Commercial Use

## **Section 11**

- Address as part of the sign Ordinance

## **Section 12    **Responsibility Effect****

- Misdemeanor
- Attorney Louise Toscano Seeba will review and update.
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Next Ordinance Meeting June 7, 2004

8:00pm to 9:30 pm. (following planning commission's regular business.)

Agenda:

1. Ordinances No. 21, 22 and 23
2. Start review of the commercial Ordinance

### ***PERA- DCP Plan for Elected Officials***

Clerk/ Treasurer Nanett Leine handed out and briefly explained information to the town board members on the DCP plan for elected officials. Any town board member interested in joining the plan needs to complete an enrollment form and turn it in with their time sheet.

### ***Road Maintenance Bid Specs***

A copy of the Road Maintenance bid specifications were distributed to the town board. There was no discussion.

A Motion by Supervisor Kenny Miller: To adjourn. Motion seconded by Supervisor Dan Rogers.

Meeting adjourned at: 9:31 pm.