

Eureka Township
Dakota County
State of Minnesota

Eureka Town Board Meeting of July 12, 2010

Call to Order

Chair Brian Budenski called the July 12, 2010, Eureka Town Board meeting to order at 7:00 p.m. Members present were Supervisors Nancy Sauber, Brian Budenski and Kenny Miller. Clerk/Treasurer Nanett Sandstrom was present to record the minutes. Lu Barfknecht was present as Planning Commission Liaison. See attached attendance sheet for additional persons in attendance. The Township Attorney arrived at 8:55 p.m.

The meeting opened with the Pledge of Allegiance.

Approval of Agenda

The following corrections and additions were made to the agenda:

- Other Business: L. 15. Glory to Glory Fire Alarm
- 16. Castle Rock Road Meeting

A motion by Supervisor Brian Budenski: To approve the agenda of July 12, 2010, as amended. Motion seconded by Supervisor Nancy Sauber. Motion carried by unanimous vote.

Public Comment Period

There was no public comment.

Treasurer's Report

Checking Account Balance: \$2,855.76. Outstanding Checks: \$1,014.67. Savings Account Balance: \$108,214.30. CD Account Balances: \$143,518.37. The Ledger Balance as of June 30, 2010, is \$253,573.75.

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

Bills and Receipts

The Clerk presented the following bills for payment:

Otte Excavating	Road maintenance thru 5/31/2010	\$16,415.00
Dakota Electric Association	Town Hall	\$69.07
Frontier Communications	Phone Service Town Hall	\$115.00
Culligan	Water Softener Town Hall	\$23.51
Dick's Sanitation	Garbage Service Town Hall	\$42.01
Kelly & Lemmons	Legal Services thru 6/30/2010	\$2,740.52
PERA	Payroll Period 6/1/2010 to 6/30/2010	\$338.82
Nanett Sandstrom	Expenses 6/1/2010 to 6/30/2010	\$58.62
Pro Service Lawn	Mowing- Town Hall- June	\$480.94
T & C Commercial Cleaning	Clean Town Hall – June	\$42.75

Anderson Bobcat Service	Ditch Mowing	\$1,440.50
Carol Kelly	PC Recorder- 6/1/2010 to 6/30/2010	\$210.09
Nanett Sandstrom	Clerk Payroll 6/1/2010 to 6/30/2010	\$2,002.26
ECM	Legal Ads	\$35.00
City of Lakeville	Fire Contract 2010	\$32,270.00
IRS	Deposit 941 July 2010	\$584.39
Dustcoating	Dustcoating	\$16,263.40
Eureka Sand & Gravel	Class 5 Road Gravel & Delivery	\$7,160.07
Castle Rock Materials	Limestone & Delivery	\$55,764.44
IRS	Additional 1 st Qtr	\$20.09
USPS	Newsletter mailing account	\$175.00
Central Valley	Propane Prepay 2010-2011	\$571.09
Larson Allen LLP	Balance 2009 Audit	\$1,500.00
USPS	P.O. Box 12 mos.	\$56.00
Total Bills Presented		\$138,378.57

A 3" lift of Limestone was applied on 240th Street and a lesser lift on a majority of Ipava Ave. Spot graveling will be done on 3 other roads.

An Affidavit of Official Interest in Claim was signed by Supervisor Kenny Miller for payment made to Eureka Sand and Gravel for the purchase Class 5 gravel for Township roads.

A motion by Supervisor Brian Budenski: To approve the Claims List for Approval and Net Pay Account Distribution for July. The motion was seconded by Supervisor Nancy Sauber. Supervisor Kenny Miller abstained from any action with the Eureka Sand & Gravel amount- Claim number 1333. Roll call vote was taken on the motion: Nancy Sauber-Aye; Brian Budenski- Aye; Kenny Miller- Aye. The motion carried by unanimous vote.

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.

The following receipts were deposited in June of 2010:

- **Local Permits**

Terri Petter- Application Fee	\$25.00	Terri Petter- Zoning Permit 001014 & 001015	\$50.00
Joe Hendricks- Septic Permit	\$280.00	MN Energy- Utility Permit 2010-06-05	\$25.00
Ames Construction- Utility Permit	\$25.00	Verizon- CUP Review (3 years)	\$45.00
Chad Harmer- Zoning Permit 001013	\$25.00	Dick Wagaman- CUP Review (3 years)	\$45.00

- **Other Receipts**

Mike Greco- Copy CD	\$5.00	Castle Rock Bank- Interest CD	\$425.03
Gloria Belzer- Copy 3 CD's	\$15.00	Castle Rock Bank- Interest CD	\$782.09
Castle Rock Bank- Interest CD	\$385.18		

TOTAL RECEIPTS AS OF June 30, 2010 **\$2,132.30**

A motion by Supervisor Kenny Miller: To accept all the Treasurer Reports of 7/12/2010 as presented. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

Budget

The Town Board reviewed the budget.
Approximately \$10,000 remains in gravel budget for emergencies.

Contractor Time

Bryce Otte, Road Contractor, was present to address road issues. There are 8 recycle trash bags in the ditch on 225th east of Dodd and a box spring at 225th & Highview Ave.

Spot graveling and Dust Control will be applied this week. Dust Control will be applied on Highview Ave. from 225th Street to the Township line. Spot graveling will be done on Highview Ave. between 225th and the North Township line, Denmark Ave. and 267th St.

Anderson Bobcat Service has agreed to do the brush mowing. The Township will rent a side arm boom mower for a 40-hour period. Spraying of the swamp willows on Highview Ave. at 240th St. was discussed. Supervisor Kenny Miller will schedule the mowing.

No passing on right signs- no update.

The Township used a new gravel application method on 225th Street to cut down on road maintenance. The County's policy is "hit it hard and hit it fast"- use wet material, put it down fast. The less grading, the better it holds. There is some washboarding near the development. The roadway will not be graded as the crust needs to be preserved. Grading will take place once a month or less.

The Clerk was asked to bill Mount Olivet for the Dust Control Application on their driveway.

Check Signer

A motion by Supervisor Brian Budenski: To appoint Supervisor Nancy Sauber as second check signer in the absence of Supervisor Dan Rogers. The motion was seconded by Supervisor Kenny Miller. The motion carried by unanimous vote.

Planning Commission, Land Use Permits and Related Items

A. Ag Preserve Applications

1. Dan Fredrickson, 616 13th St., Farmington, requested to move the following pieces of property from Green Acres to Ag Preserve: Parcel ID 13-03400-011-78 consisting 34.32 Acres, 13-03500-011-53 consisting of 10.03 Acres and 13-03500-010-52 consisting of 20.20 Acres.

A motion by Supervisor Kenny Miller: To accept the application for transfer from Green Acres to Ag Preserve by Mr. Fredrickson. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

2. Thomas & Carol Pryor, 27283 Denmark Ave., Farmington, requested to move the following pieces of property from Green Acres to Ag Preserve: Parcel ID 13-03600-010-25 consisting of 79.90 Acres and 13-03600-020-02 consisting of 76.8 Acres.

A motion by Supervisor Kenny Miller: To accept the request for transfer from Green Acres to Ag Preserves as presented by Mr. & Mrs. Pryor. The motion was seconded by Supervisor Nancy Sauber. The motion carried by unanimous vote.

B. Land Use & Zoning Issues

1. Madden Trust Cluster and Lot Split

Francie Madden was present to represent the request. James and Mary Madden Trust is asking to Cluster a Grandfathered Building Eligibility from the N 2/5 of the SE 1/4 of the SW 1/4 of Section 6 to the SW 1/4 of the SW 1/4 of Section 6.

Francie presented a Quick Claim Deed of the property dated 1925. Supervisor Nancy Sauber had obtained a copy of the Deed dated 1961 from the Dakota County Recorder's Office. She also reviewed a map at the County office dated 1975, showing the property as separate parcels. Although the Property ID number changed when a new numbering system was instituted by the County, the parcel has remained the same throughout the years, and, most importantly, has remained the same since April 12, 1982. Nancy had asked Karen Sutton, Dakota County, to write a letter for the file documenting these findings, which she did.

The Township does not have lot split authority at this time as it does not have a subdivision ordinance. The Town Clerk was asked to write a letter to the County acknowledging the fact that the Township does not have lot split authority. The Township is aware of the Maddens' intention to split the property. The \$25 application fee for the Lot Split Application will be refunded.

A motion by Supervisor Brian Budenski: To approve the Building Right Cluster Application for James and Mary Madden Trust at 10250 225th St. W. Lakeville. The motion was seconded by Supervisor Kenny Miller. Supervisor Nancy Sauber offered a friendly amendment: From Property ID #13-00600-010-52 to 13-00600-010-51. Supervisor Brian Budenski and Supervisor Kenny Miller accepted the friendly amendment. The motion carried by unanimous vote.

2. Terri Petter

An e-mail was received from Terri Petter stating that she was withdrawing her CUP request. A signed withdrawal needs to be submitted. This item will be discussed later in the agenda, when the Township Attorney is present.

C. CUP Review

1. MCI Communications Service- NE 1/4 of SE 1/4 Section 4

The MCI Fiber Optic Regeneration Station located in the NE 1/4 of the SE 1/4 of Section 4 (225th St. west of Cedar Ave.) was up for review. Review of the CUP takes place every 3 years. The original CUP was issued to Williams Telecommunications in 1986, Recorded Document #2559752.

Supervisor Brian Budenski opened the floor for public comment. There were no public comments. A motion by Supervisor Brian Budenski: To accept the review for the fiber optic building on 225th St. The motion was seconded by Supervisor Nancy Sauber. The motion carried by unanimous vote.

Other Business

A. Planning Commission Update

Planning Commissioner Lu Barfknecht presented the Planning Commission update.

The Public Hearing for the Mining Text Amendment will be held Tuesday, August 24, 2010, at 7:00 p.m. Notice will be published on Friday, July 17, 2010.

The Planning Commission recommended appointing Mike Jacobson, Jim Sauber and Jeff Otto to the Commercial/Industrial Taskforce. Mike Giles is another possible candidate. Ken Olstad has unsuccessfully attempted to interview Mike on the phone.

Planning Commissioner Ken Olstad is contacting Jim Sauber on the septic information for the Comprehensive Plan. He is also checking with Supervisor Carrie Jennings on the septic letters and enforcement.

The Planning Commission suggested adding the bicycle time trials, public hearing for Mining Text Amendment and additional septic information in the newsletter.

The Town Board asked if the Commission had had discussion on the Subdivision Ordinance, the Professional Services Policy and the VRWJPO at their last meeting. They had not. Lu will bring these three items back to the Planning Commission for next month's discussion.

B. Appoint Industrial/Commercial Task Force members

There needs to be at least 5 members on the task force. Supervisor Kenny Miller and Supervisor Nancy Sauber volunteered to be on the task force. The Planning Commission still needs to determine which 1 or 2 of its members will volunteer to be on the task force. The Town Board discussed if they should move forward with the study or wait. Kenny Miller will contact TKDA on their contract.

A motion by Supervisor Brian Budenski: To appoint Jeff Otto, Jim Sauber and Mike Jacobson as members from the public and Nancy Sauber and Kenny Miller from the Town Board to the Industrial/Commercial Task Force. Supervisor Nancy Sauber offered a friendly amendment that one or two Planning Commission members will be added. The friendly amendment was accepted by Brian. The motion was seconded by Supervisor Nancy Sauber. The motion carried by unanimous vote.

1. Subject to Open Meeting Law

It was noted that the Commercial/Industrial Task Force is subject to the open meeting law. Information and discussion will be presented to the group at their first meeting.

2. TKDA- Industrial/Commercial Study- A letter was received from TKDA about the Study.

Supervisor Carrie Jennings, primary professional services contract person, was not present to address this issue. Supervisor Kenny Miller, as second professional services contact person, was asked to contact TKDA and let them know the status of the study.

M. Newsletter

The Town Board discussed the Newsletter with Editor, Jody Arman-Jones.

2010 County/Township Tire Collection

Supervisor Dan Rogers had contacted the County on a proposed Joint Agreement with the Township on a Township-wide tire collection. An e-mail was sent by the County representative with details. The Clerk was directed to contact the County and express interest in holding a tire collection this fall. Rolland Meillier, the County contact, needs to make a proposal to the County Board on August 24th.

At 8:55 p.m. the Town Board took short recess.

L. Friedges Holdings Complaint

A letter was sent to Friedges Holdings on the driveway issue on the north side of the property. As part of the Country Stone issue, the property line on the north side of the property is being staked. The driveway must be located 10 feet from the property line.

B. Land Use & Zoning Issues continued

2. Terri Petter- continued

The Town Board discussed the CUP withdrawal from Terri Petter. The Township Attorney commented that the applicant is responsible for cost incurred by the Township in processing an application whether or not the public hearing had been yet held. As part of the review of this application, Attorney expenses were incurred. The \$400 fee that was eventually deposited could be used to help cover these Township costs, even though the escrow check itself, which is required to cover these costs if incurred, was not deposited.

After discussion, the Town Board decided that once Terri Petter submits a signed withdrawal, the CUP fee will be refunded. A 60-Day extension letter will be sent to Terri to provide adequate time for Terri to submit a signed copy of her withdrawal.

As general policy, all CUP application fees and escrow will be deposited upon receipt. The Ordinance states that these fees are to be paid at the time of application.

The following questions from Terri Petter’s application had been asked of the Township Attorney by the Board’s request after the last meeting: Is there such a thing a grandfathered right to a Conditional Use Permit under an old Ordinance that no longer exists (Ordinance 20)? It would need to have been lawfully established to exist. If it was allowed as a conditional use, but one did not have a conditional use permit, it would not be a legal use until one had obtained a CUP and conditions had been put in place and approved. So, if the use had existed under Ordinance 20, a CUP was required for the use to be lawful, and if a CUP had been issued under Ordinance 20 that CUP would still exist today. There is no “grandfathered right” to a conditional use under an old Ordinance.

If one has a use that one would like to do now, that may or may not be determined as an accessory use, if one did it at a time in the past and it was never established at that time that it was an accessory use, can it be grandfathered? Accessory uses, as the Township has them, are not grandfathered. Accessory uses are defined in the Ordinances. There is no list of accessory uses, so there is nothing to be grandfathered.

How does retail relate to Ag? If one is selling something, does it need to be produced onsite? Examples raised at the last Board meeting were briefly discussed: Chub Lake Feed, Bachman’s and the Apple Orchard. Chub Lake Feeds is selling Ag products. If you are selling a product, you are retail. The Township does not have provisions for retail. Ag Services are something one pays money for but does not get a tangible good back; one gets something done, such as machinery repair or crop dusting. Bachman’s is a grandfathered use as a nursery and also is a garden supply center. That is what nurseries do. The Apple Orchard produces the apples, strawberries, jam, cider, etc. that they sell.

It is unclear where tours would fit into a CUP. Viewing animals would fall under entertainment. Persons would be paying for the tours.

Other Business- continued

C. Client/Attorney Confidentiality

If a Town Board or Planning Commission member is copied on an Attorney opinion, it does not make the information public. If a Board member says that the Attorney has been asked for an opinion and represents at a meeting what the opinion is, then that portion is made public, but not the entire memo.

If a request is made by a citizen to be copied on Attorney advice, the Board can make the decision to release it. The Attorney would still need to cut and paste looking for confidentiality issues and so forth. Even though all Board members and/or Planning Commission members may receive a copy of the Attorney memos, they are not public and should not be placed in the public folder or be shared with others.

D. VRWJPO Amendments/Workshop Report

Supervisor Nancy Sauber reported on the workshop. She will make copies of the handouts for Board members and the Planning Commission.

The VRWJPO amendments/buffers were discussed. The Township still has objection to the VRWJPO amendments as written.

E. Fee Schedule Memo/Future Recommended Fee Schedule Change

The Board discussed an earlier Attorney opinion about the process of reviewing building permits. The role of the Planning Commission and the Town Board in relation to building permits is to review them for zoning compliance. The Building Official is in charge of assuring that building permits themselves are properly issued. Zoning approval needs to be obtained before Building Permits are issued. An application and fee would be required for a Zoning Compliance Review. The Planning Commission and Town Board would look at and approve the zoning compliance. Once zoning compliance is approved, an application for a building permit would be sent to the Building Inspector. An application form needs to be developed for the Zoning Compliance Review.

As best practice, the Attorney has recommended that all permit fees, including all Building Permit fees, should be included in the Ordinance 7 Fee Schedule. Supervisor Nancy Sauber and Supervisor Brian Budenski will put together additions to the fee schedule as discussed earlier and an application for the review.

F. Subdivision Ordinance

The Planning Commission has not made a recommendation to the Town Board on the Subdivision Ordinance. The Planning Commission has 60 days from the public hearing (June 7, 2010) to submit a recommendation to the Town Board.

G. Buildable Lots Ordinance

It was agreed that it would be desirable for the Town Board to have a discussion with the Township Attorney before the language goes to public hearing. This issue has been complex, and has been discussed by the work group and an earlier Commission with the Attorneys over an extended period of time. This discussion involved case law, Township intent and understanding of

the matter, a Court of Appeals ruling, and now a Minnesota Supreme Court ruling on variances. The approach that had been chosen was the variance approach, rather than a CUP approach. This needs to be reviewed in light of the recent Minnesota Supreme Court ruling, Trevor stated.

Ken Olstad will be asked to send out the language for discussion with the Attorney at the September Board Meeting.

It was also agreed that the Attorney should do a last review of the Buildable Lots Ordinance, the Clustering Ordinance, and the Rebuild Grace Period Ordinance before the Buildable Lots Ordinance goes to the public hearing. The purpose would be to be sure that they are all consistent and that there are no unintended consequences. The latter two build on the first, even though the latter two were advanced at an earlier time. Because of this, the review is desired

H. Gravel Text Amendment

If additional changes are required to the Ordinances, due to the text amendment language, the applicant would be responsible for the associated costs.

I. Verification of Pre-1982 Lot of Record

There was discussion of what is required for documentation. The two critical factors are that the lot was created before April 12, 1982, and that it has remained unchanged since April 12, 1982. Were it to have changed after that date, the housing eligibility would be lost. The Attorney recommended not having a list of documents required. The Board needs to be convinced that the documents presented show that the property is what is represented. It is the applicant's responsibility to provide the documentation. Deeds and up-to-date abstracts would be the best way to provide documentation of a Pre-1982 Lot of Record. Other documents may be accepted by the Town Board at its discretion. Trevor was asked to write a policy statement for the Board's review.

J. Non-Compliant Septic Issues and Septic Ordinance

Supervisor Carrie Jennings has not sent out the septic letters.

The Township Attorney recommended incorporating the County Septic Ordinance into Township Ordinances rather than adopting it by reference. The Septic Ordinance must be adopted by November 2010. The Attorney was directed to make any necessary changes to the County Septic Ordinance so that it is ready to be incorporated into the Township Ordinances at a later meeting.

K. Unpaid Obligations

The Attorney was asked to create Ordinance language for unpaid obligations.

L. Miscellaneous Updates

6. Country Stone

The wording of the agreement has been accepted. Jacobson Surveyors are working on the drawing of the site plan for the facility. A Special Meeting will be scheduled once the plans are completed. There was a comment from the audience that pallets of blocks are now being stacked on the property.

1. Citizen Complaint- Boat Repair Business- Krapu

Documentation on the comings and goings as requested by the Board was received by the Clerk.

Supervisor Nancy Sauber contacted Tom Berry. When he stopped at the property, both large doors were open at either end of the building. He stated that there was a large rider lawn mower and horse stalls. There were no boats in the building at the time of his inspection.

Supervisor Brian Budenski stopped by and talked to Mr. Olson. He provided registration information on the boats and trailer. They are all registered to Greg Olson.

Supervisor Brian Budenski was given an official complaint form written on July 9th against the complainant in this matter.

The Attorney was asked to comment. Accessory use of a garage by the owner is allowed. Letting a friend use your garage is not that different. All the boats are owned by the person using the space. It was stated that it is his hobby. The person is a friend of the Krapus and has occasionally helped with the horses. It was stated that no money was paid for use of the space. This use as described would be personal use of a garage. If they were renting the space it would be a different issue. The accessory use cannot change the character of the primary use. The accessory use must be incidental to the primary use.

2. Hawkins

The Attorney and Patrick Hawkins were at Court on July 7th. Trevor stated that Mr. Hawkins wanted to go to trial over the doubling of the permit fee. Trevor discussed the issue with Mr. Hawkins. Court appearance was extended to September 1, 2010. Mr. Hawkins needs to pay the permit fee and comply with conditions prior to September 1, or a trial date will be set.

3. Sauber Escrow

The Clerk had tracked the Sauber expenses in the escrow account, assuming that costs would be paid by Saubers or by Eureka Sand and Gravel in connection with the mine reclamation. An accounting adjustment needs to be made, so the Clerk was asking for Board approval to do so.

A motion by Supervisor Nancy Sauber: To allow the Clerk to move the debit of the Sauber Escrow to the General Fund. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

4. Hansen Covenant Filing- Clerk verification

The Clerk will obtain a copy of the filing when picking up the election supplies for the Primary Election on August 10, 2010.

5. Windmill Mine Development Agreement

The Town Board discussed the proposed Development Agreement. Any revisions to the site plan would need to be presented to the Town Board for approval. It is not part of the agreement. The Development Agreement needs to be signed and approved. Then the changes to the site plan would be presented to the Town Board, e.g., not planting the trees and having a berm instead. The payment for the drafting of the Development Agreement is the applicant's responsibility.

Fencing of the mining area was discussed. The sides will be fenced, enclosing the active mining area. The area being actively farmed will not be fenced. The front portion of the property where the gate is will not be fenced. There are large rocks and berms along the road at the front of the property.

The fencing along the common boundary line with Gary Smith's property is not directly addressed in the Development Agreement itself; it is a Condition of the Interim Use Permit.

8. No Dumping Signs- Bounty

Tabled.

9. Kelly Aggregate Fence

There is no fence along the front of the property where the gate is. There is a 3-wire fence along the sides and the rear of the property. A portion of the fence on the east side is temporarily down due to water problems.

10. Adelman Structure

The Town Board discussed the Adelman structure. The Adelmans obtained a Zoning Compliance Permit for an Ag Exempt Building. The Building Inspector is in the process of issuing a Building Permit for an Ag Building. The Building is not Ag Exempt.

The Clerk was asked to contact the Building Inspector on tonight's discussion and send the Adelmans a letter stating the approved use of the building. The letter should state that there is no housing eligibility on that site and should include a copy of the portion of the Ordinances addressing no habitation of accessory buildings.

11. Wat Lao

Tabled as Supervisor Carrie Jennings was absent from meeting. She is following up on this item.

13. Roberts- Plastic/Pipe Structure

The Clerk was informed that the structure has been removed from the property.

13. Missing Gravel

A citizen removed gravel from Highview Ave. with his Bobcat and placed it on his driveway. The Sheriff was called, and a misdemeanor citation was issued.

14. Glory to Glory Fire Alarm

The Town Board received additional information from the Building Inspector on the Glory to Glory Fire Alarm installation. The Building Inspector is continuing to work with them to bring the building into compliance with State Building Codes.

15. Castle Rock Road Meeting

Road Supervisor Kenny Miller met with Castle Rock Road Supervisors at their request. They exchanged records of expenditures on Denmark. The Castle Rock Road Supervisors are taking the information back to their Board.

Q. Report Government Training Services (GTS) Session on Nature and Land Use

Supervisor Nancy Sauber reported on the GTS Session. She will make copies of the materials for the Town Board and Planning Commission. She noted that Brad Davis of Scott County was one of the presenters.

O. Discussion Items Tabled From May Meeting

Discussion items included the Nuisance and Noise, Swimming Pool and Private Dog Kennel Ordinances. All of these have been extensively worked on by an earlier Planning Commission with assistance from the Township Attorneys. Considerable time and money has been spent on developing these ordinances. The current Planning Commission set these aside from the public hearing on the Ordinances.

Public Hearings need to be held only for zoning issues. These items listed do not need to go through a public hearing to be approved. The Town Board can hold public hearings.

A motion by Supervisor Kenny Miller: The Town Board directs the Planning Commission to hold a public hearing on the three ordinance revisions (Nuisance and Noise, Swimming Pool and Private Dog Kennel) that Nancy has on file. They will be coupled with the Buildable Lot Ordinance hearing. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

N. Audit Recommendation For Internal Check

The Audit firm recommended that a Town Board member, on a rotating basis, check the books for accuracy. Rotation will start with Supervisor Kenny Miller, then Supervisor Carrie Jennings, Supervisor Brian Budenski, Supervisor Nancy Sauber, and Supervisor Dan Rogers. The Clerk will notify the Board member when to come in for the check.

Minutes Approval

Eureka Town Board Meeting Minutes June 14, 2010

Various grammatical errors were corrected. The following was added to page 10- under the paragraph starting with "The Subdivision Ordinance" after the 2nd sentence: "The Attorney started with a very small city's ordinance, took out references to a city such as city sewer and water. Had he had started from scratch as was suggested, it would have cost ten times as much." The following was added to the end of the sentence starting with "The Clerk sent out an email..." "one week after the board meeting."

A motion by Supervisor Nancy Sauber: To approve the Eureka Town Board Meeting Minutes of June 14, 2010, as amended. The motion was seconded by Supervisor Kenny Miller. The motion carried by unanimous vote.

Eureka Town Board Meeting Minutes June 14, 2010 continued on June 15, 2010

Various grammatical and typing errors were corrected. The following changes were made to the minutes: Page 2- Bullet Point 54- second sentence should read "It was argued that lot splits"

A motion by Supervisor Nancy Sauber: To approve the Town Board Meeting Minutes of June 14, 2010, continued on June 15, 2010, meeting minutes as amended. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

Roundtable Meeting June 21, 2010

A motion by Supervisor Nancy Sauber: To approve the Special Roundtable Meeting of the Town Board and Planning Commission of June 21, 2010, as presented. The motion was seconded by Supervisor Kenny Miller. The motion carried by unanimous vote

New Business

A. Ordinance Amendment Item

A correction needs to be made to the driveway part of the ordinance. What was added (4.) doesn't relax anything. It just confuses matters. It will be proposed that this portion be stricken from the Ordinances at the next public hearing on the Ordinances.

B. Meeting Procedures

Tabled

C. Policy for "What's New" on the Website

Tabled

Clerk/Treasurer Presentation

A. Kelly Aggregate Escrow

Kelly Aggregate Escrow has been reconciled. Ames Construction will be sending a check for the balance owed on the account.

B. 2 CD's maturing on 7/17/2010

The Clerk presented current interest rates for CD's. A CD would need to be invested in a 4-year CD to get a better interest rate than what is currently given in the savings account. (2.1%)

A motion by Supervisor Kenny Miller: To cash out the 2 CD's that mature on 7/17/2010 and allow the Clerk, Nanett Sandstrom, to move the money into the savings account. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

C. Appoint Election Judges

The Clerk presented the following list of persons for election judges: Cheryl Schindeldecker, Earl Schindeldecker, Marlene Swantek, Julie Larson, Mary Michaels, Elaine Swedin and Jody Arman-Jones.

A motion by Supervisor Nancy Sauber: To appoint the election judges as listed by the Clerk. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

D. Right of Way permits/Performance Bonds

The Clerk reported that there are several open utility permits. Permit holders do not let the Township know when permits are completed. The Clerk will get put together the open permit documents for the Road Supervisors for site inspection and sign off.

E. Met Council Escrow

The Escrow from the lift station is still being held. It will be held until the project is completed. On 9/29/2009 there is an Attorney bill of \$303.75 relating to the Lift Station. This will be deducted from the Escrow.

A motion by Supervisor Brian Budenski: To adjourn. Motion seconded by Supervisor Nancy Sauber.

Meeting was adjourned at 12:35 a.m.