

Eureka Township
Dakota County
State of Minnesota

Eureka Town Board Meeting of July 9, 2012

Call to Order

Chair Brian Budenski called the July 9, 2012, Eureka Town Board meeting to order at 7:04 p.m. Members present were Supervisors Brian Budenski, Pete Storlie, Mark Ceminsky, Steve Madden and Kenny Miller. Clerk/Treasurer Nanett Sandstrom was present to record the minutes, Lu Barfknecht 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:

Other Business: Dakota Aggregate Letter
Minutes: Special Meeting minutes of June 26, 2012

A motion by Supervisor Brian Budenski: To approve the agenda of July 9, 2012, as amended. Motion seconded by Supervisor Kenny Miller. Motion carried by unanimous vote.

Public Comment Period

Lu Barfknecht asked about proper foundations and attachment of accessory structures to the ground. She also commented that an application presented to the Planning Commission for review was signed prior to the Planning Commission reviewing the application.

Terri Petter requested to be placed on the agenda to discuss her fence permit. Terri presented the Town Board with handouts. She also presented the Town Board with handouts that address what she felt were conflicts of interest with the current Township Attorneys and past and current Town Board members. The Town Board did not discuss the materials presented to them by Terri. They felt that the Township Attorney should be contacted before the documents were made public, they may relate to the pending lawsuit with Ms. Petter.

Phil Cleminson presented the Town Board with handouts of content printed from the website on requirements for building permits. He expressed concerns with the current Building Inspection Firm. He asked what check and balances are in place to make sure applicants are being treated fairly. Supervisor Pete Storlie was asked to contact the Building Official on Mr. Cleminson's permits.

Nancy Sauber asked about the Country Stone Tree replacement on the berm. Country Stone has told the Town Board that the trees will be replaced in the fall, when they are more likely to survive.

Gloria Belzer read from the citizen input policy. It is requested that anyone bringing written materials to the meeting have seven (7) copies available- five for the Board, one for the public and one for the official record.

Treasurer’s Report

Checking Account Balance: \$1,542.01. Outstanding Checks \$176.56. Savings Account Balance: \$260,143.80. CD Account Balances: \$69,136.28. The Ledger Balance is \$330,645.53.

A motion by Supervisor Brian Budenski: To approve the Treasurer’s Report as reported. The motion was seconded by Supervisor Mark Ceminsky. 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 6/30/2012	\$8,278.50
MNSPECT	Inspection Service – June 2012	\$2,413.95
Dakota Electric Association	Town Hall Electric	\$81.76
Frontier Communications	Phone Service Town Hall	\$185.79
Dick’s Sanitation	Garbage Service Town Hall- 2012	\$47.37
Culligan	Water Softener Service	\$23.51
Kelly & Lemmons	Legal Services thru 6/30/2012	\$472.50
PERA	Payroll Period 6/1/2012 to 6/30/2012	\$413.47
Clarks Lawn Service	Mowing Town Hall- June	\$585.75
ECM Legal Ads	Legal Ads	\$35.00
Safety Signs LLC	Signs	\$701.96
Reliakor Services Inc.	Street Sweeping	\$455.24
Quality Propane	Dust Control	\$3,243.00
Castle Rock Materials	Limestone	\$3,411.81
USPS	P.O. Box 1 year	\$70.00
Dakota Aggregates	Road Gravel	\$21,368.21
Barb Brunick	Expenses	\$170.28
Nanett Sandstrom	Expenses	\$170.46
USPS	Newsletter mailing	\$200.00
Anderson Bobcat	Tree/ Brush Removal	\$510.00
Nanett Sandstrom	Clerk Payroll 6/1/2012 to 6/30/2012	\$1386.69
Barb Brunick	Office Employee 6/1/2012 to 6/30/2012	\$947.77
IRS	July 2012 Deposit	\$653.12
Central Valley	LP Prepay	\$496.58
Dakota County Treasurer	3 septic systems	\$120.00
Allied Engineering	Gravel Testing	\$300.00
Total Bills Presented		\$46,742.72

A motion by Supervisor Brian Budenski: To approve Claims List and Net Pay Account Distribution as presented. 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; Mark Ceminsky-aye; and Steve Madden-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.

The following receipts were received in April:

• **Local Permits**

Annar Karlsen- Variance Application	\$925.00	Terri Petter- Fence Permit	\$363.84
Elder Jones- Reroof	\$105.00	Barb Bachman - Application Fee	\$25.00
All Son's Exteriors- Reroof	\$105.00	Bruce Lindahl - Application Fee	\$25.00
Fur Ever Wild- Move in Permit	\$150.00	Loren Hoppe - Permit	\$202.73
J & J Carpentry- Kelly permit	\$1,373.04	Phil Cleminson - Permit	\$1,027.86
TRS Builders- Reroof	\$105.00		

• **Other Receipts**

Elise Sampson – RASP Sign	\$14.81	Lee Slavicek– Town Hall Rental	\$50.00
LaVerne's Pumping – Newsletter Ad	\$125.00	Castle Rock Bank– CD Interest	\$425.06
Country Stone- 2012 Road Maintenance	\$2,500.00	Castle Rock Bank– CD Interest	\$242.78
Carol Cooper- Newsletter Ad	\$125.00	Castle Rock Bank–Savings Interest	\$960.56

TOTAL RECEIPTS AS OF JUNE 30, 2012 **\$8,850.68**

A motion by Supervisor Brian Budenski: To approve the balance of the Financials as presented.

The motion was seconded by Supervisor Pete Storlie. The motion carried by unanimous vote.

Monthly Budget

The Town Board reviewed the Monthly Budget.

Outstanding Invoices

The Town Board reviewed and discussed outstanding Invoices.

Open Building Inspection Permits

The Town Board reviewed the open Building Permits report.

Contractor Time

There was a good amount of damage to Township roads as a result of recent storms. Supervisor Mark Ceminsky has been in contact with Dakota County about being reimbursed by FEMA for expenses relating to road damage from the storms.

Road graveling and dustcoating has been completed. Missing and damaged road signs have been replaced. The culvert at 245th St. and Denmark has been replaced. 2 more culverts are scheduled for replacement or repair. Downed trees and branches were cleaned up.

Comments were made that it is hard to keep the gravel in place at the tracks on Highview Ave. It was suggested that blacktop should be placed on either side of the tracks. Supervisor Brian Budenski will speak with Progressive Rail on this issue.

Citizen Business/ agenda requests

Citizen Complaint- Bachmans and Applewood Orchard

The Town Board received written complaints on Bachmans and Applewood Orchard as retail businesses. The Town Board reviewed the complaints. The Clerk was asked to send both of the businesses letters informing that a complaint was received. Supervisor Brian Budenski and Supervisor Kenny Miller were denoted as contact person's for the businesses to contact on the complaints.

Planning Commission, Land Use Permits and Related Items

A. Land Use & Zoning Issues

1. Prairie Creek Community School - Site Plan revision for Building permit to be submitted in August.

Prairie Creek desires to add an outdoor classroom to their property. Condition 13 of their CUP requires approval by the Town Engineer and Town Board approval. Peppe Crisco, architect from MSQ and Dean Paxton, Board Member for Prairie Creek Community School was present to represent the school.

The revised site plan was reviewed by the Town Board. Prairie Creek is working with Dakota County Water Resources on floodplain issues. The Town Board approved of Prairie Creek moving forward at the August Planning Commission meeting to submit their building plans for consideration for approval.

At 8:03 pm the Town Board moved into a Public Hearing for Arnie Karlsen. The Public comment period of the Public Hearing was closed at 8:22 pm. The Town Board moved back into session at 8:45 pm.

The Town Board took a short recess following the Public Hearing. The meeting resumed at 9:00 pm.

B. Permits

1. Terri Petter – 10132 235th St. W. Building Permit for Building moved in

Terri Petter was present to represent her application. The requested Building Permit is for a building moved onto the property by Terri Petter. The Building Inspector inspected the building and deemed it ok to move-in. Terri has not provided an anchoring diagrams for the building. The Town Board asked the clerk to contact Dee McDaniels at Water Resources to obtain verification that no Shoreland Permits are needed. Terri was asked to provide anchoring diagrams for the August Town Board meeting.

Terri Petter felt that a building permit is not required for her fence. She commented that per Township Ordinances fences are considered structures. By State Statutes Ag structures do not require building permits, so her fence would not need a permit. Terri commented that Scott Qualle goes by Building Codes. State Statute trumps Building Codes. Supervisor Pete Storlie was asked to contact Scott Qualle on this issue.

2. Bruce Lindahl- 26999 Galaxie Ave. – Building permit for garage

Bruce Lindahl was present to represent his application. Bruce requested to build an unattached 24'x20' garage/ shop on a floating slab. Dakota County Water Resources approved a Shoreland Building Permit, Shoreland File EK023.

A motion by Supervisor Pete Storlie: To approve the Building Permit Application for 26999 Galaxie Ave. for an unattached residential garage. Motion seconded by Supervisor Steve Madden. Motion carried by unanimous vote.

C. Other

1. Bruce Mohn- Cluster questions

Bruce owns property in both Eureka Township and Greenvale Township. He asked the Town Board if he could Cluster Building Rights in Eureka Township to Greenvale Township.

Eureka Township Ordinance do not allow transfer of building rights from one Township to another.

Bruce owns several pieces of contiguous properties in the Township. He asked about clustering building rights on the property. Supervisor Kenny Miller will meet with Bruce to discuss building rights available and clustering of the building rights.

Other Business

A. Newsletter

Jody Arman- Jones was present to discuss newsletter content. The next newsletter will published in July.

B. Roads

Supervisor Mark Ceminsky presented a Road Report. *See attached Report dated July 9, 2012.* The Town Board discussed items on the report. There are 2 locations in the Township that have large trees in the ditches. One is along Highview Ave. Estimated cost to remove the tree is \$2,400. The other 2 trees are in the Chub Lake bottoms. Estimated cost to remove these 2 trees is \$1,650. Discussion on removing the trees followed. There is \$9,000 in the tree removal budget. Mark was asked to get other estimates for the tree removal. This item will be added to the August agenda.

Road restrictions on 225th St. between Dodd Blvd and Highview Ave.

Currently the road is posted at 10,000 GVW. The signs are not legal size for posting, the posting is not enforceable. New larger signs should be purchased.

Resolution 58, passed on August 13, 2007 deemed the road as a 5 ton gross vehicular weight on 225th St. W. west of Highview Ave. to Dodd Ave. The road is maintained as a 9 ton gravel road. The Town Board discussed the weight restrictions on this portion of Highview Ave. Supervisor Mark Ceminsky will contact Dakota County Transportation Department for guidance on this issue.

C. Planning Commission Update

Lu Barfknecht was present as Planning Commission Liaison to the Town Board. The Planning Commission continues to work on the Road Haul Ordinance. Discussion on the Wind Ordinance and the Flow Chart for permits were tabled, because Carrie Jennings was absent from the meeting and has the documents. The fence memo was tabled, because it was received late. Horse Boarding Ordinance conflicts were discussed. Moving buildings into the Township was discussed with Building Inspector Scott Qualle. He is making suggested changes to the Ordinance and will be sending it out for Planning Commission review. No one was present for the Hat Trick application. It will be placed on the August agenda.

D. Appoint Election Judges

The Clerk presented a list of Election Judges for the August Primary and November General Election. The list included: Mike Greco- Head Judge, Barb Brunick- back up Head Judge, Cheryl Schindeldecker- back up Head Judge, Earl Schindeldecker, Jody Arman-Jones, Mary Ann Michaels, Rose Bucheger, Jack Schabel, Rebecca McIntyre, Glenda Hotz, Bev Topp, Marlene Swantek, Elaine Swedin, Laurie Benson.

A motion by Supervisor Brian Budenski to elect the election judges on the election judge list of 2012. Motion seconded by Supervisor Pete Storlie. Motion carried by unanimous vote.

E. Data Practices Requests/ Meeting Recordings (Kenny Miller to Attorney)

Nancy Sauber's statement to the Town Board at the June Town Board was forwarded to the Township Attorney. A response has not been received. This item will be placed on the August agenda.

F. Hat Trick- driveway permit

Hat Trick has been advised to attend the August Planning Commission meeting.

G. Misc. Update

- 1. Charles Liane-** The Town Board received correspondence from Dakota County on the Charles Liane storage trailer. It is a final notice to submit a building permit application for the storage trailer or remove it from the County Shoreland Area.
- 2. Country Joe response-** Building Inspector memo
The Town Board received Country Joe's response and a follow up letter from the building inspector to the response. The Building Inspector will continue follow up on this issue.
- 3. Dakota aggregates letter**
Dakota Aggregates sent a letter in response to comments made at the May Town Board meeting on aggregate bidding and material tax charges.

Minutes

A. Town Board meeting of June 11, 2012

A motion by Supervisor Brian Budenski: To approve the Eureka Town Board minutes of the meeting of June 11, 2012, as presented. Motion seconded by Supervisor Kenny Miller. Motion carried by unanimous vote.

B. Special Town Board Meeting of June 26, 2012

The following change was made to the Special Meeting minutes of June 26, 2012:

Under the agenda, Trevor Oliver's name was removed. He was not present at the meeting.

A motion by Supervisor Pete Storlie: To approve the Special Town Board meeting of June 26, 2012 with the changes recommended. Motion seconded by Supervisor Mark Ceminsky.

Motion carried by unanimous vote.

Clerk/ Treasurer Presentation

A. Zoning Administrator- appointment

A motion by Supervisor Brian Budenski: To appoint Barbara Brunick as Zoning Administrator for Eureka Township, effective today, July 9, 2012. Motion seconded by Supervisor Mark Ceminsky.

Supervisor Pete Storlie offered a friendly amendment: That Nanett Sandstrom as the Township Clerk retain Zoning Administration authority as a backup role. The amendment was accepted and seconded by Supervisor Mark Ceminsky. Vote was taken on the amended motion. The motion carried by unanimous vote.

B. Deputy Clerk/ Treasurer Position

Currently the Clerk does not have a Deputy. She is in the process of trying to fill the position.

C. Land Stewardship Project

A letter was received from the Land Stewardship Project on Legislature Session information.

D. VRWJPO- Capital Improvement Projects

The VRWJPO is looking for suggestions for Capital Improvement Projects.

E. MAT Insured Property Evaluation

Eureka Township was selected for their property evaluation program. They will be scheduling a visit to the Town Hall soon.

F. Employee Review

An employee review for Barb Brunick will be scheduled. She has been employed for more than 30 days.

G. TBR (Transfer Building Rights)

Butch Hansen from the Planning Commission asked if they could look into TBR's in the Township. Town Board members were ok with them doing so.

A motion by Supervisor Brian Budenski: To adjourn. Motion seconded by Supervisor Kenny Miller.

The Meeting adjourned at 10:53 p.m.

Town Board Meeting

Monday, July 9, 2012

Attendance

Name

<u>Gloria Belzer</u>	<u>Nancy Sauber</u>
<u>Lu Bai</u>	<u>Public Comment</u>
<u>BRUCE LINDAHL</u>	<u>Ralph & Janie Strodlund</u>
<u>Fritz Franq</u>	<u>Muok Parnanto</u>
<u>Sara Bachman</u>	<u>MARK H. HENRY</u>
<u>Candy Karlson</u>	<u>Jody Arman-Jones</u>
<u>Arnie Karlson</u>	<u>Barbara Brunck</u>
<u>Erik Karlson</u>	<u>_____</u>
<u>Terri Petter</u>	<u>_____</u>
<u>ALLEN ALWIN</u>	<u>_____</u>
<u>Phil CEMINSON</u>	<u>_____</u>
<u>Joey Miles</u>	<u>_____</u>
<u>Bruce Mah</u>	<u>_____</u>
<u>Cheryl Mah</u>	<u>_____</u>
<u>allen mah</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>

Eureka Roads Report - July 9, 2012.

We have graveled and graded the following roads;

Highview Drive from north of 225th south to 250th,

225th Street west of Cedar Ave to Dodd,

235th from Dodd to Township line,

247th Street west east of Cedar Ave,

Fordham between 247th and 245th,

Denmark from 255th Street south to 280th,

Fairgreen Ave from 255th to County Road 86,

Grenada Drive from County Road 86 to Chub Lake,

Highview south of 267th,

Hamburg to Chub Lake,

Chub Lake crossing,

Graveled corners in Eureka Estates

Dust Coating is done.

Street sweeping is completed

Road sign moved on 225th and Hamburg

Street sign installed at 225th and Highview

Still on schedule

Going to replace culvert at 245th and Essex

Repair culvert at 240th and Township line

Widen 235th west of Highview

Asphalt repairs in Eureka Estates

Seal cracks at Town hall in parking lot

Road Signs

Storm Damage Repairs

Replaced washed out culvert at 245th and Denmark (gravel and graded),

Repair culvert/road wash out 245th west of Denmark (gravel and graded)

Culvert wash out on Iberia (gravel and graded)

4 Road wash outs on Fairgreen between 255th and County Road 86 (graveled and graded)

257th washed out east of Dodd (graveled and graded)

Ipava north of 267th about ¼ mile road washed out (graveled and graded)

Grenada washed out north of county road 86 to Chub Lake Crossing (graveled and graded)

Hamburg washed out to Chub Lake Crossing (graveled and graded)

240th east of Dodd washed out (graveled and graded)

255th east of Dodd washed out (graveled and graded)

225th washed out west of Highview (graded)

Highview north of 225th at R&R crossing wash out (gravel and graded)

245th and Fordham Trees down in road, road washed out (removed trees, graveled and graded)

247th east of Fordham washed out (graveled and graded)

4 wash outs on Denmark from 255th to County Road 86 (graveled and graded)

225th east of Essex washed out (graveled and graded)

Misc. downed branches on roads and debris picked up from storm