

Eureka Township
Dakota County
State of Minnesota

Eureka Townboard Meeting
August 12, 2002

Call to Order:

Chair person Bev Topp called the regular monthly meeting of Eureka Township to order at 7:30 PM. Present were Supervisors Don Pflaum , Clark Smith, Connie Anderson, Kenny Miller, Clerk Oliver Leine and Treasurer Nanett Leine. Meeting opened with the Pledge of Allegiance.

Approval of Agenda:

A motion by Supervisor Clark Smith: To approve the agenda. Motion seconded by Supervisor Don Pflaum. Motion carried.

Minutes:

A motion by Supervisor Connie Anderson: To accept the Townboard Minutes of July 8th, 2002 with the following correction: Page 5, Roads: Kenny Miller will contact Dakota County about fixing the intersection 225th and Cedar. Motion seconded by Supervisor Kenny Miller. Motion carried.

A motion by Supervisor Clark Smith: To accept the July 9th, 2002
(Continued Townboard Meeting Minutes from July 8th, 2002.)
Motion seconded by Supervisor Connie Anderson. Motion carried.

Treasurer Report:

Treasurer Nanett Leine reported that there is \$504.42 in checking, \$227210.77 in the MMDA Account and \$115136.82 in savings. Federal Tax liabilities are \$138.41 and \$3.00 credit State. The CD has been moved to a regular savings account. This account draws a higher interest rate at this time. Rates will be watched for changes. A motion by Supervisor Don Pflaum: To approve the Treasurer report. Motion seconded by Supervisor Clark Smith. Motion carried.

Bills:

Clerk Oliver Leine presented the following bills to the board for approval:

Dakota Electric	Town Hall	\$	8.99
Frontier Communications	Office	\$	39.66
Township phone system and Internet	Main+ Int.	\$	81.46
Henry's Excavating	Grading and Plowing	\$	9,512.50
Contech			
Denmark Culvert	\$4432.53-\$203.28 (CREDIT)	\$	4,229.25
Denmark Culvert		\$	2,043.74
Allied Blacktop	Eureka Estates	\$	17,790.00
Ray Kadlec	Dust Control 8.5 Hrs @ \$15	\$	127.50
Dakota County Treasurer-Auditor	Voting Machine final payment	\$	433.12
Dakota County Dept. of Records	Steen Trust filing	\$	20.00
Minnesota Assoc. of Townships	Seminar	\$	35.00
Oliver Leine	Keys for Fire Safe	\$	6.01
Nanett Leine	Salary 7/1/02 to 7/31/02	\$	588.83
	Expenses	\$	51.80
PERA		\$	71.43
ALF Ambulance	2002 Contract	\$	7,245.20
Rivertown Newspapers	Farmington Ind. Legal Ads	\$	40.60
ECM Publishing	Lakeville This Week Legal Ads	\$	245.00
City of Lakeville	2002 Fire Contract	\$	23,509.00
Severson, Sheldon, Dougherty & Molenda	Nonconforming Use issues	\$	162.50
LeVander, Gillen & Miller, P. A.	Legal work Zoning	\$	126.00
	TOTAL	\$	66,367.59

A motion by Supervisor Clark Smith: To approve bills as presented. Motion seconded by Supervisor Don Pflaum. Motion carried.

Roads:

Contractor Time

The Townboard is considering adding driveway inspections for new driveways. Mark Henry charges \$50 for inspections, which includes two trips to the site. Bev Topp will check to see if this needs to be added to the Ordinance.

Mark Henry reported that there was a lot of damage to the roads, due to recent heavy rains. He requested the authority to make emergency road repairs and if the Township gravel contractor is not available to hire out emergency graveling on an availability basis.

A motion by Supervisor Don Pflaum: To empower Mark Henry/ Chris Nielson to repair roads in an emergency. Motion seconded by Supervisor Kenny Miller. Motion carried.

A letter will be sent to Malecha Trucking notifying them that in the case of an emergency that Henry's Excavating has been empowered to hire out the graveling, if they are unavailable.

Denmark culvert replacement will be started this week. Eureka Township entry signs are in place. Supervisor Connie Anderson noted that the sign on Dodd Blvd is obstructing the view of the curve ahead sign and should be adjusted accordingly.

Planning Commission:

A motion by Chair Bev Topp: To add Dennis Hogan (renewal of building permit) to the agenda. Motion seconded by Supervisor Don Pflaum. Motion carried.

Mike Tutewahl, contractor for Bill Pankonin, 2551 1 Ipava Ave. Lakeville requested an addition to his house and garage.

A motion by Supervisor Clark Smith: To approve addition as presented. Motion seconded by Supervisor Connie Anderson. Motion carried.

Al Alwin, 23585 Jersey Court, Lakeville requested a permit for a garden shed.

A motion by Supervisor Connie Anderson: To approve garden shed as presented. Motion seconded by Supervisor Clark Smith. Motion carried. **Permit Issued \$50**

Larry Bixby, 23930 Cedar Ave. Farmington requested a permit to add a 10 foot by 30 foot - 3 season porch to his home.

A motion by Supervisor Don Pflaum: To approve the addition of the porch as presented. Motion seconded by Supervisor Kenny Miller. Motion carried.

Bob Middlemist, requested to split his property in section 33 Township 113 of Eureka Township into two parcels, Label Parcel A and Parcel B. See attached: Legal description of property.

A motion by Supervisor Don Pflaum: To approve the split of the property in the NW QTR of the NW QTR of Section 33, Township 113 into 2 separate parcels. Motion seconded by Supervisor Clark Smith. Motion carried.

Dennis Hogan, 24017 Essex Ave, Farmington requested renewal of his pole building permit from 7/2/2001. Original permit was for 2 pole sheds 60' x 50' and 40' x 60'. A permit fee \$270 was assessed.

The renewed permit would be to construct a 60' x 128' building an additional 2280 sq ft. Fee for the additional sq ft = \$114.00. 1/2 of original permit fee \$135.00.

Permit Issued \$249.00

A motion by Supervisor Kenny Miller: To accept the enlargement of the pole shed, from previous permit, and to assess the fee of ½ of original permit as renewal fee.

Motion seconded by Supervisor Don Pflaum. Motion carried. Site to be inspected by Calvin Pflaum.

New Business

Weed control plan

Todd Matze from Dakota County Soil and Water addressed the Townboard on the weed control problem within the Township. It is the Townships responsibility to control weeds in its right of ways. It is the landowner's responsibility to eradicate noxious weeds on their property. The Township needs to establish a roadside vegetation management program for road right of ways. They need to address weed and brush control issues. They need to document problem areas and initiate a plan for brush/ weed control.

It was brought up that Dale Kuchinka has a road side cutter rates are \$65.00 per hour.

A motion by Supervisor Connie Anderson: to handle weed and brush control as advised by the County – to mow ditches to the 33ft line. To determined amount set by the 2002 budget/ areas most needed. Motion seconded by Supervisor Clark Smith. Motion carried.

Planning Commission

Rick Siri-outhay from Wat Lao Buddhist Temple, 22605 Cedar Ave. So. Lakeville requested a permit to build a new temple, replacing the old one. The shoreland needs to be checked and airport restriction heights.

A motion by Supervisor Kenny Miller: To grant permit of replacement of current temple contingent on shoreland and airport requirements. Motion seconded by Supervisor Clark Smith. Motion carried.

Mike Groves, 27640 Galaxie Ave, Farmington requested permit to build a pole shed. 60' x 100' for Ag use.

Permit Issued \$300.000

A motion by Supervisor Connie Anderson: to approve pole shed as presented. Site to be inspected by Mark Malecha. Motion seconded by Supervisor Clark Smith. Motion carried.

Land Splits

Kathy Johnson, representing Wall Stein Trust requested to split property in Section 16, Township 113 of Eureka Township. See attached: Legal description of property.

A motion by Supervisor Kenny Miller: To accept the split of the property in the S ½ of the SE QTR of Section 16, Township 113. Motion seconded by Supervisor Clark Smith. Motion carried.

Old Business

Jon Hoes building addition. Bev Topp measured the building addition from the property line in question. The building is 2 feet short from the set back requirements. The building needs to be removed or changed to accommodate building setback requirements. Jon requested permission to remove part of the addition to accommodate setback distances.

A motion by Bev Topp: To stop any action by the Townboard. Jon Hoes must make building compliant with setback requirements and attend the October Planning Commission meeting to apply for a building permit to make the building legal. Motion seconded by Supervisor Don Pflaum. Motion carried.

Mr. Hoes agreed to this arrangement.

Wat Lao

The Townboard informed Rick Siri-outhay. Wat Lao's representative, that the proper procedures were not followed at the large gathering in June. The group needs to apply for a license for large gatherings. He requested a meeting with Wat Lao and a board member to explain procedures. Bev Topp said she would be willing to meet with the group.

Non-Conforming Use Permits

The Townboard reviewed the minutes from the Public hearing held by the Planning Commission on August 5, 2002. Don Storlie questioned expansion as a general rule. There is room for the Board to make exceptions to the rule. He would like to see a percentage (75%) of the current business. Don Storlie and Mike Giles addressed the board on questions they had about the ordinance. It was also explained that there is no expansion of the business allowed. The one time building permit would be only for use in providing storage of existing or replacement equipment or materials.

A motion by Supervisor Don Pflaum: To allow a new building of reasonable size that to setback requirements, up to 75% expansion of the present buildings. There was no second to this motion. Motion failed.

A motion by Supervisor Kenny Miller: to keep C. Standards 10. as it is written. Motion seconded by Supervisor Connie Anderson. Motion carried.

The board clarified these points. Mike Greco's question on business that came in after the moratorium, but before the ordinances effective date, have the right to be grandfathered in? NO. Harry Swantek's question: if you sell the house can you still run the business? As it is written in the Ordinance it is permitted. A clause would have to be added to prevent this. It is unanimous decision of the board to leave it as is.

A motion by Supervisor Don Pflaum: To table the meeting till Tuesday August 13, 2002 at 7:00 pm. Motion seconded by Supervisor Clark Smith. Motion carried.

Meeting closed at 10:30 pm