

Eureka Township

Dakota County

State of Minnesota

Special Meeting
August 30, 2004

Chair Don Pflaum called the Special Meeting of the Eureka Town Board to order at 8:56 p.m.

Town board members present were Don Pflaum, Kenny Miller, Connie Anderson, Mark Malecha. Clerk/ Treasurer Nanett Leine to record minutes.

The meeting opened with the Pledge of Allegiance.

Agenda: Road Quotes
Ordinance Discussion

Road Quotes

Supervisor Kenny Miller removed himself from this portion of the meeting, due to a conflict of interest.

Graveling Quotation

Eureka Sand and Gravel

Quote #1 Material and Delivery \$6.40
#2 Material and Delivery \$6.40

Solberg

Quote #1 \$6.80
#2 \$6.80

A motion by Supervisor Mark Malecha: To accept Eureka Sand and Gravels quote 1 & quote 2 for Fairgreen and Flagstaff projects. Motion seconded by Supervisor Connie Anderson. Motion Carried.

MN Dot Class 5 gravel. It will be tested.

Solberg

Quote #3 \$8.70

Kraemers

Quote #3 \$9.26

A motion by Supervisor Mark Malecha: To accept the low quote from Solberg of \$8.70 total. \$4.64 for crushed rock, \$3.25 to haul. Motion seconded by Supervisor Connie Anderson.

Spot graveling

Solberg

Quote #1 \$7.05

Eureka Sand and Gravel

Quote #1 \$6.40

Special Town Board Meeting 8-30-04

A motion by Supervisor Mark Malecha: To accept Eureka Sand and Gravel spot gravel quotation.
Motion seconded by Supervisor Connie Anderson. Motion Carried

A motion by Supervisor Connie Anderson: To rescind all previous motions, due to confusion on the table to what is being quoted and stated. Motion seconded by Supervisor Mark Malecha.

Graveling Quotation

Quotation #1 Fairgreen Ave. 265th Street to 280th Street.

Eureka Sand and Gravel \$6.40/ ton for gravel and delivery.

Solberg Aggregate (Quote #1- gravel \$3.55 + Quote #5- hauling of product \$3.25) \$6.80/ ton.

A motion by Supervisor Mark Malecha: To accept Eureka Sand and Gravel for Quote 1 and 5.

Motion seconded by Supervisor Connie Anderson.

Supervisor Mark Malecha amended his motion: Fairgreen and Flagstaff Ave. Supervisor Connie Anderson accepted the amendment. Motion Carried. The amendment carried, the motion carried.

Quotation #2 Flagstaff Ave. 220th Street to 225th Street.

Eureka Sand and Gravel \$6.40/ ton for gravel and delivery.

Solberg Aggregate (Quote #2- gravel \$3.55 + Quote #6- hauling \$3.25) \$6.80/ ton.

A motion by Supervisor Mark Malecha: to accept Eureka Sand and Gravel quote for the Flagstaff project. Motion seconded by Supervisor Connie Anderson. Motion Carried.

Quotation #3 240th St. Highview Ave to Cedar Ave.

Kraemers (Quote #3- crushed limestone \$5.80 + Quote #4- hauling \$3.46) \$9.26 / ton

Solberg Aggregate (Quote #3- crushed limestone \$4.65 + Quote #4- hauling \$4.15) \$8.70 / ton

A motion by Supervisor Mark Malecha: to accept Solberg quote of \$8.70 for 240th St. Highview Ave to Cedar Ave. - modified crush limestone. Motion seconded by Supervisor Connie Anderson. Motion Carried.

Spot Gravel- July 1, 2004 to June 30, 2005

Quote #1- Approximately 1 mile of MN DOT Class 5 gravel approximately 2100 tons

Eureka Sand and Gravel \$6.40/ ton for gravel and delivery.

Solberg Aggregate (\$3.65 for material + \$3.40 hauling) \$7.05/ ton

A motion by Supervisor Mark Malecha: To accept Eureka Sand and Gravel quote for spot graveling in the township. Motion seconded by Supervisor Connie Anderson. Motion Carried.

Quote #2- Approximately 1 mile of MN DOT Class 5 crushed limestone approximately 2100 tons

Solberg Aggregate (\$4.75 for material + \$4.35 for hauling) \$ \$9.10/ ton

Kraemer (\$5.59 for material + no quote for hauling)

Only one valid quote- need a second hauling quote before a quote can be accepted.

A motion by Supervisor Mark Malecha: To delay awarding the spot graveling quote until receive a second hauling quote. Motion seconded by Supervisor Connie Anderson. Motion Carried.

Ordinance discussion

There was confusion at the last meeting on the intent of the motion to hold a public hearing on September 7, 2004. The published public notice was read: The purpose of the public hearing is to consider an amendment to the zoning ordinance regarding nonconforming uses. The motion from the approved Town board Minutes of July 19, 2004 was read: Supervisor Connie Anderson made a motion to have a public hearing on September 7th to consider an amendment to the zoning ordinance regarding nonconforming uses. Dan Rogers seconded the motion. The motion carried. A related motion was also read: Supervisor Mark Malecha made a motion that the Board would meet on September 7th after the September 7th Planning Commission meeting to make a vote to repeal Ordinance 32 and Ordinance 33. Chair Don Pflaum seconded the motion. The motion carried.

The question is- are we listening to public testimony regarding new language to be inserted into the existing ordinance ordinance.

The concern is: If Ordinance No. 32 and Ordinance 33 go away can businesses start up? Don Pflaum has checked Peter Tiede, township attorney he is preparing a statement. This should be covered under Ordinance No. 20.

Are we ready to replace Ordinance No. 32 and Ordinance No.33 with something new? Attorney Peter Tiede thinks we are ready to introduce new language.

An amendment needs to be made to Ordinance No. 20 with regards to Non conforming use. 5.4.

At the public hearing- Public comments will be heard on 5.4 non conforming uses. (Pages 14 and 15) The registration form for non conforming business will not be discussed.

A motion by Supervisor Kenny Miller: To adjourn. Motion seconded by Supervisor Connie Anderson.

Meeting adjourned at 10:03pm.