

Eureka Township

Dakota County

State of Minnesota

Eureka Town board Meeting
August 9, 2004

Call to Order:

Chair Don Pflaum called the regular monthly meeting of Eureka Township to order at 7:02 PM. Present were Supervisors Don Pflaum, Connie Anderson, Mark Malecha, Kenny Miller, Dan Rogers and Clerk/Treasurer Nanett Leine.

The meeting opened with the Pledge of Allegiance.

Deputy Sheriff Jennifer Lenarz was present. She followed up on the town board's questions from the July meeting including burning complaint, Wat Lao event (2-3,000 attending) and suspicious activity on Cedar Ave. Recent burglaries in the area were discussed.

Approval of Agenda:

Castle Rock Bank- Dan Nicoli, set time 8:00 pm.

Add: A. Roads

1. Speed limit Castle Rock School
2. Resolution to contract Town board

A motion by Supervisor Connie Anderson: To approve the agenda as amended. Motion seconded by Supervisor Dan Rogers. Motion carried.

Minutes:

A motion by Supervisor Connie Anderson: To approve the Regular Town board Minutes of July 12, 2004 with the following corrections: page 4- Eureka Estates motion should be by "Supervisor Connie Anderson." page 6-Canadian Pacific Railroad Contract " should read "The second copy (township) needs to be signed by the Chair, attested by the clerk for the bridge work to move forward." And page 7- the motion by Supervisor Connie Anderson on Friedges should be moved to D. and add: "Motion seconded by Supervisor Dan Rogers. Motion Carried." Motion seconded by Supervisor Kenny Miller. Motion Carried.

A motion by Supervisor Mark Malecha: To approve the Special Meeting Minutes of June 21, 2004 correcting typing error and add- Peter Tiede, "Eureka township" attorney. Motion seconded by Supervisor Dan Rogers. Motion carried.

A Motion by Supervisor Kenny Miller: To approve the Special Meeting Minutes of July 19, 2004 with the following corrections: Brian ~~Klotz~~ – *Should be* "Watson, Dakota County", add- to the September 7th meeting motion "and Ordinance 33". Third paragraph from bottom add:

by the 9th “of August”. The motion was seconded by Supervisor Mark Malecha. Motion Carried.

A motion by Supervisor Mark Malecha: To approve the July 21, 2004 Special Meeting Minutes as presented. Motion seconded by Supervisor Connie Anderson. Motion Carried.

Treasurer’s Report

Treasurer Nanett Leine reported that there is \$525.75 in checking, \$115,486.15 in the savings account and \$121,055.06 in savings (Former CD). The federal tax liability account was \$1564.62, MN tax liability \$4.00, County Sewer inspection permits \$200.00 and State surcharge liability \$1,256.36.

Motion by Supervisor Kenny Miller: To approve the treasurer report as presented. Motion seconded by Supervisor Dan Rogers. Motion carried.

Bills and Receipts

Clerk/Treasurer Nanett Leine presented the following bills for payment:

BeSure Inspection Services	Building & Septic permits	\$634.74
Mark Henry Excavating	Grade Roads	\$5,790.00
Mark Henry Excavating LLP	Eureka Town hall site work	\$960.00
Dakota Electric	Electric Bill	\$11.60
Frontier Communications	Telephone- town hall	\$89.07
Frontier Communications	Telephone- office	\$83.60
Nanett Leine	Payroll 7/1/04 to 7/31/04	\$1,140.79
Nanett Leine	expenses	\$354.86
PERA	Payroll 7/1/2004 to 7/31/04	\$138.98
Murnane, Conlin, Brandt & White	legal fees	\$5,910.99
Erik Leine	mow town hall July 14, 23,30	\$60.00
Dakota County Office of Planning	74 RASP Signs	\$801.42
Rivertown Newspaper group	public notice open house	\$13.50
ECM Publisher	public notice open house	\$19.50
Election Data Direct Inc	handicap voting booth	\$170.29
ALF Ambulance	First Half of 2004	\$5,287.00
Dakota County Assessing Service	labels for mailing	\$15.98
Healy Construction	Town Hall	\$36,978.75
Instant Testing	site work town hall	\$879.45
Johnston Fargo Culvert Inc.	6 culverts& 3 bands	\$4,448.61
TOTAL BILLS PRESENTED		\$63,789.13

A motion by Supervisor Dan Rogers: to approve payment of the July bills totaling \$63,789.13 Motion seconded by Supervisor Connie Anderson. Motion carried.

Approval of July receipts

The following receipts were deposited in July:

• **Building Permits**

Harold Beckett - pool	\$211.06	Bob Knutson- Ag pole shed	\$50.00
Dan Ryan- pool & Shed	\$762.17	Bob Knutson- new home	\$6,040.69

• **Septic / HVAC**

Controlled Air-HVAC	\$60.00	Torenson- HVAC	\$90.00
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• **Other Receipts**

Mount Olivet-refund over payment	\$10.00	Mount Olivet- RASP Sign	\$10.83
Loraine Adelman- RASP Sign	\$11.00	Dakota County- Tax distribution	\$158,298.35
Jeannie Nordstrom- 2 RASP signs	\$21.66	Dakota County- Delinquent Tax	\$1,636.32

Total Receipts in July \$167,202.08

A motion by Supervisor Connie Anderson: To approve July's receipts as presented. Motion seconded by Supervisor Mark Malecha. Motion Carried.

Planning Commission Land use permits and Related Items:

Planning Commission Meeting

Consent Agenda

1. John LaFavre- 26835 Ipava Ave, Lakeville requested a zoning permit for a 16' X 48'lean to on a existing pole shed for Agricultural use. Property ID# 13-03000-012-80
Permit # 000985 issued for \$50.00
2. Amy and William Murphy- 24965 Essex Ave., Farmington requested a zoning permit for an addition 2' x 10' and 10' x 8', deck 6' x 10' and stairs. Property ID# 13-01400-010-79.
Permit # 04-020 issued for \$855.54
3. Pat Haugen- 5845 265th St, Farmington, MN requested a zoning permit to add a 12' x 16' porch to his home. Property ID# 13-02600-012-01
Permit #04-019 issued for \$234.66

A motion by Supervisor Mark Malecha: To approve the planning commission consent agenda items. Motion seconded by Supervisor Kenny Miller. Motion carried.

Building Inspector

Adopt State Building Codes

Supervisor Mark Malecha moved to adopt the MN State Building Codes by resolution. Motion seconded by Supervisor Kenny Miller. Motion Carried. Clerk/ Treasurer Nanett will draft a resolution to be signed at the end of the meeting.

Old Business

Follow up on building without permits

Dick Martin did not add onto his garage, he only made improvements, new siding and moved entry. No building permit required.

Follow up on noise complaint

Supervisor Connie Anderson had been in contact with the complainant. The noise level has not been as bad as it has in the past. There have been a few incidences. The citizen is concerned in future/ permits regarding this business.

Supervisor Connie Anderson and Supervisor Don Pflaum will contact the new owner of the business and address the issue.

Contractor Time

Roads

Highview culvert is in. There is a limb overhanging the road that should be removed, it could be a traffic hazard. The land owner will be contacted before the limb is removed. The signs have been ordered, waiting for shipment.

The ravine along Chub Lake Road still needs work. The North Cannon WMO has funds available. Supervisor Mark Malecha and Road contractor Mark Henry will draft a letter requesting funds for this project.

Resolution to contract Town board

A motion by Supervisor Mark Malecha: To allow purchases of materials from a town board member. Motion seconded by Supervisor Dan Rogers. Motion Carried. Supervisor Kenny Miller abstained from voting on this motion.

Speed limit Castle Rock School

A motion by Supervisor Kenny Miller: To reduce the speed limit near the Castle Rock School to a limit of 25 mph per State Statute. Motion seconded by Supervisor Connie Anderson. Motion Carried.

A motion by Supervisor Mark Malecha: That Mark Henry Excavating order signs and placement. Motion seconded by Supervisor Dan Rogers. Motion Carried.

Castle Rock Bank, Dan Nicoli- Financing town hall 8:00 pm

Dan Nicoli, Castle Rock Bank presented the town board with the financing document for the new town hall. The town board members signed the documents.

Contractor time

Road Maintenance Contract

Road Contractor Mark Henry had concerns on some of the language in the road contract, "Hold Harmless Clause" He requested that town board direct him, as contractor how to perform duties, to adopt these procedures by resolution. The road supervisors will work with the road contractor in developing an attachment to the road contract on performance of duties.

Old Business

B. Land Use- Friedges Landscaping

Mr. Friedges was not present. No action was taken, this item will be moved to September 13, 2004 Town Board meeting. Chair Don Pflaum will contact Friedges, requesting their presence.

C. Road projects

One quote has been received for mass graveling and one quote for spot graveling. Two quotes are needed. This item will be placed on the agenda of the August 30, 2004 special town board meeting.

D. Centurytel Fiber II

A motion by Supervisor Connie Anderson: To move forward, by direction of the township attorney, with option 3, revoking the permit as of August 2004. Motion seconded by Supervisor Kenny Miller. Motion Carried.

E. Appro Development Inc.

This item will be tabled until the September Town Board meeting, the town board is waiting for a response from the township attorney.

F. AT & T facility Cedar and 250th St.

The AT & T facility is now owned by American tower, Boston Mass. Supervisor Dan Rogers has not been able to contact current owners. He will continue to follow up on this item.

G. Elko / New Market Septic Treatment Facility

Chair Don Pflaum has drafted a letter to be sent to the MPCA on behalf of the Eureka Town Board with comments on the proposed Elko/New Market Wastewater Treatment Facility (WWTF) permit re-issuance.

A motion by Supervisor Connie Anderson: to amend the agenda to include the Scott County Plan Update.

H. Interceptor line.

Clerk/Treasurer Nanett Leine had prepared Resolution # 32 supporting the Upper Vermillion Interceptor. The town board reviewed the resolution and changes were made as suggested by the town board. The resolution was signed by the Chair and attested by the Clerk. The resolution will be sent to the Met Council. Chair Don Pflaum will prepare a list of persons that the resolution will be sent to.

I. Scott County COMP Plan Update

The town board has received draft copies of Scott County COMP Plan. There was a brief discussion on the plan. Board members will review the draft plan.

New Business

Other Business

Resolution No. 33

Clerk/Treasurer Nanett Leine presented the town board with Resolution No. 33, "A Resolution to Adopt the Minnesota State Building Codes". The town board reviewed the resolution and changes were made as suggested by the town board. The resolution was signed by the Chair and attested by the Clerk. A copy of the resolution will be sent to Building Inspector, Bob Hegner. The adoption of the code will be included in the New Ordinances when completed.

Clerk/Treasurer Presentation

Clerk/ treasurer presentation: See attached sheet for information.

A motion by Supervisor Mark Malecha: To adjourn. Motion seconded by Supervisor Dan Rogers.
Motion Carried.

Meeting Adjourned