

Eureka Town Board Minutes October 9, 1995

The meeting was called to order by Chairperson Schindlecker. Present were Supervisors Johnson, Kadlec, Smith and Topp, Clerk Leine and Treasure Schulz.

Supervisor Smith moved to accept the September 11, 1995 minutes as read, seconded by Supervisor Johnson and carried.

Supervisor Topp moved to accept the treasurer's report as read, seconded by Supervisor Johnson and carried.

Clerk Leine presented to the board bills totaling \$21,884.78. Supervisor Topp moved to pay bills, seconded by Kadlec and carried.

Dick Wagemann, 25791 Dodd Blvd., is requesting a conditional use permit to start a gun shop at this address. The Planning Commission held a public hearing for this request on October 2, 1995. Mr. Wagemann told the board that this was basically a hobby and he would like to keep it as a hobby. Mr. Wagemann would have no inventory at this location and does not plan to have an inventory in the future. Mr. Wagemann want to repair and recondition firearms. Mr. Wagemann has a Federal License to repair and sell firearms. Hours of operation would be Monday, Wednesday, and Friday from 9 am to 4 pm. There will be no firing range at this location for testing or sport. Mr. Wagemann has plenty of off road parking. Mr. Wagemann plans to do no advertising of his business and will not post a sign in front of his residence. Mr. Wagemann said he would post a sign at the entrance of his office and work area. Mr. Jim Wood, a 35 year resident of Eureka Township and neighbor of Mr. Wagemann, told the board that he did not have a problem with this business in community. There were other neighbors of Mr. Wagemann's present and they expressed similar feelings. Mr. Wally Bohrn addressed the board asking that they (the township supervisors) not grant this permit. Mr. Bohrn told the board that there are too many home businesses in the township, with more being requested all the time. Mr. Bohrn asked the board to hold any new conditional use permit and conduct a study on the impact these permits have on the tax base, fire protection cost and road use. Mr. Bohrn also proposed the possibility of a special tax for conditional use permits to off set any additional cost because of these permits.

Supervisor Topp moved to grant this conditional use permit with the following conditions:

1) Mr. Wagemann must maintain his federal licenses and run his business according to the guidelines of the federal regulations and present a copy of his federal licenses at each renewal of his C.U.P.

2) This business must stay on the homestead property and cannot be moved or expanded to any other property in the township.

3) The size of the building that this business operates out of will be no larger than 27 feet wide by 36 feet long.

This motion was seconded by Supervisor Smith and carried.

Allen Alwin, 23585 Jersey Ct., requested a permit to install a new drain field at this location. Signed prints were on hand. This system was installed in 1976 and 210 feet of new drain field is needed to comply with current standards. Supervisor Smith moved to grant permit, seconded by Supervisor Topp and carried.

Martin & Associates, representing the Wat Lao community located at 22605 Cedar Ave, is requesting a permit for a 1653 foot addition to the existing house. This project has been approved by the county and awaits review by our building inspector. A new septic system is going to be installed to take care of this additional living space. Plans were on hand and signed for the new septic system. Supervisor Smith moved to grant permit contingent upon showing Clerk Leine signed plans, seconded by Supervisor Kadlec and carried.

Alen Keiren, 22260 Dodd Blvd., is requesting a permit to replace his septic system. Signed plans were on hand and reviewed. Supervisor Johnson moved to grant permit, seconded by Supervisor Smith and carried.

Mr. Duncan, represented by M.W.Johnson Construction, is requesting a permit to build a house - garage located at Lot 1, Block 7, Eureka Estates. Mr. Johnson has all needed prints and plans signed by the proper authorities. Supervisor Kadlec moved to grant permit, seconded by Supervisor Topp and carried.

Steve Erickson, 585. - 235th St., is requesting a permit to replace his septic system. Mr. Erickson did not have signed plans on hand. Supervisor Johnson moved to grant permit contingent upon showing Clerk Leine signed plans, seconded by Supervisor Smith and carried.

Robert Reddick, 24005 Dodd Blvd., requested approval of a lot split by the township. One property has been sold and the county will not allow split until the township approves. Supervisor Topp moved to approve split for the first property that has been sold and moved to approve split for the other properties contingent upon review and approval by two town board members, seconded by Supervisor Kadlec and carried.

Erickson/Prokash dispute on the disposal of animal waste. Mr. and Mrs. Prokash, 5905 - 235th St. W., have formally requested the town board to inspect their property. Mr. and Mrs. Prokash wanted to know why they were not invited along with the first inspection that started this discussion. The board informed the Prokash's that Mr. Erickson complained to the board and that the board by Mr. Erickson's request inspected the line fence between the properties. The board told the Prokash's that at no time did anyone go onto their property during this inspection. The Prokash's presented to the board information about compost and how the state of Minnesota has given guide lines pertaining to this practice. Pictures and compost information were shown to the board explaining how they handle the animal waste at their location. The Prokash's told the board that the county extension and the ASC offices have and can again inspect their property. The Prokash's further told the board that they would stop doing anything that these agencies told them there were doing incorrectly.

Supervisor Topp moved to amend page 2, paragraph 2, last sentence of the September 11, 1995 minutes to read; "Mr. and Mrs. Prokash may be in violation of township Ordinance 20, Section 8.13 and the township would like the dispute resolved in 30 days."

James Benson was again asking the board in help for the 267th Street and Highview extension. Mr. Benson again stated that Mr. Middlemist has damaged this road with his home made equipment. There was much discussion on the subject by all parties. The following proposal was agreed upon. The Township would take over maintenance of this road.

Mr. Benson will pay for any gravel and other maintenance for the road during the next two years. This action was felt a better solution than any type of legal action.

The Vermillion WMO has agreed to the proposal by the township for paying our past due bill. (See Attached)

Supervisor Topp moved to adjourn, seconded by Supervisor Kadlec and carried.

gls