

Eureka Town Board Meeting
September 13, 1999

The meeting was called to order by Chairperson Schindledecker. Present were Supervisors Kadlec, Pflaum, Smith and Topp, Clerk Leine and Treasurer Schulz.

The meeting started with an informal discussion of Sauber's request for a C.U.P for mining gravel on their property in Section 7. The biggest concern is the use of 235th St. W. as a way to and from this mining operation.

LeAnn Peterson, 26975 Iberia Ave., is requesting a permit for an addition to the existing house and the building of a new attached garage. Lot and building plans were shown to the board. Supervisor Smith moved to grant permit, seconded by Supervisor Pflaum and carried.

Andrea Krepu, 24315 Dodd Blvd., is requesting a permit for a pole frame building to house horses. Ms. Krepu presented the board with lot, building and a letter from Dakota Co. Shore Land Zoning. The building will not fall in the shore land area. The building will be 36 x 60 and has a permit fee of \$108.00. Supervisor Topp moved to grant permit, seconded by Supervisor Smith and carried.

Supervisor Pflaum moved to accept the minutes for the August 9, 1999 meeting with the following change. Page 1, Paragraph 3, the last sentence should read, "The hard surface is to be layed in the fall of 2000 per the last update from Dakota Co." Supervisor Smith seconded this motion. Motion was accepted by all members.

Todd Bachman, representing Bachman's growing range at 23000 Cedar Ave., is requesting a permit to replace an existing barn with a new 60 x 160 pole frame building. This building would be 1249 feet from 235th St. W. and 3600 feet from Cedar Ave. This structure would be used for material and equipment storage. Lot and building plans were presented to the board for inspection and approval. This project carries a permit fee of \$480.00. Supervisor Smith moved to grant permit, seconded by Supervisor Topp and carried.

Julie Jacobson asked the board what she needed, land wise in Section 21 on the corner of 250th St. W. and Cedar Ave., to build a house. The board advised that she purchase the two forty acre parcels along 250th St. W. and the 19 or 20 acres of the second 1/4 1/4 along Cedar Ave. This would allow her to place her house on the second 1/4 1/4 parcel on Cedar Ave. along with 2 other dwellings. The first 1/4 1/4 section (corner of 250th St. W and Cedar Ave. already has 4 dwellings located on it. Ms. Jacobson would have to deem the second 1/4 1/4 parcel on 250th St. W. as non buildable. The process would be to purchase the 99 + acres, then cluster the permit, and finally do a lot split for the new lot to build on.

Ebehard Engel, 3311 42th St. W. Webster, MN 55088, is requesting a permit for a 50 x

74 Frederickson Hanger on Lot 36F, Airlake Airport. Presented with a signed lease from MAC and plans for the hanger. Supervisor Smith moved to grant permit, seconded by Supervisor Kadlec and carried.

Chairperson Schindledecker opened the meeting at 8:30 PM to finalize the request, by the Sauber Estate, to mine gravel on their property in section 7. The major concerns were the traffic on 235th St. W. The township's legal council advised the township that the township should allow the Sauber's to use the existing access to the pit area. Currently Barton Sand and Gravel as well as Mr. Storlie use this access to their mining operations and that it would not be advisable to deny the Saubers this same right. Our legal felt that the township would lose such a suit. Supervisor Smith made a motion to restrict the usage of 235th St. W. to the west of the entrance to the mining area and the county line by posting the road to a 5 ton load limit. This would require a "5 ton load limit" sign just west of the entrance to the mining area, and similar sign at the county line.

Supervisor Topp seconded this motion and the motion was opened to discussion. Eureka Township will open talks with New Market Township and Scott Co. asking permission to place a "Restricted Road Ahead X Miles" sign on 235th St. W. just off Pillsbury Ave. Chairperson Schindeldecker asked for a vote of the board on the Smith motion. The motion carried. Currently, there are no restrictions on the use of this access or for the maintenance of 235th St. W. by Barton Sand and Gravel or by Mr. Storlie. Chairperson Schindeldecker said that provision would be included in both parties C.U.P. renewal. Supervisor Pflaum moved to grant this permit with the following conditions for operation.

1. There will be no "Asphalt" or "Concrete" plants
2. Dust control measures for 235th St. W. must be provided by the gravel operators. If a complaint is received, operator must immediately treat the road and driveway access when requested by the town board.
3. Black topping of 235th St. W. may be an **option** should dust control and maintenance of road fails to keep the road in good condition.
4. Traffic control: Trucks owned or leased by the operator shall travel east on 235th St. W. to Dodd Blvd.. The operator will post a sign at the gate of the mining operation advising other trucks to travel east on 235th St. W. to Dodd Blvd.
5. A stop sign will be installed on the access road before entering 235th St.W.
6. There will be no mining within 300 feet of the lake perimeter.
7. The land will be reclaimed and brought back to useability as the area is mined out.
8. Other conditions as are outlined by the ordinance and by the other conditional use permit pertaining to mining.

This motion was seconded by Supervisor Kadlec and carried.

Clerk Leine presented bills totaling \$11,654.39 for the boards review and acceptance.

Dakota Electric Assoc.	Electricity	\$ 7.97
ECM Publishing	Legal Ad	34.56

Jacob Leine	Mowing Twp Lawn	48.00
Castle Rock Agency	Township Fire Insurance	44.00
Doyle Inc.	Rental of Brush Machine	723.00
Edward Kramer & Sons	Purchase of Lime Stone	255.14
Eureka Sand & Gravel	Road Maintenance	7,588.24
Beverly Topp	PhotoCopies comp plan project	20.35
Vermillion River WMO	1999 billing for services	2,933.13

Supervisor Smith moved to pay these bill, seconded by Supervisor Pflaum and carried.

Supervisor Topp informed the board that MAC will ask the Met Council to negotiate the annexation question between Lakeville and Eureka Township. MAC will only complete Phase A of the new hanger project tis years because of this delay. Their goal will be to resolve the Eureka/Lakeville sewer/water question this winter and begin Phase B in the spring.

Supervisor Topp informed the board that \$975,000.00 is available to purchase the Juvland property. The Koch SEP project has awarded \$75,000.00 of the amount. This leaves \$225,000.00 to obtain. The Chub Lake Greenways committee has asked Dakota Col for this final amount and the commissioners have authorized their staff to investigate ways the money could be found in the budget for this project. The commissioners have also expressed a concern that no Eureka Township dollars have been committed to this project. Supervisor Topp also inquired whether, if this property were publicly held and subdivided, would the township approve clustering homes in accordance with the present ordinance. The general consensus of the board was that this would be allowed.

Supervisor Smith moved to approve paying \$125.00 to send Supervisor Topp to “Sharing the Heartland Conference” on October 29-30, 1999, seconded by Supervisor Pflaum and carried.

A meeting will be held at Mt. Olivet Retreat Center, Wed. Nov. 17, 1999, at 7 PM. for the public to participate in exploring ways and means to preserve Ag Land and Open Spaces.

The board has adopted ECM Publishing as the Township Official Paper. ECM purchased the Life and Times which was the official paper.

October 11, 1999 will be the regular town board meeting.

Supervisor Topp told the board that there will be a hearing in Eden Prairie, at Flying Cloud Airport, October 12 1999, held by the MET Council. This meeting will be to receive public comments on moving the current noise level of Airlake Airport from 55 DNL to 60 DNL (the noise level at which land use guidelines are applied).

Clerk Leine informed the board that the Vermillion River WMO will have meeting concerning the future of the WMO and the Joint Powers Agreement at the Extension

Office on September 30, 1999 at 7:30 PM.

Clerk Leine informed the board that a meeting to review the agreement with Dakota County for the Administration and Record keeping of the Onsite Treatment System Maintenance Program would be Wednesday, October 6, 1999, at 7:30 PM at the Dakota County Extension Building in Farmington. See attached.

Treasurer Schulz reported that Eureka Township has \$248.40 in checking and \$272,211.90 in our MMDA Account. Supervisor Kadlec moved to accept the treasure's report, seconded by Supervisor Smith and carried.

Frontier Communications is requesting permission to bury cable in the township ditch from 220th St. W for approximately 2 1/2 miles. They want to remove the aerial cable and replace with buried cable. Supervisor Kadlec moved to grant permit, seconded by Supervisor Smith and carried.

Supervisor Smith move to adjourn, seconded by Supervisor Kadlec and carried.

gls