

**EUREKA TOWNSHIP
DAKTOA COUNTY, MINNESOTA**

EUREKA TOWN BOARD MEETING

OCTOBER 13, 2015

CALL TO ORDER

Chair Brian Budenski called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was given. Town Board Supervisors present were Brian Budenski, Kenny Miller, Dan Rogers, Carrie Jennings and Cory Behrendt. Planning Commission Chair Nancy Sauber, Township Attorney Chad Lemmons, Clerk Mira Broyles and Treasurer Marcia Wilson were also present. See attached list for others in attendance.

APPROVAL OF THE AGENDA

Additions to the agenda were made as follows:

New Business:

- E. Attorney letter of engagement
- F. Joey Miller property

Old Business:

- D. Septic pump out records

Motion was made by Chair Budenski, seconded by Supervisor Jennings to approve the agenda as amended. Motion carried 5-0.

Public Comment

None.

Citizen Business

Nancy Sauber addressed an inquiry by a former Planning Commissioner to the Township Attorney which resulted in a memo from the Attorney to the Board and Commission. She questioned if the former Commissioner had received permission via the Attorney Liaison to contact the Attorney. She also discussed "The Blog", first amendment rights, and the use and posting of draft minutes on the website.

Contractor Time

Jason Otte of Otte Excavating discussed projects completed during the past month. He discussed ditch mowing which is being done by Supervisor Miller. The cost of mowing the ditches will be approximately \$5,000 which includes labor, rental of the mower, and fuel. It was noted that missing signs would be replaced.

Building Inspector Update

Building Inspector Darrell Gilmer discussed on-going inspections. He provided an update on the Joey Miller property where dirt is being stored. He noted that silt fencing was being installed on the site.

Discussion was held regarding the resignation of Commercial Building Inspector Gary Staber. Supervisor Miller stated he had spoken with Mr. Staber and he would like to lighten his work load and rather than a contract, he would work on as-needed basis.

Consent Agenda

- A. Minutes of the September 14, 2015 Town Board Meeting. A correction on page four changing the word kilovolts to kilowatts was made.

Motion was made by Supervisor Jennings, seconded by Supervisor Miller to approve minutes of the September 14, 2015 Town Board meeting as amended. Motion carried unanimously.

New Business (item moved forward on agenda)

Prairie Creek Community School Conditional Use Permit Review. Simon Tyler, Director of the Prairie Creek School, 27695 Denmark Avenue, was present for review of the conditional use permit. He provided proof of the licensed school and it was noted there had been no complaints filed against the school.

Planning Commission Update

Planning Commission Chair Sauber provided a summary of the October 5, 2015 Planning Commission meeting.

The Clerk was directed to contact Jerad Stewart advising him to withdraw his application for a conditional use permit that had been reviewed and deemed unacceptable by the Planning Commission.

A citizen feedback/question and answer document for website was provided to the Board for review and comment.

The updated Planning Commission Policies and Procedure Manual was submitted for review by the Board. Action will be taken at the November Board meeting.

It was noted that Planning Commission member Phil Cleminson had submitted his resignation from the Planning Commission. A notice of the vacancy and request for interest letters will be in the upcoming edition of the newsletter and posted on the website. It was decided that the deadline for submittal of letters would be November 3, 2015 at 2:00 p.m.

Land Use Permits and Related Items

Tyler Schrupp, 24187 Highview Avenue – Building Permit for House Addition. Discussion was held regarding the building permit request by Mr. Schrupp. It was noted that the Planning Commission had recommended approval.

Motion was made by Chair Budenski, seconded by Supervisor Rogers, to approve a Building Permit for a house addition for Tyler Schrupp at 24187 Highview Avenue, PID 13-24660-00-061. Motion carried unanimously.

Blake Rothnem, 2490 Holyoke Path – inquiry regarding temporarily moving septic and water into pole barn. Discussion was held regarding clarification of ordinance language in regard to a pole barn / garage. The Clerk was directed to contact Mr. Rothnem informing him that a current building permit would need to be active before a temporary use of the garage could occur. It was also noted that should the garage/pole barn be used as a temporary dwelling during home construction, the structure would have to meet building codes from human habitation.

Chair Budenski called for a ten minute recess at 9:40 p.m.
The meeting was reconvened at 9:50 p.m.

OLD BUSINESS

Newsletter. Jody Arman-Jones discussed the upcoming newsletter.

8150 250th Street Complaint Follow-Up. Mike Mahoney owner of 8150 250th Street stated he was attempting to sell some of the vehicles on his property. Supervisor Miller noted that vehicles could be stored inside and would not be in violation of the ordinance. Mr. Mahoney stated he would have the vehicles removed or stored in doors by April 1, 2016. The Board informed Mr. Mahoney that an inspection of his property would occur in mid-March and abatement would occur 30 days after the April 1st deadline if the property remains non-compliant. Clerk directed to send letter to Mr. Mahoney and the complainant.

Current Ordinance Clarification. Supervisor Miller discussed the need to clarify the official ordinance book to be used until the new codification is completed. Supervisor Miller and Supervisor Rogers were directed to review the ordinances currently in Town Hall and on the website to determine that the most recent version is being used.

Septic Pump Records – The Clerk was directed to contact Dakota County in regard to septic pumping records.

NEW BUSINESS (continued)

Professional Services BY TDKA

Motion was made by Supervisor Jennings, seconded by Supervisor Miller, to authorize professional services by TDKA for the Solar Energy Systems Ordinance. Motion passed unanimously.

New Complaint. A complaint regarding 24565 Iceland Path was discussed.

Motion was made by Supervisor Jennings, seconded by Chair Budenski to appoint Supervisor Miller and Supervisor Rogers to view the fence at 2565 Iceland Path and confer with the Township Attorney as needed. Motion passed unanimously.

Comprehensive Plan Amendment – Farmington. A Comprehensive Plan Amendment, submitted by the City of Farmington was briefly reviewed and it was noted there was no comment on the proposed amendment.

Attorney Engagement Letter. Supervisor Miller discussed a letter of engagement from the Township Attorney that will be presented at the November Town Board meeting.

Joey Miller Property Update. It was noted that silt fencing has been installed around the loose soil on the Miller property. Supervisor Jennings noted seeding should be done to stabilize the soil. Brian Watson to be contacted by Supervisor Jennings to see if a follow-up inspection was completed. The Building Inspector will be directed to inspect the site as well.

Motion by Supervisor Miller, seconded by Supervisor Budenski to direct Supervisor Jennings to talk with Brian Watson about the Ames property. Motion passed unanimously.

TREASURER’S REPORT

The Treasurer’s Report was given by Treasurer Marcia Wilson (*see attached report*).

Motion was made by Chair Budenski, seconded by Supervisor Jennings, to accept the Treasurer’s Report dated October 13, 2015 (Revised). Motion carried 5-0.

The claims and receipt lists and outstanding invoices were reviewed.

Motion was made by Chair Budenski, seconded by Supervisor Jennings, to accept the claims and distribution list. A roll call vote was taken. Ayes: Unanimous.

Enright Invoice

An update was provided on the Enright invoice. Clarification was given regarding billings and payments received. It was noted that duplicate bills had been sent due to there being two different building officials at the time. Treasurer Wilson was directed to contact Mr. Enright.

Escrow Accounts

Supervisor Miller recused himself from the next item.

The Eureka Sand and Gravel escrow account was discussed. Treasurer Wilson was directed to bill the applicant for additional charges.

Motion was made by Jennings, seconded by Rogers to bill the applicant for additional charges. Motion carried 4-0.

Auditors Report

The auditor's report was reviewed and everything was deemed in order.

Motion was made by Supervisor Miller, seconded by Supervisor Behrendt, to accept the Audit Report by Lewis, Kisch & Associates. Motion carried unanimously.

FEMA Update

Treasurer Wilson noted that no funds had been received from FEMA. She noted that she would follow up on the matter.

Planning Commission Question and Answer Document.

Motion was made by Supervisor Jennings, seconded by Supervisor Behrendt to direct the Attorney to review the document submitted by Planning Commissioner Frana and provide an opinion. Motion passed 4-0. Supervisor Miller abstained.

Adjournment

Motion was made by Supervisor Budenski, seconded by Supervisor Rogers, to adjourn the meeting at 10:10 p.m. Motion carried 5-0.

Respectfully submitted:

Mira Broyles, Clerk