

EUREKA TOWNSHIP

**DAKOTA COUNTY
STATE OF MINNESOTA**

TOWN BOARD MEETING OF JANUARY 13, 2020

Call to Order

The Eureka Township Town Board meeting was called to order at 7:06 p.m. by Chair Donovan Palmquist and the Pledge of Allegiance was given.

Members Present: Donovan Palmquist (Chair)
Tim Murphy (Vice Chair)
Lu Barfknecht (Supervisor)
Butch Hansen (Supervisor) arrived at 7:25 pm
Mark Ceminsky (Supervisor)

Members Absent: None

Others Present: Chad Lemmons (Kelly & Lemmons)
Randy Wood (Planning Commission Liaison)
Ralph Fredlund (Planning Commission Chair)
Marcia Wilson (Treasurer)
Ranee Solis (Town Clerk)

See attached list for all others in attendance.

Approval of the Agenda

The following changes were made to the agenda:

1. Move Permit Requests after Road Contractor update.
2. Move Inspectron bills to the front of the Treasurer's Report.
3. Table item E. Eureka Estates out lots under Old Business.
4. Remove item D. Scotts/Hyponex settlement status under Old Business, due to it involving pending litigation.

Motion: Vice Chair Murphy moved to approve the agenda as amended, seconded by Chair Palmquist. *Motion carried 4-0.*

Public Comment

A. Those signed in:

Donald Holz - 23787 Essex Avenue. Mr. Holz spoke regarding agenda item VIII. MPM moratorium request, stating his concern that allowing MPM to expand to the west side of the pit would have a negative effect on home values.

B. All others
(None)

Chair Palmquist asked three times if there were any other attendees who wished to speak. Hearing none, the public comment period was closed.

Citizen Business

(None)

Sheriff's Department

(None)

Road Contractor Update (Bryce Otte – Otte Excavating)

- The license plate number for a person caught dumping tires was given to the Sheriff's Department.
- The Board requested an estimate to repair the sign and culvert damage on 240th and Highview.
- Gravel roads cannot be salted, they must use rock chips.
- Request a long-term plan to handle tree branches that are causing trouble.

Permit Requests

Jared Vinar, 9800 257th St W – New Residence

Motion: Vice Chair Murphy moved to approve the new residence permit for Jared Vinar, PID 13-01900-75-010, seconded by Supervisor Ceminsky. *Motion carried 4-0.*

Planning Commission Update (Randy Wood – Liaison)

Commissioner Randy Wood provided a summary of the January 7, 2020, Planning Commission meeting:

- Recommended approval with the condition that the setback dimensions be added to the application submitted to the Town Board.
- Planning Commission unanimously voted to recommend no change to the Ordinances regarding driveway offsets based on MNDOT and Dakota County's recommendation of aligned, opposing driveways.
- Rescheduled the March Planning Commission meeting to Wednesday, March 4, 2020 due to the Presidential Nomination Primary being held on March 3, 2020.

* Supervisor Hansen arrived at the meeting at 7:25 pm

Mn Paving & Materials moratorium request (Michael Callahan)

The Town Board expressed that a moratorium is not the appropriate venue for the request to mine the west side of the mining pit. Expansion would require either an amendment to the IUP, or an application for a new IUP. The annual review will take place at the February Town Board meeting.

Land Use Requests

(None)

Treasurer's Report

Inspectron Bills

Ron Wasmund from Inspectron, Inc. addressed the Town Board with the following:

- Steps have been taken to ensure prompt and accurate future claims.
- Requested to table the building inspections claim until February.
- Requested to verify the contract in respect to the following:
 1. The share of the permit revenue is 75/25.
 2. Inspectron receives 100% of the plan review fee.
 3. The contract does not state that Inspectron will receive 50% of their share of permit revenue up front and 50% upon completion, as stated by Supervisor Ceminsky and Marcia Wilson.
- Requested a meeting with the liaisons, Clerk and Treasurer to provide all other documents needed in conjunction with the building inspection claim.

Treasurer Wilson presented the Treasurer's Report for January 13, 2020:
 Checking account balance: \$13,535.72; Outstanding checks: \$12,230.64; Savings account balance: \$400,999.09; CD accounts balances: \$67,492.17; Petty cash balance \$100; Total account balances: \$469,796.34.

Motion: Supervisor Ceminsky moved to approve the Treasurer's Report as read, seconded by Supervisor Hansen. *Motion carried 5-0.*

Motion: Supervisor Hansen moved to direct the Treasurer to draft a check, dated December 31, 2019, for the amount owed to Inspectron and to release the check upon verification of receipt of the required paperwork, seconded by Supervisor Ceminsky with a friendly amendment to subtract \$939.56 being paid today, from the total balance owed. *Motion carried 5-0.*

Net Pay and Claims

Supervisor Barfknecht had the following questions for the Treasurer:

1. When is the invoice sent to Farmington for reimbursement of the JPA agreement for snow plowing? Treasurer Wilson responded that the invoice is sent one week after the Town Board meeting.
2. Does Plunkett's invoice the Township annually, or are there additional bills throughout the year? Treasurer Wilson responded that the Township is billed annually and receives service reports throughout the year.
3. Is there a budget category for late fees? Treasurer Wilson responded that some late fees were charged in December because the checks did not go out until the 16th.

Motion: Vice Chair Murphy moved to approve the Net Pay and Claims as presented, seconded by Supervisor Ceminsky. *Motion carried 5-0.*

Receipts and Disbursements

Motion: Supervisor Ceminsky moved to approve the Receipts and Disbursements as presented, seconded by Vice Chair Murphy. *Motion carried 5-0.*

Remaining Reports: Outstanding Invoices/Escrows/Permit worksheet

Motion: Supervisor Hansen moved to direct the Treasurer to invoice Mt. Olivet for the remaining balance due in lieu of taxes per the agreement, seconded by Supervisor Barfknecht. *Motion carried 5-0.*

Preparing for Annual Meeting

Treasurer Wilson stated she will present the annual meeting slides for approval at the February meeting.

Supervisor Ceminsky stated that the MPM Interim Use Permit requires a \$60,000 escrow and questioned whether the escrow exists.

Motion: Supervisor Ceminsky moved to direct the Treasurer to search past records for the escrow amount for the 235th St. mine, seconded by Supervisor Hansen. *Motion carried 5-0.*

Petty cash box

Motion: Supervisor Hansen moved to let the record reflect that the Town Clerk is responsible for the petty cash box from this point forward, seconded by Vice Chair Murphy. *Motion carried 5-0.*

Budget

1. 2019

Motion: Supervisor Hansen moved to table the 2019 budget until the February meeting, seconded by Supervisor Ceminsky. *Motion carried 5-0.*

2. 2021

Motion: Supervisor Ceminsky moved to table the 2021 budget until the February meeting, seconded by Supervisor Barfknecht. *Motion carried 5-0.*

*Chair Palmquist called for a 5-minute break

County Commissioner Mike Slavik

- The County Road 86 project has been delayed until 2021-2022.
- Request a workshop meeting with the Town Board to discuss the 2040 Comprehensive Transportation Plan.

New Business

Ordinance violation at 9395 280th St W – Terry Anderson

Mr. Anderson stated that he attended the September 5, 2017 Town Board meeting and discussed whether his landscaping vehicles can be parked on his property. He stated he was told that he could. In response to the Town Board's questions tonight, he responded that all vehicles are licensed, that he is not conducting business on the property, and he stores his off-season equipment behind the home.

Motion: Supervisor Ceminsky moved for Supervisor Barfknecht and Chair Palmquist to meet with Mr. Anderson at the property to get further information about the span of work being done at the property, seconded by Supervisor Hansen. *Motion carried 5-0.*

Police accident report – damage to sign and culvert

The Board directed the Clerk to contact the Sheriff's Department for a copy of the incident report that took place on 240th and Highview.

Grading schedule discussion

No action taken.

RFP's for expiring contracts

1. Inspectron, Inc. – Building/Septic Inspector (February 2020)
The Board instructed the Clerk to post/publish RFP's in January to be reviewed at the February Town Board meeting.
2. Kelly & Lemmons – Legal Service (March 2020)
The Board instructed the Clerk to post/publish RFP's in January to be reviewed at the March Town Board meeting.
3. Otte Excavating – Road Maintenance (June 2020)
The Board instructed the Clerk to post/publish RFP's in April to be reviewed at the June Town Board meeting.

Schedule Upcoming Meetings:

1. Board of Audit/Budget Meeting and Annual Meeting prep: February 26, 2020 at 7:00 pm
2. Township Election: March 10, 2020 from 7:00 am – 8:00 pm
3. Annual Meeting: March 10, 2020 at 8:15 pm
4. Board of Canvass: March 11, 2020 at 7:00 pm
5. Reorganization Meeting: April 14, 2020 at 7:00 pm
6. Workshop with the County regarding the 2040 Comprehensive Transportation Plan:
February 11, 2020 at 7:00 pm

Old Business

Driveway offsets

The Board discussed the recommendation of the Planning Commission and agreed that the Ordinance will not be changed.

Motion: Supervisor Hansen moved to reinforce the obligation for the road supervisor to approve driveway permits by inspecting where they enter onto the right-of-way, seconded by Supervisor Ceminsky. Motion carried 4-0, with Supervisor Barfknecht abstaining.

Building Rights text amendment

Motion: Supervisor Ceminsky moved to not move forward the proposed text amendment, seconded by Supervisor Hansen. Supervisor Barfknecht Called the Question, seconded by Supervisor Ceminsky. Motion carried 5-0. *Vote on the original motion failed 2-3*, with Supervisors Barfknecht, Palmquist and Murphy opposed.

Motion: Chair Palmquist moved to allocate funds for Jeff Otto to review the proposed text amendment with the Township Attorney for up to one hour, seconded by Supervisor Barfknecht, with a friendly amendment by Supervisor Hansen that Supervisor Barfknecht also attend. *Motion carried 3-2*, with Supervisors Ceminsky and Hansen opposed.

225th St. JPA road agreement with Lakeville – addendum adding Highview follow-up

The Board agreed to move forward with a request to add the 206 feet of road on the east side to the JPA road maintenance agreement with Lakeville.

Other Business

Clerk Update

1. RFP's for gravel, dust control and street sweeping have been posted, published and mailed to prospective bidders.
2. Election filing notice has been posted and published.
3. Septic pumping at Town Hall has been completed.

Approval of Meeting Minutes

Approve the December 2, 2019, Special Town Board meeting minutes

Motion: Supervisor Barfknecht moved to approve the minutes as presented, seconded by Supervisor Ceminsky. *Motion carried 5-0.*

Approve the December 9, 2019, Town Board meeting minutes

Motion: Chair Palmquist moved to approve the minutes as presented, seconded by Supervisor Ceminsky. *Motion carried 5-0.*

Approve the December 16, 2019, Special Town Board meeting minutes

Motion: Supervisor Barfknecht moved to approve the minutes as presented, seconded by Vice Chair Murphy. *Motion carried 5-0.*

Adjournment

Motion: Supervisor Ceminsky moved to adjourn the meeting, seconded by Chair Palmquist. *Motion carried 5-0.*

Meeting adjourned at 11:01 p.m.

Respectfully submitted,

Ranee Solis

Ranee Solis, Town Clerk

Minutes Officially Approved By:



Town Chair

on: _____

Date

EUREKA TOWNSHIP

Dakota County, Minnesota



Town Board Meeting

Attendance

January 13, 2020

7:00 PM

Printed Name

Address

Mike Callahan

MN Paving & Materials

Bill Clancy

25511 IPAVA AVE LAKEVILLE

Tim Anderson

9395 280th ST NEWBOLD

Nancy Sauber
Brian Aherm

9445 225th st. W. Lkvl.

6865 236th St W Farapda

Donald K Holz

23787 ESSEX AVE, Farmington, MN 55024

Douglas Pirtsch

12223 LUCIFERNE TRAIL HICKFELVILLE, MN

Printed Name

Georgie Melitor

Kathleen Kanger

Storia Berger

Julie Larson

Jeff Ott

Mike Slavik

Address

8875-285th St W.

25506 Spawa Ave

24335 Dodd Blvd

24570 Highview Ave LKWC

25580 Dodd Blvd,

1590 Hwy 55 - Hastings

PUBLIC COMMENT SPEAKER LIST

EUREKA TOWNSHIP
Town Board Meeting
January 13, 2020
7:00 PM

If you would like to make a comment during tonight's public hearing, please provide your name and address below. Speakers will be called in the order they are listed.

If you wish for your comment to be included in the minutes of the meeting, you must submit your comments in writing to the Clerk.

PRINT NAME

ADDRESS

PRINT NAME	ADDRESS
Donald H. Holz	23787 Essex Ave, Faribault, MN 55024

Date Range : 1/1/2020 To 1/13/2020

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
01/13/2020	Internal Revenue Service	fed tax deposit due in Jan	4028	\$758.66	100-41421-122-212 100-41421-125-212 100-41422-122-212 100-41422-125-212 100-41425-115-212 100-41425-125-212 100-41425-122-212	Treasurer Treasurer Deputy Deputy Clerk Clerk Clerk	\$144.84 \$33.88 \$61.84 \$14.46 \$133.36 \$70.20 \$300.08
01/13/2020	PERA	Jan payroll pmt	4029	\$572.17	100-41421-121-212 100-41422-121-212 100-41425-121-212	Treasurer Deputy Clerk	\$163.54 \$69.83 \$338.80
01/13/2020	Kelly & Lemmons, P.A.	Dec Legal Bill	4030	\$1,147.35	100-41615-304-216	Legal Services	\$1,147.35
01/13/2020	Otte Excavating Inc.	Dec road bill	4031	\$12,252.25	201-43122-313-204 201-43122-313-204 201-43133-313-203 201-43230-313-236 100-41940-313-220	Unpaved Streets Unpaved Streets Gravel/ Hauling/ Related Work Waste (Refuse) Collection General Government Buildings and Plant	\$9,739.00 \$547.00 \$926.25 \$165.00 \$875.00
01/13/2020	Dakota Electric Association	Dec Electric Bills	4032	\$145.05	100-41940-381-220 100-41940-381-220	General Government Buildings and Plant General Government Buildings and Plant	\$122.03 \$23.02
01/13/2020	DSI/LSI	acct# 007602 Dec bill	4033	\$79.86	100-41940-384-220	General Government Buildings and Plant	\$79.86
01/13/2020	T & C Commercial Cleaning	Cleaning Town Hall	4034	\$130.00	100-41940-315-220	General Government Buildings and Plant	\$130.00

Date Range : 1/1/2020 To 1/13/2020

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
01/13/2020	De Lage Landen Financial Services I	Jan services	4035	\$95.83	100-41425-352-218	Clerk	\$95.83
01/13/2020	JTN Communications	invoice for Feb	4036	\$199.00	100-41920-325-213	Data Processing	\$199.00
01/13/2020	BroadView Technology Solutions LLC	invoice Jan bill	4037	\$193.00	100-41920-309-212	Data Processing	\$193.00
01/13/2020	Tops Inc	Invoice 42784 Copies for Dec	4038	\$107.13	100-41425-322-212	Clerk	\$107.13
01/13/2020	Plunkett's Pest Control	Rodent control Annual Bill	4039	\$476.61	100-41940-401-220	General Government Buildings and Plant	\$476.61
01/13/2020	Otte Excavating Inc.	Pump Septic system	4040	\$350.00	100-41940-223-220	General Government Buildings and Plant	\$350.00
01/13/2020	Marketing Clarity	Webiste Service Replacement of December check	4041	\$1,000.00	100-41425-309-213	Clerk	\$1,000.00
01/13/2020	Frontier Communications	Acct 952046903736 053101 7 Dec bill	4042	\$76.72	100-41940-321-213	General Government Buildings and Plant	\$76.72
01/13/2020	ECM Publishers	postings in Dec	4043	\$353.50	100-41615-304-213	Legal Services	\$353.50
01/13/2020	Dakota County Assoc of Townships	2020 MAT and Dakota County Assoc Dues	4044	\$1,104.44	100-41980-355-218	Old Other General Government	\$1,104.44
01/13/2020	CardMember Services	Postage and fees	4045	\$115.80	100-41421-322-212	Treasurer	\$115.80

Date Range : 1/1/2020 To 1/13/2020

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
01/13/2020	Donovan Palmquist	Filing Cabinet for conference room	4046	\$270.05	100-41421-570-220	Treasurer	\$270.05

Total For Selected Claims

\$19,427.42

\$19,427.42

Charles Hansen

City Council/Town Board

Date

Donovan K Palmquist

City Council/Town Board

Date

Donovan K Palmquist
1/13/2020

Lucretia Barfknecht

City Council/Town Board, Chair

Date

Mark Ceminsky

City Council/Town Board

Date

Mark Ceminsky
1/13/2020

Timothy Murphy

City Council/Town Board, Chair

Date

Timothy Murphy
AP
AP
MC

For the payroll period ending: 12/15/2019

Handwritten initials: HCP

<u>Account #</u>	<u>Employee #</u>	<u>Employee Name</u>	<u>Amount</u>
0-41422-101		Adelmann, Anne E	272.42
		Account Total	272.42
100-41425-101		Solis, Ranees D	920.33
		Account Total	920.33
100-41110-100		Unallocated (Due to rounding)	\$0.00
		Total For Period	\$1,192.75

Charles Hansen	City Council/Town Board	Date
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Donovan K Palmquist	City Council/Town Board	Date
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Lucretia Barfknecht	City Council/Town Board, Chair	Date
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Mark Ceminsky	City Council/Town Board	Date
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Handwritten signature of Timothy Murphy

Timothy Murphy	City Council/Town Board, Chair	Date
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Handwritten date: 1/13/2020

Handwritten initials: MC, BS, and a circled 'D'

For the payroll period ending: 01/13/2020

<u>Account #</u>	<u>Employee #</u>	<u>Employee Name</u>	<u>Amount</u>
0-41421-101		Wilson, Marcia	996.35
Account Total			996.35
100-41422-101		Adelmann, Anne E	154.53
Account Total			154.53
100-41425-101		Solis, Rane D	954.10
Account Total			954.10
100-41110-100			
Unallocated (Due to rounding)			\$0.00
Total For Period			\$2,104.98

Charles Hansen	City Council/Town Board	Date
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Donovan K Palmquist	City Council/Town Board	Date
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Lucretia Barfknecht	City Council/Town Board, Chair	Date
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Mark Ceminsky	City Council/Town Board	Date
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Timothy Murphy	City Council/Town Board, Chair	Date
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1-13-2020

Date Range : 12/31/2019 To 1/9/2020

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
12/31/2019	Inspectron Inc	Building Inspections	4027	\$939.56	100-42401-312-210	Building Inspections Administration	\$939.56

Total For Selected Claims

\$939.56

\$939.56

Charles Hansen

City Council/Town Board

Date



1/13/2020

Donovan K. Palmquist

City Council/Town Board

Date

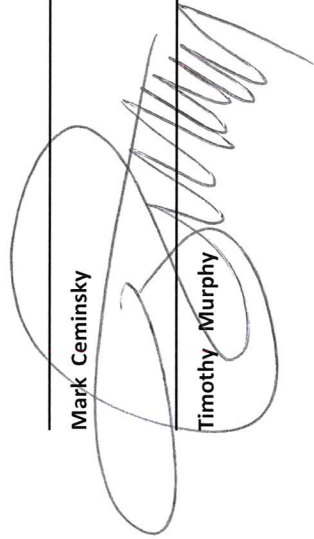


1/13/2020

Lucretia Barfknecht

City Council/Town Board, Chair

Date



Mark Ceminsky

City Council/Town Board

Date

1/13/2020

Timothy Murphy

City Council/Town Board, Chair

Date

