

EUREKA TOWNSHIP

**DAKOTA COUNTY
STATE OF MINNESOTA**

TOWN BOARD MEETING OF JANUARY 14, 2019

Call to Order

The Eureka Township Town Board meeting was called to order at 7:07 p.m. by Chair Tim Murphy and the Pledge of Allegiance was given.

Members Present: Tim Murphy (Chair)
Butch Hansen (Vice Chair)
Donovan Palmquist (Supervisor)
Mark Ceminsky (Supervisor)
Lu Barfknecht (Supervisor)

Others Present: Martin Norder (Kelly & Lemmons, P.A.)
Allen Novacek (Planning Commission liaison)
Marcia Wilson (Treasurer)
Bob Finke (Town Clerk)
Ranee Solis (Deputy Clerk)

See attached list for all others in attendance.

Approval of the Agenda

The following changes were made to the agenda:

1. Move item E. MAC – Airlake Formal Annexation Update under New Business to item A.
2. Move item G. Commercial Zoning Update under New Business to item B.
3. Add Herbie Nivala 9800 227th St. under Citizen Business.
4. Add item C. Attorney Fee Recuperation of Funds for Litigation under Old Business.
5. Move New Business before Old Business.
6. Add item K. Set a Date for a Special Closed Meeting Regarding Possible Litigation under New Business.

Motion: Vice Chair Hansen moved to approve the Agenda as amended, seconded by Supervisor Ceminsky.

Motion carried 5-0

Treasurer's Report

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

Motion: Supervisor Ceminsky moved to accept the Treasurer's Report of January 14, 2019 as read, seconded by Vice Chair Hansen.

Motion carried 5-0

A. Bills and Receipts

1. Follow up on training bills from November

Discussion included setting a policy to encourage participation in training classes or seminars but requiring prior Board approval of expenditures. Supervisor Ceminsky asked about a missing register receipt, #37.

Motion: Vice Chair Hansen moved to table the Bills and Receipts to allow the Treasurer time to check on the status of receipt #37, seconded by Supervisor Ceminsky.

Motion carried 5-0

The receipt in question was determined to be voided per the Treasurer.

B. Budget

1. Town Hall capital improvement fund

Treasurer Wilson discussed adjustments to the budget and stated that there are still areas that are deficit. Supervisor Palmquist questioned how the Fire and Rescue costs could be over budget when we have a contracted amount in the agreement, to which discussion pointed out that the budget review at the time did not cover the contracted amount. There are some items that cannot be predicted, for example, snow removal, frost boils, culvert repairs, etc. Motions were made throughout the year to cover the expenses by moving money from the General Fund.

2. Income from ROW permits

Treasurer Wilson indicated that, in the past, income from Right-of-Way permits has gone into the General Fund and questioned if it should be going into the Road Fund?

Motion: Supervisor Ceminsky moved for Right-of-Way permit fees to be deposited into the Road Fund - Ditch Maintenance going forward, seconded by Supervisor Barfknecht.

Motion carried 5-0

C. Permit Worksheet

Treasurer Wilson indicated that she will continue to submit the 2018 permit worksheet as well as the 2019 permit worksheet until all open 2018 permits are closed.

Motion: Vice Chair Hansen moved to approve the Treasurer's Report as presented, seconded by Chair Murphy.

Motion carried 5-0

D. 2018 Audit

Treasurer Wilson received a proposal from Lewis, Kisch & Associates in the amount of \$6,700 to perform the 2018 biennial audit.

Motion: Supervisor Ceminsky moved to accept the proposal from Lewis & Kisch in the amount of \$6,700 to perform the 2018 audit, seconded by Supervisor Barfknecht.

Motion carried 5-0

E. Credit Card limit vs spending limit

Treasurer Wilson requested confirmation of the credit card limit for the Clerk, Deputy Clerk and Treasurer as, in the past, it has been used for incidentals and not for large-money items. The Board unanimously agreed to leave the credit card limit at \$5,000 with each holder held to a \$500 spending limit.

Outstanding Invoices

Motion: Supervisor Ceminsky moved to pull the outstanding invoice in the amount of \$1,400, from moving in buildings without a permit, out of the outstanding invoices and move it to the end of New Business item L, seconded by Supervisor Palmquist.

Motion carried 5-0

Public Comment

A. Those signed in:

1. Pete Storlie – 8684 235th St W.

Pete Storlie spoke against hiring a new Building Inspector and expressed his concern about the Township's spending for this year. The board has been elected to serve the people, to take care of our financial responsibilities, to manage our money and taxes and to take care of the township. Why are we fixing something that's not broken?

2. Julie Larson – 24510 Highview Avenue

Julie Larson addressed the commercial/industrial workshop, she feels that we're not following our ordinances: Ordinance 2, Chapter 3, Sections 9 & 10 and Ordinance 2, Chapter 4.

3. Beth Eilers – 10185 250th St.

Beth Eilers addressed the commercial zoning work group. Comments attached

4. Kathleen Kauffman – 25506 Ipava Avenue

Kathleen Kauffman addressed the proposed re-zoning. Comments attached

5. Georgie Molitor – 8875 225th St. W.

Georgie Molitor addressed trucks on 225th St. and the commercial/industrial zoning. Comments attached

B. All Others

Chair Murphy asked if there were any others who would like to speak. Hearing none, the Public Comment portion was closed.

Citizen Business

A. Herbie Nivala – regarding 9800 257th St. W.

Mr. Nivala is requesting confirmation of building rights on a parcel. The Board asked for time to check into this more thoroughly.

Road Contractor – Otte Excavating - Bryce Otte

- Chair Murphy stated that Bryce did a phenomenal job taking care of the ice on 225th.
- A bus was stranded on 257th, Otte sanded the road to make it safe, the bus company is responsible for paying the tow truck. Supervisor Ceminsky and an Otte's representative were on the scene from 9:30 pm to 3:30 am. Vice Chair Hansen asked the residents to communicate with the township when the roads become icy.
- Bryce was instructed to continue to break down the bills every month for the Treasurer so that she can, in turn, bill Farmington for their portion.
- Bryce requested an address for the mailbox issue he was asked to handle.
- Bryce noted that the posts that were removed from our Right of Way in Eureka Estates are now back up. A letter had been sent by the clerk. Bryce was directed to remove them again and, as a courtesy, return them to the resident. However, should they reappear, dispose of them. We need to keep our Right of Ways clear.
- Jody was asked to put in the next newsletter that residents cannot put posts in our Right of Ways as it impedes snow removal, etc.

Sheriff's Department Update – Officer Fletcher

Tim Fletcher stated that he is not aware of any problems. He was asked about the issue on 225th with deliveries for Scott's. He stated that our Ordinance does not state anything that gives them authority to cite drivers. There was discussion about the 5-ton road signs that were posted in the past. Officer Fletcher stated that citations were issued to the owner of the semi that has been parking on the street over-night.

Planning Commission Update (Allen Novacek - Liaison)

Commissioner Novacek provided a summary of the January 2, 2019 Planning Commission Meeting:

- Town Board liaison provided a summary of the December 10, 2018 Town Board meeting.
- Approved the minutes of the December 4, 2018 Planning Commission meeting.

Permit Requests

(None)

Land Use Requests

(None)

New Business

A. MAC – Airlake formal annexation update

Present were Gary Schmidt -Director of Reliever Airports for MAC, and Mike Wilson- Airport Manager for Airlake and Flying Cloud. Gary Schmidt stated that on December 19th he submitted a letter requesting that the Eureka Town Board consider joining the Airports Commission in a petition for an orderly annexation of portions of the Airlake airport.

The area they are looking to annex is the airport property bounded by 225th on the south, Highview on the west and Cedar Avenue on the east. A good portion was annexed last year, they're not looking to annex the outlying parcels.

Motion: Vice Chair Hansen moved to continue to negotiate with the airport, and now engage Lakeville in a three-way conversation in pursuing the avenue of a friendly annexation, seconded by Supervisor Ceminsky with a friendly amendment to change friendly annexation to orderly annexation.

Motion carried 5-0

B. Commercial Zoning update

Mark Ceminsky, Butch Hansen, Allen Novacek and Ralph Fredlund provided an update and made a request to engage TKDA to gather information to bring to the Board and to the citizens. The group asked the Board to accept the proposal from TKDA dated January 3, 2019, asking to be allowed to continue to do due diligence to gather information, get input from professionals and present the information to the Board and the citizens.

Wendy Wulff from the Metropolitan Council was in attendance and invited to speak. She was asked if the Met Council can provide a formal answer before a formal request is submitted. Wendy stated there is no binding action but there can be a discussion, and that it helps to know the scope and magnitude of things. When asked about mixed-use zoning Wendy replied that it is more typical in an urban setting, but she can't speculate because it depends on what the uses are. Allen Novacek stated that Patrick Boylan from Met Council has said that it is up to the township to create commercial zoning as it wants and that the Met Council will weigh in. Wendy replied that the township has land use authority, that it is the magnitude in a rural setting that would come under their jurisdiction, the impact on roads would be a threshold. The Board thanked Wendy Wulff for her input.

The Board Chair stated that in reviewing the proposal, upon completion of each task the client will give approval to the consultant to proceed with the work on the next task. We would involve consulting service at a minimal amount of the overall proposal to get half way through the process. And that is the process that we need to determine: is it feasible? Does it make sense? And it also brings in more opportunity for public input and professionals at our open houses.

Motion: Chair Murphy moved to accept the TKDA proposal as submitted, seconded by Supervisor Palmquist.

Motion carried 2-1, with Supervisor Barfknecht opposed and Supervisors Ceminsky and Hansen abstaining.

C. Lakeville Fire Department

The Fire Department is having trouble navigating the township and are unaware that there are no fire hydrants.

D. Dakota County Sheriff

Motion: Supervisor Ceminsky moved that the Fire Department Liaisons and County Sheriff Liaisons schedule a meeting and start working on discussions which would come to a full meeting in front of the board, seconded by Chair Murphy.

Motion carried 5-0

E. Dust-coating RFP's

Motion: Supervisor Ceminsky moved to accept Envirotech's proposal for magnesium chloride at 0.93 cents per unit, seconded by Chair Murphy.

Motion carried 5-0

F. Street sweeping RFP's

Motion: Supervisor Ceminsky moved to accept Terpstra Snowplowing's proposal for street sweeping for \$1,325, seconded by Chair Murphy.

Motion carried 5-0

G. Climate control system quotes for outside storage shed

Motion: Vice Chair Hansen moved to accept Keith Plumper's proposal for the labor and materials in the storage facility, seconded by Supervisor Ceminsky.

Motion carried 5-0

H. Ordinance book

The Board discussed that it is difficult to enforce and follow through with Ordinances when they're not correct, recodification is necessary.

Motion: Supervisor Ceminsky moved to hire a firm to recodify the ordinance book, including resolutions, by seeking an RFP from 3 to 4 firms, and come back with the RFP's at next month's meeting for a decision by the Board, seconded by Vice Chair Hansen.

Motion carried 5-0

I. Complaints

The Board received three complaints, one against Sibley Mine and two against staff. Chair Murphy stated that the first complaint can be dealt with publicly, the other two need a closed-door meeting. Supervisors Barfknecht and Donovan disagreed that they require a closed-door meeting, that the complaints are a freedom of speech issue, not a township issue.

Motion: Vice Chair Hansen moved to schedule a closed-door meeting to handle the two complaints on staff, seconded by Supervisor Ceminsky.

Motion failed 2-3

Bob Finke asked to comment and stated that, as the Election Administrator and having just recently gone through the training, there is a complaint here that is a problem.

Chair Murphy stated: We had a motion that failed and we're being told by legal counsel and the Election Administrator that we need to follow a process.

Motion: Supervisor Palmquist moved that we have a closed meeting to discuss the two complaints, seconded by Chair Murphy.

Motion carried 3-1, with Supervisor Barfknecht opposed and Vice Chair Hansen abstaining.

The Board discussed a complaint filed against Sibley mine, that the mine is not operating as a mine, but strictly as a Ready-Mix plant operation.

Motion: Vice Chair Hansen moved to assign Supervisors Murphy and Palmquist to investigate Sibley's mining complaint and report back to the board next month, seconded by Supervisor Ceminsky.

Motion carried 5-0

J. Resolution 2015-03

Supervisor Ceminsky presented that Resolution 2015-03 allows for storage as an accessory use in mines and, in the case of level 3, also allows for Ready-Mix concrete plants. In his opinion, this Resolution would allow for the storage of mulch in a mining pit.

Chair Murphy read the following from the Resolution:

1. Chapter 3, Ordinance 6 – Accessory Uses, shall be amended to read as follows:

Accessory Uses. Uses of a mineral extraction facility that are incidental to mining and are not included as an authorized principal. Accessory uses might include the manufacture, storage and sale of products made from minerals on the premises, and storage and sale of minerals and top soils not extracted on the premises. In the case of level 3 permits, ready mix concrete plants are an allowable accessory use.

Martin Norder read the following definitions from the Merriam-Webster dictionary:

Mulch: a protective covering (as of sawdust, compost, or paper) spread or left on the ground to reduce evaporation, maintain even soil temperature, prevent erosion, control weeds, enrich the soil, or keep fruit clean.

Topsoil: surface soil usually including the organic layer in which plants have most of their roots and which the farmer turns over in plowing.

Supervisor Barfknecht read the following definition from page 209 of the Ordinances:

Topsoil – the upper portion of the soils present that is the most favorable material for plant growth.

Ultimately, the Board agreed that the wording of the Resolution where it states “might include” is vague and could imply “but not limited to”; From an environmental perspective, mulch is no more harmful than dirt or top soil, both are organic products; The Board has authority to make the ultimate determination.

Motion: Vice Chair Hansen moved that the Resolution 2015-03 Accessory Uses, through the Board’s interpretation, allows the mining operations to store mulch, seconded by Supervisor Ceminsky.

Motion carried 5-0

K. Set Special meeting for possible litigation

Motion: Supervisor Barfknecht moved to schedule a closed-door meeting to discuss the complaints against staff and possible pending litigation at 7:00 pm on Tuesday January 22, 2019, seconded by Chair Murphy.

Motion carried 5-0

L. Budensiek Update

Motion: Supervisor Ceminsky moved to instruct our legal firm to send a letter giving Mr. Budensiek ten days to pay the invoice of \$1,400 or he will otherwise incur additional legal fees, seconded by Supervisor Barfknecht.

Motion carried 4-0, with Vice Chair Hansen abstaining

M. 5-ton road sign on 225th St.

The current posted road signs state Local Traffic Only which does not give the Sheriff’s Department any authority to address issues. The Department of Transportation website states a limit of 5-tons on unpaved roads, giving the Township the authority to restrict tonnage on those roads.

Motion: Vice Chair Hansen moved to place 5-ton per axle road restriction signs back on 225th from the intersection of Highview and 225th, and on the intersection of Dodd and 225th, seconded by Chair Murphy.

Motion carried 5-0

Old Business

A. Building Inspector RFP’s

Motion: Supervisor Ceminsky moved to accept Darrel Gilmer’s RFP for Building Inspector of Eureka Township, seconded by Vice Chair Hansen.

Discussions in favor of hiring Darrel Gilmer included: Darrel has been doing a good job with little or no complaints this past year; There is a good relationship between Darrel, the Clerks and the citizens; The progress made this past year would be hindered by starting over with a new inspector; Inspection reports are being submitted in a timely manner; The previous issues with multiple permits being issued under the same permit numbers by the previous clerks have been resolved; In addition to building inspections, Darrel also performs septic inspections, which the other companies have to subcontract out; The circumstances that led Darrel to resign last year are no longer an issue, he stayed on board and worked with us to resolve the issues, negating the need to seek out a new building inspector; Electronic reporting is not necessary, the inspectors must file paper copies for all inspections.

Discussions against hiring Darrel Gilmer included: There is concern about Darrel's professionalism and lack of technology; After resigning, Darrel stayed with us on a month-to-month, temporary basis while we sought out a new Building Inspector; He resigned without speaking about the issues in front of the entire Board; There were several occasions where we asked Darrel specific questions about Building Code that he was unable to answer; There were issues with his bookkeeping that resulted in duplicate billing and issues with his providing reports; If the Township decides to allow commercial zoning, we would need a different inspector; Both of the other two proposals are significantly better than Darrel's; There is a need for technology and professionalism to bring the Township into the 21st Century.

Motion failed 2-3 with Supervisors Barfknecht, Palmquist and Murphy opposed.

Motion: Chair Murphy moved to hire Inspectron, Inc as Eureka Township's Building Inspector, seconded by Supervisor Barfknecht.

Discussion in favor of hiring Inspectron included: Inspectron is more professional with a big staff; They provide updated technology with electronic reporting; We're looking long-term and we're looking to develop a relationship with a new building inspector that can bring us into the 21st century.

Discussion against hiring Inspectron included: Their business is currently for sale; The amount of notice that must be given to staff is significant; They have to subcontract out for septic inspections; There were issues with them in the past that caused us not to renew their contract.

Motion carried 3-2, with Vice Chair Hansen and Supervisor Ceminsky opposed.

Discussion included having legal counsel review the proposed contract by Inspectron and draft a contract that is acceptable to the Township, addressing issues such as: open permits, collection of fees and other issues that were addressed in last year's proposed contract drafted by the Township attorney.

B. Chub Lake Insurance Company update

Martin Norder informed the Board that Chad Lemmons has recommended filing a law suit against Travelers including SRC, the trucking company, as an additional defendant.

The Board agreed to discuss how to move forward with the Chub Lake insurance claim at the closed meeting scheduled for Tuesday, January 22, 2019 at 7:00 pm.

C. Attorney fee recoup

The Board agreed to discuss recouping attorney fees at the closed meeting scheduled for Tuesday, January 22, 2019 at 7:00 pm.

Other Business

A. Town Clerk

1. Set date for Board of Audit (Budget meeting)

The Board set a tentative date for the Board of Audit meeting for Monday, January 28, 2019 at 7:00 pm provided the Treasurer confirms her availability.

2. Set date for Board of Canvass

The Board set a date for the Board of Canvass meeting for Thursday, March 14, 2019 at 7:00 pm.

3. Confirm date for Annual Meeting (2nd Tuesday in March)

The Board set the date for the Annual Meeting for Tuesday, March 12, 2019 at 8:15 pm.

The alternate dates if postponed due to inclement weather are: 1st: Tuesday, March 19, 2019, and 2nd: Tuesday, March 26, 2019.

4. Candidate filing deadline – January 15th 5:00 PM

5. Clerk status

Chair Murphy announced: It is the recommendation from our current Town Clerk that we hire our Deputy Town Clerk to be our Town Clerk, and that he becomes our interim Deputy Clerk until we hire another Deputy Town Clerk. The Board of Supervisors has unanimously approved this transition.

Motion: Supervisor Barfknecht moved to accept the transition of the Clerk and Deputy Clerk, seconded by Supervisor Palmquist.

Motion carried 5-0

Approval of Meeting Minutes

A. Approve the December 10, 2018 Town Board meeting minutes

Motion: Supervisor Barfknecht moved to approve the minutes as submitted, seconded by Chair Murphy.

Motion carried 5-0

B. Approve the December 27, 2018 Special Town Board meeting minutes

Motion: Chair Murphy moved to approve the minutes as submitted, seconded by Supervisor Barfknecht.

Motion carried 5-0

Adjournment

Motion: Supervisor Barfknecht moved to adjourn the meeting, seconded by Chair Murphy.

Meeting adjourned at 12:46 am

Respectfully submitted,

Ranee Solis

Ranee Solis, Town Clerk

Minutes Officially Approved By: Barthel H. H. H. on: 2/11/19
Vice Chair Date

I am even more baffled now than before as to why the commercial zoning process is moving forward when there are still unanswered questions from the open house. But even more importantly the members of the working group don't have much of the information they claimed to have at the open house and they still don't have this information. And yet tonight they intend to ask this town board to move forward with this process and acquire a contract with TDKA.

But what is MOST troubling to me and it should be troubling for this board and residents in this township is a statement made by this working group at their meeting on January 3rd. The members stated that they do not need to post their meeting dates and times at all. When the actions of this group may result in expenditures of public money and may result in additional taxes to the citizens in the jurisdiction, a statement like this is EXTREMELY CONCERNING.

Why would the members of the working group care if the meeting dates are posted and if the tax paying residents of this township attend their meetings? Why would this need to be done in a backroom in secret.

When the members of the working group met with the planner a few weeks ago they instructed her to obtain answers to the following questions:

- How to change the comprehensive plan
- How to make a formal request to Met Council to hook up to the interceptor line
- How to implement this hook up to the interceptor line and who pays for it.
- How to implement roads and curbs and who pays for it

These questions directly contradict what was ASSERTED MULTIPLE times at the open house by the members of the working group who insisted that they had spoken with the Met Counsel and were told that a commercial building would be allowed to hook up to the sewer line running through our township.

Why were the residents of this township told this at the open house when in fact it appears they did not have this answer. Why the two different statements!!!!

I have spoken with Wendy Wolf, a board member Met Council board member and contact for Eureka Township. She told me that there has been no change in the MUSA line and none are expected to be made until after 2040.

Water supply issues

DNR permits re water tower and water use issues

Specifics about use, volume, backup plans and other details must be in place before coming to Met Council

New Market property owners paying \$100 per month just for water use

It was stated multiple times at the open house that the commercial zoning change was not something they were necessarily going to do, that it was just being explored to determine if the township should move that direction. So imagine my surprise when members of this working group told the planner that they were and I quote "WE ARE MOVING FORWARD AT AN AGGRESSIVE RATE." At the last township meeting the members said that were meeting every more frequently than they had in the past.

WE DON'T NEED TO POST OUR MEETING DATES AND WE ARE MOVING FORWARD AT AN AGGRESSIVE RATE

If this is just being explored as a possibility, why is it moving forward at an AGGRESSIVE RATE??

In addition, it was stated at the working group meeting that this commercial zoning may not result in any commercial development. Then WHY is this being pursued at an AGGRESSIVE RATE. And please explain to me why would we spend thousands of dollars on planner and attorney fees to create this zoning.

Not to mention that there are still multitude of unanswered questions from the open house that have not been addressed in any fashion!!!

The planner told the working group members that she was not optimistic that the Met Council would allow a sewer hookup. She stated that she would look at other options such independently operated companies who would install and run the septic system.

This planner has been told by the Met Council that nothing has changed in the MUSA line and a hook will not be allowed.

Without hesitation it was stated that this was a better deal because it would limit the commercial development. This certainly implies that zoning change is not needed.

This possibility was never discussed at the first open house and it was not discussed because it was asserted that the Met Council was going to allow a hookup to the interceptor line.

What is going on??

I have spoken directly with Dave Olson, the Community and Economic Development Director for Lakeville. He told me that Lakeville has been asked by a few property owners on the north end of Eureka, including Joe Miller, to annex their property but Lakeville has told them no. Mr. Olson told me that the MAC came to the City of Lakeville with the request to be annexed because they needed the water and sewer hookup and the Met Council was not going to allow them to hook into the interceptor line. For this reason Lakeville agreed to the annexation. Mr. Olson told me that the land owner that the new Menasha building is on came to Lakeville asking that they annex that piece because he owned the large piece of land immediately adjacent to that site and for this reason Lakeville agreed to annexation request because it made sense for both Lakeville and the land owner.

Mr. Olson told me that the City of Lakeville has plenty of land to develop and they do not have need or desire to annex Eureka Township, BUT MORE IMPORTANTLY he told me that they do not have the infrastructure in place to do so. Additional gallons of water pouring into the sewer line will require significant accommodation.

This is clear and convincing evidence that the City of Lakeville is not marching in to take over Eureka Township.

I have spoken with Steve Mielke, the Director of Physical Development for Dakota County. He told me he knew nothing about Farmington annexing or taking by means of eminent domain any land for a high school.

This was another scare tactic used by this working group at the open house regarding commercial zoning.

I am aware that there is the possibility of obtaining grant money to build a water tower. What has not been discussed is the costs to maintain and operate a water tower, this is a cost that the tax paying residents of this township will get stuck with.

Yes I believe that this township needs to step into the future, but it must be done in a logical, controlled and managed manner so that the taxpaying citizens of Eureka Township don't take it in the teeth.

The commercial zoning inquiry has gone from hooking up to the interceptor line to an independently owned and operated septic system. From an open house filled with misinformation and fear tactic statements and many questions from citizens still unanswered to admissions by the working group that they are aggressively pursuing this zoning change. From posted meeting dates to statements made that the meeting dates of this working group need not be posted.

BETH EILERS

For these reasons, along with the fact that the Met Council is NOT going to allow a change to Eureka's 2040 submitted plan and the Met Council is not going to allow any hook up to the sewer line along, the DNR is unlikely to issue permits for water and private sewer that can support commercial development along with many others reasons, I strongly recommend the board DOES NOT approve any expenditures with planners or attorney's to further this inquiry. To do so at this point would be a COMPLETE WASTE of tax payer money.

When there is opposition FROM and cost TO the tax payers of this township, the members of this board should make decisions that are transparent and that will to benefit the majority of the residents, rather than only a few.

Jan. 14, 2018 Board Meeting
Comments by Kathleen Kauffman on proposed re-zoning.

I attended the public open house. I understood that a zoning change was going to be a long process with multiple opportunities for public input. I understand one Eureka citizen spoke in favor of the ability to use his land for industrial/commercial uses, but while I was there no one in the very full audience of Eureka citizens seemed in favor of the idea. I was surprised to see it show up the Board's agenda so quickly. I hope before the Board moves forward it will get answers to at least the following questions.

1. Which Eureka citizens are pushing for a change (and out of what individual interest) and which Eureka citizens are opposed to a change (and out of what individual interest)?
2. What are the dollar and cents costs and benefits of a zoning change? Will our tax burden or access to services go up or down?
3. What are the quality of life costs and benefits of a zoning change? Will the Industrial sites cause pollution? Will the industrial sites overload our roads? Will the Met Counsel's preconditions with respect to housing be good or bad for most of our citizens?
4. Can we adequately police industrial zoning with the staff we have, and if not, what will be the cost of additional staff?
5. Do we have a mechanism for enforcing limits on industrial building permits that do not involve lengthy law suits?
6. How lengthy and costly will be the administrative application process required by the Met Counsel before it will approve the change and what is the chance we will be successful?

Zoning changes are not inherently good or bad, the question for the Board is what serves the best interest of most of our citizens? The citizens of the township need more information and time, as well as an opportunity for input, before the Board can really answer the question.

Public input 1-14-19

Georgie Molitor 8875-225th St. W

- ① I am concerned about semi's using 225th St. The erosion of the road, the jack knifed semi's on the road, the dangerous situations caused by trying to pass on that road with a semi taking up most of the space. And finally our scheduled utility services could not be completed because of the situations.
- ② If the C/I zoning goes into effect, Scott's Miracle Grow property should still retain court restrictions for noise, work hours, storage and expansion. This was a long and expensive process that was suppose to stay with property and should be Grandfathered in as restrictions even with any zoning changes. Miracle grow is already causing issues with semi's, bringing in trailers for offices and noise and work hours.

EUREKA TOWNSHIP

Dakota County, Minnesota



Town Board Meeting

ATTENDANCE

Monday, January 14, 2019
7:00 PM

<u>Printed Name</u>	<u>Address</u>
Jody Arman-Jones	6905 255TH ST. W.
Wendy Wulff	17326 Greentree Path
Brian Ahern	6215 235TH ST W
HERB NIVARD	9800 257TH ST.
MIKE WILSON	8140 220TH ST.
REBE STARUE	5680 235TH W

Printed Name

Nancy Sauber

GARY E. SCHMIDT

Julie Larson

Cindy Murphy

A. Molitor

Kathleen Hoffmann

Dan Ames

Address

9445 225th St. W. Lk. Wl.

MAC

24510 Highview Ave.

9110 225th St. W.

8875 - 225th St. W.

25706 Spawna Gul

10225 285 St

EUREKA TOWNSHIP

Dakota County, Minnesota



Town Board Meeting

PUBLIC COMMENT SIGN-IN

Monday, January 14, 2019

7:00 PM

Printed Name

Address

~~_____~~

~~_____~~

PETE STREUB

8180 235M ST W -

Julie Larson

24510 Highview Ave

Beth Eilers

10185 250th & W. Lakeville -

Kathleen Knappman

255506 Ipaava Ave

George Polster

Trucks on 225th

c/1

Building Inspector

- c/1 workshop -

- c/1 workshop -

c/1 "

Treasurer Report January 14, 2019

Bank Balance

December 31, 2018

Checking Account	\$5,981.28
Outstanding Checks	-\$3,055.34
Savings Account	\$321,433.44
CD Accounts	\$105,560.30

Total Investments
\$426,993.74

ACCOUNT BALANCES **\$429,919.68**

Petty Cash In
Cash Box


\$100.00

TOTAL INCLUDING CASH **\$430,019.68**

	CD Matures	Original Investment
\$39,527.45	6/29/2021	5 yr
\$40,718.52	6/27/2022	5 yr
\$25,314.33	6/22/2023	5 yr
<u>\$105,560.30</u>		

TOTAL DISBURSEMENTS

Total Dec Claims	\$22,091.43
Total Dec Payroll	\$4,069.00
	<u>\$26,160.43</u>


 (P)
 me

Date Range : 1/1/2019 To 1/31/2019

<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>
01/14/2019	Internal Revenue Service	fed tax deposit due in Jan	3724	\$993.71	100-41421-115-212	Treasurer	\$13.40
					100-41421-122-212	Treasurer	\$145.42
					100-41421-125-212	Treasurer	\$34.00
					100-41425-122-212	Clerk	\$139.66
					100-41425-125-212	Clerk	\$32.66
					100-41422-115-212	Deputy	\$204.93
					100-41422-122-212	Deputy	\$343.34
					100-41422-125-212	Deputy	\$80.30
01/14/2019	PERA	Jan 19 payroll pmt	3725	\$551.84	100-41421-121-212	Treasurer	\$164.18
					100-41422-121-212	Deputy	\$387.66
01/14/2019	Minnesota Department of Revenue	Witholding Tax Pmt 4th qtr	3726	\$642.05	100-41422-126-212	Deputy	\$418.71
					100-41425-126-212	Clerk	\$106.53
					100-41421-126-212	Treasurer	\$90.12
					100-41110-126-212	Council/Town Board	\$26.69
01/14/2019	MN Department of Labor and Industry	Bldg permit Surcharge SEPTEMBER0370352018	3727	\$95.89	100-41975-129-211	Surcharge	\$95.89
01/14/2019	Kelly & Lemmons, P.A.	Dec legal Bill	3728	\$1,914.08	100-41615-304-216	Legal Services	\$1,914.08
01/14/2019	Otte Excavating Inc.	Dec 18 Road bill	3729	\$9,235.00	201-43122-313-201	Unpaved Streets	\$420.00
					201-43230-313-236	Waste (Refuse) Collection	\$395.00
					201-43125-235-204	Ice and Snow Removal	\$6,540.00
					201-43128-313-207	Culverts/ Ditches	\$1,015.00
					201-43133-313-203	Gravel/ Hauling/ Related Work	\$270.00
					201-43127-313-201	Signage	\$595.00
01/14/2019	Safety Signs, LLC	Signs	3730	\$1,846.50	201-43127-226-201	Signage	\$1,846.50
01/14/2019	Darrel Gilmer	building inspections Dec 18 Bill	3731	\$3,442.61			

Handwritten signatures and initials, including a large signature and initials 'R' and 'M'.

Date Range : 1/1/2019 To 1/31/2019

<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>
01/14/2019	Dakota Electric Association	Dec Electric Bills	3732	\$213.55	100-42401-312-210	Building Inspections Administration	\$3,442.61
01/14/2019	DSI/LSI	acct# 007602 Dec bill	3733	\$78.99	100-41940-381-220	General Government Buildings and Plant	\$187.43
01/14/2019	Frontier Communications	Acct 952046903736 053101 7 2.Dec bill minus internet	3734	\$102.08	100-41940-381-220	General Government Buildings and Plant	\$26.12
01/14/2019	Culligan	bill Acct 10134684	3735	\$83.56	100-41940-384-220	General Government Buildings and Plant	\$78.99
01/14/2019	T & C Commercial Cleaning	Cleaning Town Hall	3736	\$130.00	100-41940-321-213	General Government Buildings and Plant	\$102.08
01/14/2019	Plunkett's Pest Control	Rodent control Annual Bill	3737	\$458.28	100-41940-382-220	General Government Buildings and Plant	\$83.56
01/14/2019	De Lage Landen Financial Services I	Invoice 61667598	3738	\$176.17	100-41940-315-220	General Government Buildings and Plant	\$130.00
01/14/2019	BroadView Technology Solutions LLC	invoices 2355 2369 2376	3739	\$565.00	100-41940-401-220	General Government Buildings and Plant	\$458.28
01/14/2019	JTN Communications	Dec Charges	3740	\$356.01	100-41425-352-218	Clerk	\$176.17
					100-41920-309-212	Data Processing	\$565.00


Date Range : 1/1/2019 To 1/31/2019

<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>
01/14/2019	ECM Publishers	postings	3741	\$84.00	100-41425-325-213	Clerk	\$356.01
01/14/2019	Custom Office Products	Office supplies paper Invoice 00036136	3742	\$165.10	100-41615-304-213	Legal Services	\$84.00
01/14/2019	Victor Lundeen Company	CTAS Checks	3743	\$343.74	100-41425-202-218	Clerk	\$165.10
01/14/2019	Minnesota Association of Townships	Training session for Bob and Rane	3744	\$80.00	100-41421-203-212	Treasurer	\$343.74
01/14/2019	Timothy Murphy	Hotel Bill for 2 day seminar in Duluth	3745	\$165.50	100-41425-308-212	Clerk	\$80.00
01/14/2019	Mark Ceminsky	Inspections and mileage	3746	\$168.53	100-41110-331-212	Council/Town Board	\$165.50
01/14/2019	Marcia Wilson	Mileage and Expenses Nov and Dec 2018	3747	\$70.49	100-41110-331-222 100-41110-312-242	Council/Town Board Council/Town Board	\$18.53 \$150.00
01/14/2019	CardMember Services	Marcia Wilson account 6026 email provider	3748	\$28.00	100-41421-331-222	Treasurer	\$70.49
01/14/2019	CardMember Services	Bob Finke Account 6512 office supplies	3749	\$100.75	100-41421-322-213	Treasurer	\$28.00
					100-41425-201-212	Clerk	\$100.75

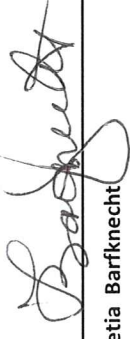
Date Range: 1/1/2019 To 1/31/2019


<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>
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Total For Selected Claims					\$22,091.43		\$22,091.43
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	Charles Hansen						<u>1/14-19</u> Date
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Donovan K Palmquist							Date
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	Lucretia Barfknecht						<u>1-14-19</u> Date
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	Mark Ceminsky						<u>1-14-19</u> Date
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	Timothy Murphy						<u>1-14-19</u> Date
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