

**EUREKA TOWNSHIP**

**DAKOTA COUNTY**

**STATE OF MINNESOTA**

**TOWN BOARD MEETING OF OCTOBER 9, 2018**

**Call to Order**

The Eureka Township Town Board meeting was called to order at 7:00 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)

Members Absent: Lu Barfknecht (Supervisor)

Others Present: Julie Larson (Planning Commission Liaison)  
Ralph Fredlund (Planning Commission Chair)  
Chad Lemmons (Township Attorney)  
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. Add item C. Storage Building under Other Business

**Motion:** Supervisor Ceminsky moved to accept the Agenda as amended, seconded by Supervisor Palmquist.

**Motion carried 4-0**

**Treasurer's Report**

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

**Motion:** Supervisor Ceminsky moved to approve the Treasurer's Report for October, 2018 as presented, seconded by Supervisor Palmquist.

**Motion carried 4-0**

**A. Bills and Receipts**

**Motion:** Supervisor Palmquist moved to approve the Bills and Receipts list as reported, seconded by Chair Murphy.

**Roll Call vote was taken:** Vice Chair Hansen – Aye  
Supervisor Palmquist – Aye  
Supervisor Ceminsky – Aye  
Chair Murphy – Aye

**Motion carried 4-0**

**B. Outstanding Invoices**

**C. Budget**

**Motion:** Vice Chair Hansen moved to take the surplus from the Road and Bridge: Gravel/ lime rock/Hauling and apply it where it's needed under Road and Bridge, seconded by Supervisor Ceminsky.

**Motion carried 4-0**

**D. Escrow**

**E. Permit Worksheet**

**F. Payroll**

**Motion:** Vice Chair Hansen moved to approve payroll twice per month, on the 15<sup>th</sup> and the end of the month, seconded by Supervisor Ceminsky.

**Motion carried 4-0**

**G. Credit Cards**

**H. Overtime Pay**

**Motion:** Vice Chair Hansen moved to approve the remainder of the Treasurer's Report, seconded by Supervisor Ceminsky.

**Roll Call vote:** Vice Chair Hansen – Aye  
Supervisor Palmquist – Aye  
Supervisor Ceminsky – Aye  
Chair Murphy – Aye

**Motion carried 4-0**

## **Public Comment**

### **A. Randy Wood – 23775 Essex Ave – Light Industrial/Commercial Zoning Group**

Mr. Wood expressed his disappointment that the group studying the light industrial/commercial zoning has not posted notices of meetings to allow citizens to participate.

### **B. All Others**

Chair Murphy asked three times if there was anyone else who would like to speak. Hearing none, the Public Comment portion was closed.

## **Citizen Business**

(None)

### **Election Judge Approval – Julie Larson**

Commissioner Larson announced the names of the 12 election judges.

**Motion:** Vice Chair Hansen moved to approve the election judges as presented, seconded by Supervisor Ceminsky.

**Motion carried 4-0**

### **Newsletter – Jody Arman-Jones**

The newsletter is getting finalized this week and will be sent to the Board for approval.

## **Land Use Requests**

### **A. Prairie Creek Community School – 27695 Denmark Ave – CUP review**

Simon Tyler appeared to represent the annual CUP review for Prairie Creek. Chair Murphy opened the floor for public comment. Hearing none, he closed the floor for public comment.

**Motion:** Vice Chair Hansen moved to accept review of the CUP, seconded by Supervisor Ceminsky.

**Motion carried 4-0**

### **Road Contractor – Otte Excavating - Bryce Otte**

- Need to add signs to the corners of 247<sup>th</sup> and 245<sup>th</sup> St.
- Tree trimming is on the schedule, awaiting rain to cease.

### **Sheriff Update – Deputy Smidt**

- There have been thefts of irrigation wires, tools and equipment from solar farms.

### **Planning Commission Update (Liaison: Julie Larson)**

Commissioner Larson provided a summary of the October 2, 2018 Planning Commission Meeting:

- MAC - Accessory Building permit was forwarded to the Board without review due to the CUP stating they could apply directly to the Board.
- Tyler Schrupp - Accessory Building permit was forwarded to the Board with the recommendation to deny due to Mr. Schrupp's failure to appear.
- Tom Gossler - Accessory Building extension permit was forwarded to the Board with the recommendation to approve.
- The Planning Commission forwarded to the Board the recommendation to amend the Fence Ordinance, not to repeal it.

### **Permit Requests**

A. Metropolitan Airports Commission (MAC) – 8140 220<sup>th</sup> St. W. – Accessory Building  
Lindsay Reidt presented the permit request for a hoop structure for MAC.

**Motion:** Supervisor Ceminsky moved to approve the building permit for MAC, PIN# 13-00400-27-020, seconded by Chair Murphy.

**Motion carried 4-0**

B. Tyler Schrupp - 24187 Highview Ave. – Accessory Building  
No one appeared to represent the permit request.

**Motion:** Supervisor Ceminsky moved to deny the building permit for Tyler Schrupp, PIN# 13-24660-00-061, seconded by Vice Chair Hansen.

**Motion carried 4-0**

C. Tom Gossler – 23734 Dodd Blvd. – Accessory Building extension  
Mr. Gossler represented the permit request to expand an existing structure from 24x32 to 48x32.

**Motion:** Supervisor Ceminsky moved to approve the building permit for Tom Gossler, PIN# 13-00700-79-020, seconded by Vice Chair Hansen.

**Motion carried 4-0**

### **Attorney Business**

A. Ordinance amending Ordinance 6, Chapter 7, Section 1 and Chapter 13, Section 2.  
Attorney Lemmons presented a draft Ordinance for the Board's consideration.

**Motion:** Supervisor Ceminsky moved to forward the draft to the Planning Commission for a Public Hearing, seconded by Vice Chair Hansen with a friendly amendment to strike the verbiage in sections D (1) and D (2) "on all properties within one-half (1/2) mile of the

boundaries of the tax parcel of which the subject property exists” and remove sections D (3), (4) and (5).

**Motion carried 4-0**

**Motion:** Supervisor Ceminsky moved to set a Public Hearing as soon as possible to amend Ordinance 3, Chapter 2, Section 1 (D) and Ordinance 3, seconded by Chair Murphy with the friendly amendment to schedule the hearing by the November meeting.

**Motion carried 4-0**

B. Letter to Insurance Company regarding Chub Lake/ Grenada Road repairs  
The Board requested Attorney Lemmons send a certified letter asking for the insurance information for the garbage truck owner.

C. Index of Ordinance book  
Attorney Lemmons did not find errors in the index. The Board stated that the errors are in the language throughout the book when referencing other Ordinances.

D. Update on Sellner

**Motion:** Supervisor Ceminsky moved to schedule a closed-door meeting immediately following tonight’s Town Board meeting to discuss on-going litigation with Mr. Sellner, seconded by Chair Murphy.

**Motion carried 4-0**

**Old Business**

A. 220<sup>th</sup> Joint agreement with Farmington Update – Mark Ceminsky

**Motion:** Supervisor Ceminsky moved to accept, sign and forward the joint agreement proposal, seconded by Chair Murphy.

**Motion carried 4-0**

B. Fence Ordinance

**Motion:** Supervisor Ceminsky moved to repeal the Fence Ordinance in its entirety as it conflicts with Minnesota Building Code, seconded by Vice Chair Hansen.

**Motion failed 2-2**, with Chair Murphy and Supervisor Palmquist opposed.

**Motion:** Chair Murphy moved to adopt the recommended changes to Chapter 9: Fence Ordinance, seconded by Supervisor Palmquist.

**Motion failed 2-2**, with Vice Chair Hansen and Supervisor Ceminsky opposed.

**Motion:** Chair Murphy moved to adopt the recommended changes to Chapter 9: Fence Ordinance with an additional change to add to Section 2 ...any fence, "as defined in Section 4 of this Chapter", without first..., seconded by Supervisor Palmquist.

**Motion failed 2-2**, with Vice Chair Hansen and Supervisor Ceminsky opposed. Supervisor Ceminsky stated for the record that he is opposed to the order in which the motions are taking place.

**New Business**

A. Ordinance 3, Chapter 4, Section 11 (B)(3)-- Butch Hansen  
(Item withdrawn)

B. Schedule of regular workshops

C. Eureka Estates agreement

**Motion:** Vice Chair Hansen moved to table the agenda item until the November meeting, seconded by Supervisor Ceminsky.

**Motion carried 4-0**

D. Schedule 90-day review of Clerk/Deputy Clerk

**Motion:** Chair Murphy moved to schedule a review of the Township Clerk on November 13, 2018 at 6:00 p.m., seconded by Vice Chair Hansen.

**Motion carried 4-0**

E. Commercial Zoning Update

- 3 meetings have been held to discuss preliminary information gathering
- The group drove around Apple Valley and Lakeville to view their commercial and industrial planning
- They have determined four levels of zoning to potentially pursue
- The group will post meeting dates on the exterior Town Hall bulletin board

**Other Business**

A. Town Clerk

1. RFP for Building Inspector update

**Motion:** Vice Chair Hansen moved to approve the RFP for Building Inspector, seconded by Chair Murphy.

**Motion carried 4-0**

**Motion:** Chair Murphy moved to send the RFP's out within 10 days, seconded by Vice Chair Hansen.

**Motion carried 4-0**

2. Proposal for mud jacking Town Hall sidewalk

**Motion:** Supervisor Palmquist moved to accept the bid from Concrete Pressure Lifting, proposal # 35578 in the amount of \$555, seconded by Chair Murphy.

**Motion failed 2-2**, with Vice Chair Hansen and Supervisor Ceminsky opposed

**Motion:** Vice Chair Hansen moved to authorize the Town Clerk to spend up to \$1,000 to repair the sidewalk slab, seconded by Chair Murphy.

**Motion carried 3-1**, with Vice Chair Hansen abstaining

3. Ground maintenance

**Motion:** Vice Chair Hansen moved to approve the Reisinger bid for \$1,542.50 on grounds maintenance as indicated on the proposal, seconded by Supervisor Ceminsky.

**Motion carried 4-0**

4. Front entryway

**Motion:** Vice Chair Hansen moved to approve power washing and painting of the Town Hall front entryway as described in the bid not to exceed \$500, seconded by Supervisor Ceminsky with an amendment to check into replacing the damaged siding with a composite product.

**Motion carried 4-0**

5. Northern Natural Gas CUP amendment

**Motion:** Supervisor Ceminsky moved to instruct NNG to appear at the Town Board meeting for their mandatory CUP review, seconded by Chair Murphy.

**Motion carried 4-0**

6. Summary of Township Officers meeting

7. New permit forms update

The Board instructed the Clerk to forward the new permit forms to the Planning Commission to be reviewed and placed on next month's agenda.

8. Copier proposals

The Board would like bids for new copiers as opposed to refurbished.

B. Minutes – Mark Ceminsky

**Motion:** Supervisor Ceminsky moved to adopt the 10 recommended items to include in minutes from the MAT handbook, seconded by Supervisor Palmquist.

**Motion carried 4-0**

**Motion:** Supervisor Ceminsky moved to require that public comments must be provided in writing and submitted to the Clerk in order for them to be part of the official record of the meetings, seconded by Chair Murphy.

**Motion carried 4-0**

**Motion:** Vice Chair Hansen moved to retain all meeting recordings as unofficial, detailed records to be stored in the cloud, seconded by Supervisor Ceminsky.

**Motion carried 4-0**

C. Storage Building – Mark Ceminsky

**Motion:** Supervisor Ceminsky moved to table this item to allow time for additional bids, seconded by Chair Murphy.

**Motion carried 4-0**

**Consent Agenda**

A. Approve September 10, 2018 Town Board meeting minutes

**Motion:** Supervisor Ceminsky moved to table the minutes until receiving clarification of his motion regarding light industrial/commercial zoning, seconded by Chair Murphy.

**Motion carried 4-0**

B. Approve revised meeting minutes: (Previously tabled)

1. March 12, 2018 Town Board meeting minutes
2. March 26, 2018 Special Town Board meeting minutes
3. March 26, 2018 Reorganization meeting minutes
4. April 9, 2018 Town Board meeting minutes
5. April 23, 2018 Special Town Board meeting minutes

**Motion:** Chair Murphy moved to table the revised meeting minutes from March 12, 2018- April 23, 2018 and requested for the deputy clerk to listen to the meeting recordings and draft minutes to present to the Board, seconded by Vice Chair Hansen.



**Motion carried 4-0**

**Motion:** Vice Chair Hansen moved to close the regular Town Board meeting for the purpose of discussing pending litigation of Dave Sellner, seconded by Chair Murphy.

**Motion carried 4-0**

**Motion:** Vice Chair Hansen moved to re-open the regular Town Board meeting, seconded by Chair Murphy.

**Motion carried 4-0**

**Adjournment**

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

**Meeting adjourned at 11:45 p.m.**

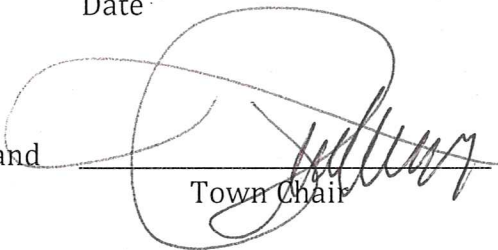
Respectfully submitted,



Ranee Solis, Deputy Clerk

Minutes Officially Approved on: 11/13/18  
Date

By:   
Town Clerk

and   
Town Chair

# EUREKA TOWNSHIP

Dakota County, Minnesota



## Town Board Meeting

Attendance

Tuesday, October 9, 2018

7:00 PM

Printed Name

Smod TYLER

Tom Gossler

Bill Funk

Brian Ahern

Don & Alice Storie

Lindsay Reidt

Nancy Sauber

Address

2928 Holyoke Ave, Northfield, MN

23234 Podd Blvd, Lakeville, MN

23690 Jersey Ct.

6218 235th St W

10210-235th St. W

SEH Engineering for Airlake Airport

9445 225th St. W. Lk. V.

Printed Name

Jody Arman-Jones

George Motley

Aisha Novack

Address

6905 255<sup>th</sup> St. W., Falm.

8875 225<sup>th</sup> St. W. LPU

24030 Falm. Ave LPU

# EUREKA TOWNSHIP

Dakota County, Minnesota



## Town Board Meeting

Public Comment Sign-In

Tuesday, October 9, 2018

7:00 PM

Printed Name

Randy Wood

Address

23775 Essex Av

## Treasurer Report October 9, 2018

### Bank Balance

September 30, 2018

Checking Account	\$4,260.72
Outstanding Checks	-\$1,286.57
Savings Account	\$358,576.14
CD Account	<u>\$104,995.60</u>

Total Investments  
**\$463,571.74**

**ACCOUNT BALANCES** **\$466,545.89**

Petty Cash In  
Cash Box

\$100.00

**TOTAL INCLUDING CASH** **\$466,645.89**

	CD Matures	Original Investment
\$39,321.58	6/29/2021	5 yr
\$40,516.49	6/27/2022	5 yr
<u>\$25,157.53</u>	6/22/2023	5 yr
<u>\$104,995.60</u>		

### TOTAL DISBURSEMENTS

Total Sept Claims	\$34,288.09
Total Sept Payroll	<u>\$4,609.27</u>
	<u>\$38,897.36</u>

*EBH*  
*10/9/18*  
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Date Range : 10/1/2018 To 10/31/2018

Date	Vendor	Description	Claim #	Total	Account #	Account Name	Detail
10/09/2018	Internal Revenue Service	fed tax deposit due in Oct	3639	\$1,287.21	100-41421-115-212	Treasurer	\$3.28
					100-41421-122-212	Treasurer	\$132.00
					100-41421-125-212	Treasurer	\$30.88
					100-41425-115-212	Clerk	\$81.38
					100-41425-122-212	Clerk	\$220.26
					100-41425-125-212	Clerk	\$51.52
					100-41422-115-212	Deputy	\$294.37
					100-41422-122-212	Deputy	\$383.76
					100-41422-125-212	Deputy	\$89.76
10/09/2018	PERA	Oct 18 payroll pmt	3640	\$582.31	100-41421-121-212	Treasurer	\$149.03
					100-41422-121-212	Deputy	\$433.28
10/09/2018	Minnesota Department of Revenue	Witholding Tax Pmt3rd qtr	3641	\$465.52	100-41422-126-212	Deputy	\$185.42
					100-41425-126-212	Clerk	\$98.17
					100-41421-126-212	Treasurer	\$52.59
					100-41110-126-212	Council/Town Board	\$129.34
10/09/2018	MIN Department of Labor and Industry	Bldg permit Surcharge DECEMBER0370352017 SEPTEMBER0370352017 JUNE037032017 and Dec 13	3642	\$1,194.80	100-41975-129-211	Surcharge	\$1,194.80
10/09/2018	Otte Excavating Inc.	Sept 18 Road bill	3643	\$16,100.00	201-43128-313-234	Culverts/ Ditches	\$4,400.00
					201-43122-313-201	Unpaved Streets	\$10,867.50
					201-43230-313-236	Waste (Refuse) Collection	\$352.50
					201-43127-313-233	Signage	\$480.00
10/09/2018	Kelly & Lemmons, P.A.	Sept legal Bill	3644	\$1,830.41	100-41615-304-216	Legal Services	\$1,830.41
10/09/2018	Dakota Electric Association	Sept Electric Bills	3645	\$497.87			

Report Last Updated: 08/29/2014

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Date Range : 10/1/2018 To 10/31/2018

Date	Vendor	Description	Claim #	Total	Account #	Account Name	Detail
10/09/2018	DSI/LSI	acct# 007602 Sept bill	3646	\$79.99	100-41940-381-220	General Government Buildings and Plant	\$18.90
10/09/2018	Culligan	bill Acct 10134684	3647	\$37.44	100-41940-381-220	General Government Buildings and Plant	\$478.97
10/09/2018	CENTRAL FARM SERVICES	Customer ID 105983 Propane for 18-19	3648	\$1,169.10	100-41940-382-220	General Government Buildings and Plant	\$37.44
10/09/2018	T & C Commercial Cleaning	Cleaning Town Hall	3649	\$130.00	100-41940-383-220	General Government Buildings and Plant	\$1,169.10
10/09/2018	K Schroeder Masonry	Sept Invoice	3650	\$340.00	100-41940-315-220	General Government Buildings and Plant	\$130.00
10/09/2018	Frontier Communications	Acct 952046903736 053101 7 Sept bill	3651	\$178.67	100-41335-316-220	Cleaning/ maintenance	\$340.00
10/09/2018	ECM Publishers	postings	3652	\$35.00	100-41940-321-213	General Government Buildings and Plant	\$178.67
10/09/2018	City of Farmington	Fire, Contract 3rd qtr 2018	3653	\$8,642.78	100-41615-304-213	Legal Services	\$35.00
10/09/2018	Earl F Anderson	road signs Invoice 0118555-IN	3654	\$292.00	100-42210-317-208	Fire Administration	\$8,642.78
					201-43127-226-233	Signage	\$292.00

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Date Range : 10/1/2018 To 10/31/2018

<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>
10/09/2018	BroadView Technology Solutions LLC	invoices 2328 & 2343	3655	\$237.98	100-41920-309-212	Data Processing	\$237.98
10/09/2018	Custom Office Products	Office supplies paper Invoice 00036050	3656	\$166.28	100-41425-202-218	Clerk	\$166.28
10/09/2018	Farmington Printing	printing services invoice 12667	3657	\$361.90	100-41940-203-213	General Government Buildings and Plant	\$361.90
10/09/2018	CardMember Services	Acct 6026 expenses email	3658	\$28.00	100-41425-325-212	Clerk	\$28.00
10/09/2018	CardMember Services	Acct 6512 maps and office expenses	3659	\$204.21	100-41425-325-212	Clerk	\$204.21
10/09/2018	Ralph Fredlund	Seminar Fee	3660	\$150.00	100-41330-301-222	Boards and Commissions	\$150.00
10/09/2018	Robert Finke	reimbursement of mileage and expenses	3661	\$111.48	100-41425-331-222	Clerk	\$111.48
10/09/2018	Charles Hansen	mileage	3662	\$29.98	100-41110-331-212 100-41110-331-220	Council/Town Board Council/Town Board	\$21.80 \$8.18
10/09/2018	Mark Ceminsky	3rd qtr mileage	3663	\$135.16	100-41110-331-222 100-41110-331-220	Council/Town Board Council/Town Board	\$109.54 \$25.62

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*AWC*



Date Range : 10/1/2018 To 10/31/2018

<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>
				\$34,288.09			\$34,288.09

Total For Selected Claims

Charles Hansen		City Council/Town Board					Date
Donovan K Palmquist		City Council/Town Board					Date
Lucretia Barfknecht		City Council/Town Board					Date
Mark Ceminsky		City Council/Town Board					Date
Timothy Murphy		City Council/Town Board					Date

Handwritten signatures and initials, including 'CST', 'HPC', and 'MC'.