

EUREKA TOWNSHIP

**DAKOTA COUNTY
STATE OF MINNESOTA**

TOWN BOARD MEETING OF APRIL 8, 2019

Call to Order

The Eureka Township Town Board meeting was called to order at 7:00 p.m. by Chair Donovan Palmquist and the Pledge of Allegiance was given.

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

Members Absent: Lu Barfknecht (Supervisor)

Others Present: Martin Norder (Kelly & Lemmons)
Julie Larson (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. Add under Other Business, item A. Dick's Sanitation
2. Add under Old Business, item E. Schedule Special Closed meeting

Motion: Chair Palmquist moved to approve the Agenda as amended, seconded by Supervisor Ceminsky. ***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 of April 8, 2019 as read, seconded by Chair Palmquist. ***Motion carried 4-0***

A. Bills and Receipts

Motion: Supervisor Ceminsky moved to approve the Bills and Receipts as presented, seconded by Vice Chair Murphy. ***Motion carried 4-0***

Roll call vote: Supervisor Ceminsky: Aye
Chair Palmquist: Aye

Vice Chair Murphy: Aye
Supervisor Hansen: Aye

Motion carried 4-0

B. Budget

Treasurer Wilson noted the following: Snow Removal is \$19,000 over budget, Township Administration has spent 1/3 of the annual budget and Town Hall Upkeep, probably related to snow removal, have spent 70% of the annual budget. This does not include this month's claims. The Board discussed that they will have to look for ways to cut spending in other areas.

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

C. Permit Worksheet

Supervisor Ceminsky noted that we have issued 20 new permits year to date.

D. Kelly Aggregate escrow research

Martin Norder read from the Kelly Aggregate agreement, noting that the developer initially has to deposit \$4,000, no interest will be credited or paid to the developer on funds held by the township and the escrow balance needs to be at least \$2,000 and if it goes under that amount, the town can notify the developer to replenish the amount to \$4,000 in 45 days. The account currently has \$3,240.

E. Question on limitation of levy increase

Motion: Supervisor Ceminsky moved to direct the Treasurer to research the levy increase limitation question that was presented at the Annual meeting, seconded by Supervisor Hansen. ***Motion carried 4-0***

Public Comment

Chair Palmquist addressed the citizens as the newly appointed Chair of Eureka Township stating he would like to put the best interests of all of the citizens of the Township, not just a select few and is honored to work with everyone. The Board has agreed to the goal of shortening the meetings and attend to the Town's business without a lot of editorializing. He will do his best to serve the citizens and looks forward to doing so.

A. Those signed in:

1. Georgie Molitor – 8875 225th St W.

Georgie Molitor spoke about the semi's parking on Highview outside of Scott's Miracle-Gro. She was directed to contact the Sheriff's Department so that they can issue citations.

2. Martin Diffley – 25498 Highview Avenue

Martin Diffley explained that he will be available to address questions regarding Citizen Business for Beth Voelker.

B. All Others

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

Sheriff's Department Update (Deputy Reiners)

- Parking of semi's on Highview from 225th to the norther border – was requested to issue citations.
- Have been patrolling and checking for dumping from 225th to Dodd.
- Responded to question about ATV vehicles in the township. Noted that the department now has a CVI (commercial vehicle inspector) who is currently in training.

Citizen Business

A. Beth Voelker – 7987 257th St., PID# 13-02100-79-011 – Building right inquiry

The Board discussed the request to determine a building right on the property stating that as long as the current building is not occupied as a residence, which the building inspector has recently deemed it to be uninhabitable, a new home can be built. Supervisor Hansen requested the Clerk to enter into the minutes that the property does contain a building right. Commissioner Fredlund stated that the tax status would need to be changed from residential to accessory building. Chair Palmquist noted that the current building is an ag accessory building used as an office for the commercial operation of the greenhouse and may have a half-bath.

B. Jerry Swedin – 27561 Iberia Avenue – Highview Avenue extension

Jerry Swedin discussed with the Board that the Highview extension improvements removed the field access to his farm and is requesting to replace the field access driveway without obtaining a permit.

Motion: Supervisor Hansen moved for the two road supervisors to review the field road access south of 267th on Highview and report back to the Board next month, seconded by Vice Chair Murphy. **Motion carried 4-0**

Motion: Chair Palmquist moved to waive the \$101 permit fee for Jerry Swedin to put in a field access driveway south of 267th on Highview Avenue with a friendly amendment by Supervisor Hansen that if the road supervisors agree to the proposed access, grant permission without further action necessary, seconded by Vice Chair Murphy. **Motion carried 4-0**

Road Contractor – Otte Excavating - Bryce Otte

- Have created a spring list with the road supervisors
- Need to look at the west side of 235th to see if they can put clear rock down
- 245th is bad from Denmark to Essex, the Board authorized it to be closed

- The Board authorized placement of small barrier that blink on 247th
- Grenada is still soft and remains closed
- Supervisor Ceminsky provided Dakota County's bridge work request

Motion: Supervisor Ceminsky moved to authorize a hard close and place concrete barriers on Grenada Avenue at Chub Lake at both ends, seconded by Chair Palmquist. **Motion carried 4-0**

Planning Commission Update (Julie Larson - Liaison)

Commissioner Larson provided the following update of the April 2, 2019 Planning Commission meeting:

- Beth Voelker building right inquiry was added to the agenda. The Commissioners requested for the building inspector to assess the property and report back for the Town Board meeting.
- Victor Volkert lot split inquiry was added to the agenda with the Planning Commission requesting that the proper lot split application be completed and submitted at the May meeting for review.
- Discussion regarding redacting checking account information prior to copying for meeting packets.
- Recommended the following to be approved by the Board: Mitch Larson pole building, Cal & Mark Pflaum ag exempt shed, Don & Cindy Oreskovich swimming pool, and Tyler Schrupp pole shed.
- Approved the minutes of the March 5, 2019 Planning Commission meeting.

Motion: Supervisor Hansen moved to direct the clerk to redact all checking account numbers and routing numbers from checks prior to copying them for meeting packets, seconded by Supervisor Ceminsky. **Motion carried 4-0**

Permit Requests

A. Mitch Larson – 25497 Highview Ave, PID# 13-02000-50-030 – Pole barn

Motion: Supervisor Ceminsky moved to grant the permit for Mitch Larson, PID# 13-02000-50-030 for an Ag Exempt pole barn, seconded by Vice Chair Murphy. **Motion carried 4-0**

B. Cal & Mark Pflaum – 6124 225th St. W, PID# 13-02000-76-013 – Ag exempt shed

Motion: Supervisor Ceminsky moved to approve the permit for Mark Pflaum, PID# 13-02000-76-013 for an Ag Exempt shed, seconded by Vice Chair Murphy. **Motion carried 4-0**

C. Don & Cindy Oreskovich – 25500 Highview Ave, PID# 13-02100-51-011 – Pool

Motion: Supervisor Hansen moved to approve the permit for Don & Cindy Oreskovich, PID# 13-02100-51-011 for a pool, seconded by Vice Chair Murphy. **Motion carried 4-0**

D. Tyler Schrupp – 24187 Highview Ave, PID# 13-24660-00-061 – Pole shed

Motion: Supervisor Hansen moved to approve the permit for Tyler Schrupp, PID# 13-24660-00-061 for a pole shed, seconded by Supervisor Ceminsky. **Motion carried 4-0**

Land Use Requests-

A. Jody Arman-Jones - 6905 255th St. W. - Ag Preserve application

Motion: Chair Palmquist moved to approve the Ag Preserve application for Jody Arman-Jones, seconded by Vice Chair Murphy. **Motion carried 4-0**

New Business

A. Annual CUP Review - Spirit Ranch I - Bella and Chris Hale - 24005 Dodd Blvd

The Board tabled the review until the May meeting.

B. Annual CUP Review - Spirit Ranch II - Terri Petter - 10132 235th St. W.

Chair Palmquist opened the floor for comment and asked if there were any comments or complaints regarding the CUP for Spirit Ranch II and, hearing none, closed the public comment portion of the review. The Board stated that the Township has not received any complaints.

Motion: Chair Palmquist moved to approve the Spirit Ranch I CUP review, seconded by Vice Chair Murphy. **Motion carried 4-0**

C. Annual CUP Review - Airstrip - Mark Nelson - 5255 265th St. W.

Chair Palmquist opened the floor for comment and asked if there were any comments or complaints regarding the CUP for Mark Nelson's airstrip and, hearing none, closed the public comment portion of the review.

Motion: Chair Palmquist moved to approve Mark Nelson's CUP review, seconded by Supervisor Hansen. **Motion carried 4-0**

D. Annual CUP Review - Airstrip - Butch Hansen

Chair Palmquist opened the floor for comment and asked if there were any comments or complaints regarding the CUP for Butch Hansen's airstrip and, hearing none, closed the public comment portion of the review.

Motion: Chair Palmquist moved to approve Butch Hansen's CUP review, seconded by Vice Chair Murphy. **Motion carried 3-0**, with Supervisor Hansen recusing himself

E. Planning Commission appointment

The Board received one application for the Planning Commission open seat from Ralph Fredlund.

Motion: Chair Palmquist moved to appoint Ralph Fredlund to the vacant position on the Eureka Township Planning Commission, seconded by Vice Chair Murphy.

Motion carried 4-0

F. RFP's for Codification Services

Motion: Chair Palmquist moved to table the RFP's for codification until the May meeting, seconded by Vice Chair Murphy with a friendly amendment by Supervisor Ceminsky that no others will be accepted. **Motion carried 4-0**

G. Approve RFP for Legal Services

Motion: Vice Chair Murphy moved to approve the RFP draft for Legal Services as presented, seconded by Chair Palmquist. **Motion carried 4-0**

The Board agreed the RFP should be posted on the website and mailed to potential respondents.

H. Notice for Road Maintenance bids

Motion: Supervisor Ceminsky moved to grant an extension of the current contract with Otte Excavating until the June 10, 2019 Town Board meeting, seconded by Supervisor Hansen. **Motion carried 4-0**

Motion: Supervisor Ceminsky moved to send out RFP's for Road Maintenance bids, seconded by Vice Chair Murphy. **Motion carried 4-0**

I. Notice for Town Hall Grounds Maintenance bids

Motion: Supervisor Ceminsky moved to send out RFP's for Town Hall Grounds Maintenance bids for review at the May 13, 2019 Town Board meeting, seconded by Supervisor Hansen. **Motion carried 4-0**

J. Scott's Miracle-Gro update (Meeting held April 4, 2019)

Supervisor Hansen provided the following update: Scott's has a 5-year lease on the property. Discussion included the parking of trucks on Highview, truck traffic on 225th, how to better Highview Ave from 225th to the county line, the possibilities of posting larger signs and answered questions regarding potential commercial zoning. They requested to be invoiced annually for the annual fee.

Old Business

A. Building Inspector Services

Motion: Supervisor Ceminsky moved to give written notice to Darrel Gilmer to end the current building inspector contract effective May 31, 2019 and for Inspectron, Inc.'s contract for Building Inspection Services to begin June 1, 2019, seconded by Vice Chair Murphy. **Motion carried 4-0**

B. Sibley Aggregate update

Vice Chair Murphy requested that Sibley Aggregate put in writing their interpretations of where they are as far as compliance and to address the citizen complaints received. At this point, they recognize they are not in conformance. Chair Palmquist and Vice Chair Murphy

are scheduled to meet with the regional manager on Wednesday, April 10, 2019 to discern if they are able to conform or what the Board will need to do to deviate from it.

C. Chub Lake Insurance update

Martin Norder presented a drafted settlement agreement for the Board's review.

Motion: Supervisor Hansen moved to approve the settlement agreement and mutual release between Eureka Township, GDG Holdings Inc. and Interstate Power Systems, Ryan Hering, SRC Inc., and The Travelers Property Casualty Company of America, seconded by Supervisor Ceminsky with a friendly amendment to give them 30 days to either accept or deny no later than May 10, 2019. **Motion carried 4-0**

D. Resolution 2015-03 attorney opinion

Martin Norder responded to the Planning Commission's opinion of the Town Board's motion to allow the storage of mulch in mining facilities. Mr. Norder stated that the settlement agreement with Miracle-Gro does not prevent the storing of mulch. It would be a violation if it changed the use, storing mulch at another location does not change the use.

E. Schedule a Special Closed Town Board meeting

Motion: Supervisor Ceminsky moved to schedule a closed meeting with Julie Larson on Thursday, April 18, 2019 at 7:00 PM, seconded by Chair Palmquist. **Motion carried 4-0**

Julie Larson inquired about the nature of the meeting and asked if others could be present at the meeting, to which Chair Palmquist stated that only she and her attorney, if she chose to have one, could attend the closed meeting.

Other Business

A. RFP's for email provider, website provider and IT consultants

The Clerk stated that RFP's were in progress and would be presented at the May 10, 2019 Town Board meeting.

B. Dick's Sanitation

Motion: Chair Palmquist moved to authorize Dick's Sanitation to put locks on the Township's 3 garbage cans at the cost of \$45 per can, seconded by Vice Chair Murphy. **Motion carried 4-0**

Approval of Meeting Minutes

A. Approve the March 11, 2019 Town Board meeting minutes

Motion: Vice Chair Murphy moved to approve the March 11, 2019 Town Board minutes as submitted, seconded by Supervisor Hansen. **Motion carried 4-0**

B. Approve the March 14, 2019 Special Board of Canvass meeting minutes

Motion: Supervisor Hansen moved to approve the March 14, 2019 Special Board of Canvass minutes as submitted, seconded by Supervisor Ceminsky. **Motion carried 2-0**, with Chair Palmquist and Vice Chair Murphy abstaining

C. Approve the March 21, 2019 Town Board Reorganization meeting minutes

Motion: Chair Palmquist moved to approve the Town Board Reorganization minutes as submitted, seconded by Supervisor Hansen. **Motion carried 4-0**

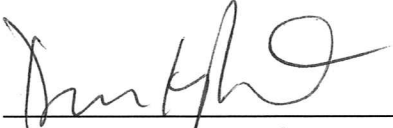
Adjournment

Motion: Supervisor Hansen moved to adjourn the meeting, seconded by Chair Palmquist. **Motion carried 4-0**

Meeting adjourned at 9:01 PM

Respectfully submitted,

Ranee Solis
Ranee Solis, Town Clerk

Minutes Officially Approved By:  on: 5/13/19
Town Chair Date

EUREKA TOWNSHIP

Dakota County, Minnesota



Town Board Meeting

Attendance

Monday, April 8, 2019
7:00 PM

<u>Printed Name</u>	<u>Address</u>
Jody Arman-Jones	6905 255 th St. W.
Marta Diffley	25498 Highview Farmingtn S5024
Brian Ahern	2215 235 th St W 58024
Bill Funk	23 690 Jersey Ct.
Georgie Molitor	8875-225 th St. W
Mark Nelson	5255 265 th St W, Farmington
Nancy Sauber	9445 225 th St. W. L/KV

Printed Name

Tyler Schrupp

Cindy Murphy

Mitch Larson

Terril Tetter

Col Pfloum

Mark Pfloum

Alice Storlie

Deputy Reiners

Donny & Cindy Oreskovich

Address

24187 Higuerze Ave

9110 225th St. W.

25497 HIGHVIEW AVE FARMINGTON, MN

10132 235th St W.

5780 225th St W FARMINGTON, MN

6100 225th St W FARMINGTON MN

10210-235th St. LAKEVILLE

DCSO

25500 Highview Ave.

EUREKA TOWNSHIP

Dakota County, Minnesota



Town Board Meeting

PUBLIC COMMENT SIGN-IN

Monday, April 8, 2019
7:00 PM

Printed Name

Georgie Moltor
MARTIN DiFilen

Address

8875-225th St. W.
25498 Highway 55034 ✓

Treasurer Report April 8, 2019

Bank Balance

March 31, 2019

Checking Account	\$6,819.23
Outstanding Checks	-\$3,961.12
Savings Account	\$260,862.08
CD Accounts	\$106,121.83

Total Investments \$366,983.91
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ACCOUNT BALANCES **\$369,842.02**

Petty Cash In
Cash Box

\$100.00

TOTAL INCLUDING CASH **\$369,942.02**

CD Matures	Original Investment
\$39,732.13 6/29/2021	5 yr
\$40,919.32 6/27/2022	5 yr
\$25,470.38 6/22/2023	5 yr
\$106,121.83	

TOTAL DISBURSEMENTS

Total March Claims	\$40,336.36
Total March Payroll	\$6,172.08
	\$46,508.44



 CBY
 MC

Date Range : 4/1/2019 To 4/12/2019

<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>
04/08/2019	Internal Revenue Service	fed tax deposit due in April	3802	\$1,138.84	100-41421-122-212	Treasurer	\$166.00
					100-41421-125-212	Treasurer	\$38.82
					100-41425-122-212	Clerk	\$422.60
					100-41425-125-212	Clerk	\$98.82
					100-41425-115-212	Clerk	\$115.32
					100-41422-122-212	Deputy	\$97.64
					100-41422-125-212	Deputy	\$22.84
					100-41330-122-212	Boards and Commissions	\$32.56
					100-41330-125-212	Boards and Commissions	\$7.62
					100-41410-122-212	Elections	\$106.92
					100-41410-125-212	Elections	\$29.70
04/08/2019	PERA	April 19 payroll pmt	3803	\$664.55	100-41421-121-212	Treasurer	\$187.43
					100-41422-121-212	Deputy	\$477.12
04/08/2019	Minnesota Department of Revenue	Withholding tax 1st qtr	3804	\$364.86	100-41421-126-212	Treasurer	\$99.55
					100-41425-126-212	Clerk	\$253.05
					100-41422-126-212	Deputy	\$12.26
04/08/2019	Kelly & Lemmons, P.A.	March Legal Bill	3805	\$1,138.64	100-41615-304-216	Legal Services	\$1,138.64
04/08/2019	Otte Excavating Inc.	March 19 road bill	3806	\$26,912.65	201-43125-235-204	Ice and Snow Removal	\$18,520.00
					100-43125-235-220	Ice and Snow Removal	\$250.00
					201-43230-313-236	Waste (Refuse) Collection	\$165.00
					201-43125-235-204	Ice and Snow Removal	\$1,857.00
					201-43133-313-203	Gravel/ Hauling/ Related Work	\$6,120.65
04/08/2019	TKDA	Professional services invoice 002019000717	3807	\$484.79	240-41960-314-223	Planning and Zoning	\$484.79
04/08/2019	Darrel Gilmer	building inspections April 1 19 Bill	3808	\$6,455.58	100-42401-312-210	Building Inspections Administration	\$6,455.58

Handwritten signatures and initials, including 'DAG' and 'DAG me'.

Date Range : 4/1/2019 To 4/12/2019

<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>
04/08/2019	Safety Signs, LLC	Signs Invoice 1904842	3809	\$617.40	201-43127-226-201	Signage	\$617.40
04/08/2019	Dakota Electric Association	March Electric Bills	3810	\$182.76	100-41940-381-220	General Government Buildings and Plant	\$161.71
04/08/2019	DSI/LSI	acct# 007602 March bill	3811	\$79.86	100-41940-381-220	General Government Buildings and Plant	\$21.05
04/08/2019	Culligan	March bill	3812	\$68.75	100-41940-382-220	General Government Buildings and Plant	\$79.86
04/08/2019	T & C Commercial Cleaning	Cleaning Town Hall	3813	\$130.00	100-41940-315-220	General Government Buildings and Plant	\$68.75
04/08/2019	CENTRAL FARM SERVICES	Customer ID 105983 Propane April bill	3814	\$289.81	100-41940-383-220	General Government Buildings and Plant	\$130.00
04/08/2019	BroadView Technology Solutions LLC	invoice 2422 April bill	3815	\$193.00	100-41920-309-212	Data Processing	\$289.81
04/08/2019	De Lage Landen Financial Services I	Invoice 62829229 April bill	3816	\$95.83	100-41425-352-218	Clerk	\$193.00
04/08/2019	Frontier Communications	Acct 952046903736 053101 7 March bill	3817	\$97.98	100-41940-321-213	General Government Buildings and Plant	\$95.83
04/08/2019	ECM Publishers	postings in March	3818	\$216.00	100-41615-304-213	Legal Services	\$97.98

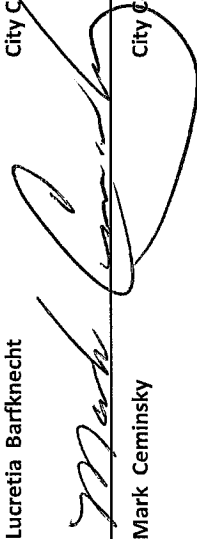
Date Range : 4/1/2019 To 4/12/2019

<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>
04/08/2019	Display Sales	2 US flags	3819	\$109.00	100-41940-201-220	General Government Buildings and Plant	\$109.00
04/08/2019	Graphic Design Inc.	800 Election ballots	3820	\$115.00	100-41410-351-214	Elections	\$115.00
04/08/2019	Ranee Solis	March Mileage, election expenses and postage	3821	\$77.94	100-41425-331-222 100-41425-322-212 100-41410-331-214	Clerk Clerk Elections	\$30.16 \$6.85 \$40.93
04/08/2019	Robert Finke	March Mileage	3822	\$90.48	100-41422-331-222	Deputy	\$90.48
04/08/2019	Mark Ceminsky	mileage	3823	\$606.68	201-43129-331-222	check roads	\$606.68
04/08/2019	CardMember Services	M Wilson acct 6026 email service	3824	\$28.00	100-41421-325-212	Treasurer	\$28.00
04/08/2019	CardMember Services	R Finke acct 6512 election judges, water & coffee for annual meeting	3825	\$94.78	100-41410-331-214	Elections	\$94.78
04/08/2019	Dianne Carbonneau	mileage for elections	3826	\$12.76	100-41410-331-214	Elections	\$12.76
04/08/2019	Richard Fott	mileage for elections	3827	\$33.06	100-41410-331-214	Elections	\$33.06
04/08/2019	Mary Ann Michels	Election Judge miles	3828	\$4.64	100-41410-331-214	Elections	\$4.64
04/08/2019	Cindy Murphy	election mileage	3829	\$4.87	100-41410-313-214	Elections	\$4.87

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Date Range : 4/1/2019 To 4/12/2019

<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>
04/08/2019	William Pekarna	election mileage	3830	\$9.63	100-41410-331-214	Elections	\$9.63
04/08/2019	Susan Rogers	election mileage	3831	\$2.32	100-41410-331-213	Elections	\$2.32
04/08/2019	Cheryl Schindeldecker	Election Judge miles	3832	\$4.18	100-41410-331-214	Elections	\$4.18
04/08/2019	Earl Schindeldecker	Election Judge miles	3833	\$4.18	100-41410-331-214	Elections	\$4.18
04/08/2019	Elaine Swedin	Election Judge miles	3834	\$7.54	100-41410-331-214	Elections	\$7.54
Total For Selected Claims				\$40,336.36			\$40,336.36

Charles Hansen	City Council/Town Board	Date
Donovan K Palmquist	City Council/Town Board	Date
Lucretia Barfknecht	City Council/Town Board, Chair	Date
	City Council/Town Board	4-5-2019
Mark Cerninsky	City Council/Town Board	Date
Timothy Murphy	City Council/Town Board, Chair	Date

