

EUREKA TOWNSHIP

**DAKOTA COUNTY
STATE OF MINNESOTA**

TOWN BOARD MEETING OF MAY 13, 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)
Lu Barfknecht (Supervisor)

Others Present: Chad Lemmons (Kelly & Lemmons)
Julie Larson (Planning Commission Liaison)
Ralph Fredlund (Planning Commission Chair)
Marcia Wilson (Treasurer)
Ranee Solis (Town Clerk)
Anne Adelman (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 Building Inspector after Road Contractor
2. Add item F. Swedin update under Old Business
3. Add item G. Lakeville Fire Department update under Old Business

Motion: Vice Chair Murphy moved to approve the Agenda as amended, seconded by Chair Palmquist. ***Motion carried 5-0***

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 May 13, 2019 as read, seconded by Supervisor Hansen. ***Motion carried 5-0***

A. Bills and Receipts

Motion: Supervisor Hansen moved for the Treasurer to send Scott's Miracle Gro the invoice for 2019, seconded by Supervisor Ceminsky. ***Motion carried 5-0***

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

B. Budget

Treasurer Wilson noted that snow removal is \$40,000 over budget for the year and that septic inspection is almost \$6,000 over budget. After discussion, the Treasurer agreed that she miscategorized the permits.

Motion: Chair Palmquist moved to table the budget until the June meeting, seconded by Vice Chair Murphy. **Motion carried 5-0**

C. Permit Worksheet

Treasurer Wilson noted that we have issued 31 new permits year to date.

D. Levy increase limitation

Treasurer Wilson reported that the Dakota County Taxation Department confirmed that there is no limit on a levy increase, and that the Township must draft a Resolution to certify the levy.

Public Comment

A. Those Signed In

(None)

B. All Others

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

Citizen Business

(None)

Road Contractor Update- Otte Excavating - Bryce Otte

A. Road Status

Supervisor Ceminsky provided a road report (see attached)

Motion: Supervisor Hansen moved to open Chub Lake, 245th, Dodd west to the township line, seconded by Supervisor Ceminsky with a friendly amendment to remove the signs on 247th at Fordham and Essex. **Motion carried 5-0**

Bryce Otte was directed to return all Safety Signs rented signs, complete the culvert repairs that were previously approved and to commence shoulder recovery this week.

Chair Palmquist requested that Supervisor Ceminsky check into State grants to assist with funding of the roads.

Building Inspector (Mark Ceminsky)

Motion: Supervisor Hansen moved for the Clerk to send a registered letter to Inspectron requesting insurance information and confirmation of the June 1, 2019 start date, seconded by Supervisor Ceminsky. **Motion carried 5-0**

Sheriff's Department

Police presence has been noted on 225th and we are seeing fewer trucks parking on the road. Supervisors Ceminsky and Hansen reported that the Sheriff's Department is less likely to issue citations in the township due to the fact that the Ordinances classify offenses as misdemeanors. Supervisor Ceminsky stated he has received calls for nuisance violations due to motor cycles.

Motion: Supervisor Hansen moved to have the attorney visit the Ordinances and change all misdemeanors to petty misdemeanors, seconded by Supervisor Ceminsky. **Motion carried 5-0**

Chad Lemmons offered to create a list of all misdemeanors for review and discussion at the June meeting.

Planning Commission Update (Julie Larson - Liaison)

Commissioner Larson provided the following update of the May 7, 2019 Planning Commission meeting:

- Ralph Fredlund was elected Chair and Bill Funk was elected Vice Chair.
- Assigned liaisons to the Town Board meetings.
- Approved an Accessory Building permit for Gary Gunderson.
- Approved a Lot Split for Dan Fredrickson.
- Tabled a Communication Tower application for Jerome Phillipe.
- Looked into small parcel Ag exemptions.
- Assigned, for research, township zoning of commercial at the County level.
- Approved the minutes of the April Planning Commission meeting.

Chair Fredlund added that the Phillipe communication tower permit application was tabled to allow for research. The presenter indicated that they would have their attorney at the June 4th meeting and Chair Fredlund requested to have the Township attorney present as well.

Motion: Chair Palmquist moved to grant permission for the attorney to attend the June Planning Commission meeting, seconded by Supervisor Hansen. **Motion carried 5-0**

Permit Requests

A. Gary Gunderson – 25361 Ipava Ave – Accessory Building

Motion: Supervisor Ceminsky moved to approve the permit for Gary Gunderson, PID# 13-01900-09-010 for an Accessory Building, seconded by Supervisor Barfknecht. **Motion carried 5-0**

B. Joe Hendricks – 22465 Dodd Blvd – Garage

Mr. Hendricks had been approved to build a garage in 2018 but had not started the project and was inquiring as to whether he could renew the permit.

The Board stated that they cannot extend the permit, Mr. Hendricks must reapply and appear before the Planning Commission and Town Board.

Motion: Supervisor Ceminsky moved to contact Joe Hendricks and request a new letter from the watershed and move the application on to the June Planning Commission meeting, seconded by Supervisor Hansen with a friendly amendment that Mr. Hendricks start the application process over. **Motion carried 5-0**

Land Use Requests-

A. Dan Fredrickson – 6649 280th St. W. – Lot Split

Motion: Supervisor Ceminsky moved to approve the lot split application for Dan Fredrickson, PID# 13-03400-78-011 having Parcel A consisting of 34.32 acres split into Parcel B consisting of 3.52 acres, Parcel C consisting of 30.63 acres and Parcel D consisting of 1/20th acre, seconded by Supervisor Barfknecht. **Motion carried 5-0**

New Business

*Vice Chair Murphy requested to move item C under Old Business ahead

Airlake Airport Annexation Update

Vice Chair Murphy stated he participated in a meeting with the Metropolitan Airport Commission and City of Lakeville where all parties concerned, including Progressive Rail, have agreed to pursue an attempt to get rail storage in Lakeville's commercial/industrial park to prohibit Progressive Rail from using Eureka Township to store boxcars. They have come to terms with a lease agreement and are proposing that we enter into an orderly annexation agreement with the city of Lakeville to annex the remaining 176 approximate acres that consist of all properties north of 225th and west of Cedar Ave. Discussions concluded that Eureka Township would retain 90/70/50/30/10 percent of the tax revenue over the next 5 years. Supervisor Hansen recommended including an additional parcel that lies west of Highview. Gary stated that they have requested a resolution supporting the joint resolution as decided by the parties. Supervisor Ceminsky stated that he would like to see the parcel stay in the Township as a buffer for the rail.

Motion: Supervisor Ceminsky moved to move forward with the orderly annexation with the terms that the sliver stays within Eureka Township the 2 parcels east of Cedar and the parcel west of cedar, south of 225th be excluded from the annexation, seconded by Supervisor Hansen with a friendly amendment to allow an orderly annexation for all of the property between Highview and Cedar Avenue north of 225th and south of 220th. **Motion carried 5-0**

Motion: Vice Chair Murphy moved to authorize our attorney to draft a joint resolution for an orderly annexation agreement to be presented at the June meeting, seconded by Supervisor Hansen. **Motion carried 5-0**

A. Commercial Work Group Update

Supervisor Ceminsky reported that the planner, Merritt, from TKDA has prepared a packet of information and the group is requesting permission to hold an Open House on May 30, 2019. The Board agreed that it is time to have an open house but would like to review the information that will be presented prior to scheduling it.

Motion: Chair Palmquist moved for TKDA to submit a copy to all Town Board Supervisors of what will be presented at the open house and, upon review and approval, schedule an open house in June, seconded by Supervisor Barfknecht. **Motion carried 3-2**, with Supervisors Ceminsky and Hansen opposed.

B. RFP Review

1. Codification

The Board reviewed the codification proposals from General Code, League of Minnesota Cities and Municode.

Motion: Supervisor Hansen moved to accept the proposal from General Code for the codification of the Township Ordinances, seconded by Chair Palmquist with a friendly amendment to include the Standard ecode360 annual maintenance option. **Motion carried 5-0**

2. Legal Services

Motion: Supervisor Hansen moved to accept the proposal from Kelly and Lemmons for legal services, seconded by Supervisor Ceminsky. **Motion carried 5-0**

3. Road Maintenance Services

Motion: Supervisor Hansen moved to extend the RFP deadline for road maintenance services an additional 30 days, seconded by Supervisor Ceminsky. **Motion carried 5-0**

4. Town Hall Grounds Maintenance

Motion: Supervisor Hansen moved to extend the RFP deadline for grounds maintenance an additional 30 days, seconded by Supervisor Ceminsky. **Motion carried 5-0**

Motion: Supervisor Hansen moved to authorize the Clerk to hire someone to mow the Town Hall grounds in the interim, seconded by Supervisor Ceminsky. **Motion carried 5-0**

C. Discuss No Overnight Parking on Township and County Roads

Ordinance 4, Chapter 2, Section 4, Paragraph F currently states:

Parking of Commercial Vehicles and Other Vehicles

No person shall park any vehicle or equipment, whether licensed or unlicensed, upon any public street, highway or alley in the township for more than forty-eight (48) consecutive hours. This provision shall not be evaded or nullified by an inconsequential moving of the

vehicle or equipment. Inconsequential moving includes movement of the vehicle within the same block for the purposes of defeating the provision.

Motion: Supervisor Ceminsky moved to amend Ordinance 4, Chapter 2, Section 4, Paragraph F, by Resolution, by removing the words “and other vehicles”, add No person shall park any “commercial” vehicle, and remove “for more than forty-eight (48) consecutive hours”, seconded by Supervisor Barfknecht. Supervisor Hansen called the question. **Motion carried 5-0**

Amendment to read as follows:

Parking of Commercial Vehicles ~~and Other Vehicles~~

No person shall park any commercial vehicle or equipment, whether licensed or unlicensed, upon any public street, highway or alley in the township. ~~for more than forty-eight (48) consecutive hours.~~ This provision shall not be evaded or nullified by an inconsequential moving of the vehicle or equipment. Inconsequential moving includes movement of the vehicle within the same block for the purposes of defeating the provision.

Motion: Supervisor Hansen moved to send the County Deputy’s Office the update of the parking ordinance as soon as it is ready, seconded by Supervisor Ceminsky. **Motion carried 5-0**

D. Township citations per Ordinance

Motion: Supervisor Hansen moved to send the County Deputy’s Office a copy of the Ordinances after the recodification, seconded by Supervisor Ceminsky. **Motion carried 5-0**

Old Business

A. Annual CUP Review – Spirit Ranch I – Bella & Chris Hale – 24005 Dodd Blvd

Chair Palmquist opened the floor for comments or complaints and, hearing none, the floor was closed.

Motion: Supervisor Hansen moved to approve the Spirit Ranch I CUP review at 24005 Dodd Blvd, seconded by Supervisor Ceminsky. **Motion carried 5-0**

B. Sibley Aggregate IUP update

Motion: Supervisor Ceminsky moved that Sibley Aggregate follow the Ordinance as written, seconded by Supervisor Hansen with a friendly amendment to put them on notice that they are in violation of their IUP. **Motion carried 5-0**

Motion: Supervisor Hansen moved to not approve Sibley Aggregate/MN Paving & Materials IUP review, seconded by Supervisor Ceminsky. **Motion carried 5-0**

C. Airlake Airport annexation update

Item moved ahead of New Business

D. Chub Lake Insurance update

Motion: Supervisor Hansen moved to accept the settlement agreement between the Township and Travelers drafted by Chad Lemmons as presented, seconded by Supervisor Ceminsky. **Motion carried 5-0**

Motion: Supervisor Hansen moved to approve the settlement agreement between the township and SRC, Inc. as presented, seconded by Vice Chair Murphy. **Motion carried 5-0**

E. Swedin update

Supervisor Hansen reported that, upon inspection of the proposed field access driveway for Mr. Swedin, it appears that no culvert is needed.

F. Lakeville Fire Department update

Supervisor Barfknecht and Vice Chair Murphy met with the Fire Chief and Assistant Fire Chief to review their service to the Township. They clarified that our signs are adequate but road conditions can cause issues. They indicated that they will contact the Clerk on a monthly basis when they get a call for anything of significance.

G. Complaint Policy

Motion: Vice Chair Murphy moved to authorize the Clerk to draft a proposed complaint document for employees, seconded by Supervisor Barfknecht. **Motion carried 5-0**

Other Business

A. Newsletter approval

Jody Arman-Jones asked for clarification on road closures and openings.

B. RFP's for email provider, website provider and IT consultant

The Board requested that the clerk forward a list of references for redesigns of sites from those who submitted proposals.

C. Historical Society – voting booths

Motion: Supervisor Ceminsky moved to donate the old voting booths to the Historical Society or Dakota County Fairgrounds, seconded by Supervisor Hansen. **Motion carried 5-0**

Approval of Meeting Minutes

A. Approve the April 8, 2019 Town Board meeting minutes

Motion: Supervisor Ceminsky moved to approve the April 8, 2019 Town Board minutes as submitted, seconded by Chair Palmquist. **Motion carried 5-0**

Adjournment

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

Meeting adjourned at 10:00 PM

Respectfully submitted,

Ranee Solis

Ranee Solis, Town Clerk

Minutes Officially Approved By:



Town Chair

on:

6/10/19

Date

EUREKA TOWNSHIP

Dakota County, Minnesota



Town Board Meeting

Attendance

Monday, May 13, 2019
7:00 PM

Printed Name

Address

GARY F. SCHMIDT

17190 HEYWOOD CT. LAKEVILLE MN 55044

GARY GUNDELSON

25361 ITA VIA AVE LAKEVILLE

Cindy Murphy

9110 225th ST. W, Lakeville

Dan Fredrickson

616 13th Street Farmington, MN 55024

Mike Wilson

6040 28th Ave S, Minneapolis, MN 55450

Brian Ahern

6215 235th St W Farmington

Gloria Belzer

24335 Dobb

Printed Name

Nancy Sember

Victor Volkert EDINA Realty

Stemig Aurora

or Jody Arman - Jones

DEANWA ALEVIZOS

Address

9445 225th St. W. Lakeville

27755 Evelyn Ave Northfield MN 55057

5533. 15th Ave. So, Minneapolis Mn. 55417

6905 255th St. W.

6383 245th St. W. FARMINGTON, MN 55024.

Eureka Township

25043 Cedar Avenue, Farmington, MN 55024

Road Report May 13, 2019

Eureka Township roads have taken a lot of abuse this late winter, early spring with the snow and ice storms, then the consistent rain this spring. While Eureka Township worked hard to maintain the roads in drivable condition, with our road contractor, Mother Nature had other plans so our gravel roads suffered.

We had to close roads or limit travel on township roads due to frost coming out and all the moisture on the roads. This created frost boils and very soft muddy roads. Sadly citizens moved our safety signs and continued driving in the bad areas on our township roads, causing more damage. The road supervisors were continually putting signs back in place to try to limit damage to township roads.

We have a section of 245th ^{Wesley} street west that needs to be repaired from end to end, as people kept driving through, around, or moved signs to drive down the road.

I have driven our township gravel roads multiple times; here is the shape we find our township roads in, closed to needing repairs end to end.

I have spoken with our road contractors about the condition of our township roads.

We have roughly 38 miles of gravel roads, of which all of them need work.

The cost just to do the gravel overlay we need on our roads is \$33,000.00 a mile. That translates to \$1,254,000.00 dollars to repair the surface of our township roads that does not take in to consideration; culverts that need to be replaced, trees that need to be trimmed or taken down, or ditch clean out. This work could run another \$500,000.00 dollars or more.

We as a Board of Supervisors are going to need to find solutions to our ongoing township road issues.

Supervisor Mark Ceminsky

Eureka Township

ad Supervisor



Highview Ave

Hamburg Ave

Cedar Ave

15

115

70

23

Airlake Airport

Google

Treasurer Report May 13, 2019

Bank Balance

April 30, 2019

Checking Account	\$6,190.56
Outstanding Checks	-\$3,340.89
Savings Account	\$225,143.62
CD Accounts	<u>\$106,121.83</u>

Total Investments \$331,265.45
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ACCOUNT BALANCES **\$334,115.12**

Petty Cash In
Cash Box

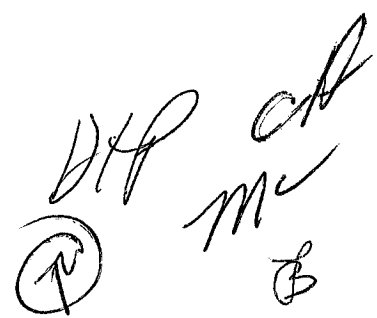
\$100.00

TOTAL INCLUDING CASH **\$334,215.12**

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

TOTAL DISBURSEMENTS

Total April Claims	\$39,549.02
Total April Payroll	<u>\$4,118.60</u>
	<u>\$43,667.62</u>



Date Range: 5/1/2019 To 5/30/2019

Date	Vendor	Description	Claim #	Total	Account #	Account Name	Detail
05/13/2019	Internal Revenue Service	fed tax deposit due in May	3835	\$889.92	100-41421-122-212	Treasurer	\$157.38
					100-41421-125-212	Treasurer	\$36.80
					100-41425-122-212	Clerk	\$409.15
					100-41425-125-212	Clerk	\$95.68
					100-41425-115-212	Clerk	\$105.17
					100-41422-122-212	Deputy	\$59.91
					100-41422-125-212	Deputy	\$14.00
					100-41422-115-212	Deputy	\$11.83
05/13/2019	PERA	May 19 payroll pmt	3836	\$707.25	100-41421-121-212	Treasurer	\$177.69
					100-41422-121-212	Deputy	\$67.63
					100-41425-121-212	Clerk	\$461.93
05/13/2019	Kelly & Lemmons, P.A.	April Legal Bill	3837	\$1,903.25	100-41615-304-216	Legal Services	\$1,903.25
05/13/2019	Otte Excavating Inc.	April 19 road bill	3838	\$22,790.50	201-43125-235-204	Ice and Snow Removal	\$4,460.00
					100-43125-235-220	Ice and Snow Removal	\$250.00
					201-43230-313-236	Waste (Refuse) Collection	\$630.00
					201-43132-313-202	Storm Damage Repair	\$680.50
					201-43133-313-203	Gravel/ Hauling/ Related Work	\$3,442.50
					201-43122-313-201	Unpaved Streets	\$10,027.50
					201-43127-313-233	Signage	\$495.00
					201-43128-313-231	Culverts/ Ditches	\$2,670.00
					201-43265-313-207	Tree/ Brush Removal	\$135.00
05/13/2019	TKDA	Professional services invoice 002019001055	3839	\$1,848.39	240-41960-314-223	Planning and Zoning	\$1,848.39
05/13/2019	Safety Signs, LLC	Signs Invoice 19005173 190667 19005174 19005176 19004873	3840	\$4,182.05	201-43127-313-233	Signage	\$4,182.05
05/13/2019	Dakota County Financial Services	Road Salt	3841	\$644.73	201-43125-235-204	Ice and Snow Removal	\$644.73

Date Range : 5/1/2019 To 5/30/2019

<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>
05/13/2019	Dakota Electric Association	April Electric Bills	3842	\$145.27	100-41940-381-220	General Government Buildings and Plant	\$129.40
05/13/2019	DS/LSI	acct# 007602 April bill	3843	\$238.08	100-41940-381-220	General Government Buildings and Plant	\$15.87
05/13/2019	Culligan	April bill	3844	\$70.03	100-41940-382-220	General Government Buildings and Plant	\$238.08
05/13/2019	T & C Commercial Cleaning	Cleaning Town Hall	3845	\$130.00	100-41940-315-220	General Government Buildings and Plant	\$70.03
05/13/2019	CENTRAL FARM SERVICES	Customer ID 105983 Propane 4/30/19 bill	3846	\$9.01	100-41940-383-220	General Government Buildings and Plant	\$130.00
05/13/2019	BroadView Technology Solutions LLC	invoice May bill	3847	\$193.00	100-41920-309-212	Data Processing	\$9.01
05/13/2019	De Lage Landen Financial Services I	Invoice 62901976 and 63263005	3848	\$191.66	100-41425-352-218	Clerk	\$193.00
05/13/2019	JTN Communications	Invoices 145 213 and 350	3849	\$734.39	100-41920-325-213	Data Processing	\$191.66
05/13/2019	Frontier Communications	Acct 952046903736 053101 7 April bill	3850	\$97.56	100-41940-321-213	General Government Buildings and Plant	\$734.39

Date Range : 5/1/2019 To 5/30/2019

<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>
05/13/2019	Dakota County Assoc of Townships	2019 MAT and Dakota County Assoc Dues	3851	\$1,101.56	100-41980-355-218 100-41980-355-218	Old Other General Government Old Other General Government	\$225.00 \$876.56
05/13/2019	Custom Office Products	Office supplies paper Invoice 00036289 & 00036234	3852	\$178.61	100-41425-202-218	Clerk	\$178.61
05/13/2019	Tommys Electric	Invoice 7983	3853	\$297.54	100-41940-223-220	General Government Buildings and Plant	\$297.54
05/13/2019	CardMember Services	M Wilson acct 6026 email service and new computer mouse	3854	\$39.99	100-41421-325-212	Treasurer	\$39.99
05/13/2019	CardMember Services	R Solis acct 5994 toner and craigslist ad	3855	\$223.40	100-41425-352-212	Clerk	\$223.40
05/13/2019	Mark Ceminsky	mileage	3856	\$584.64	201-43129-331-222	check roads	\$584.64
05/13/2019	Marcia Wilson	Mileage Expenses March and APRIL 2019, postage-Tnshp credit card not working	3857	\$155.50	100-41421-331-222 100-41425-322-212	Treasurer Clerk	\$29.00 \$126.50
05/13/2019	North Cannon WMO	2019 member Dues invoice 1903	3858	\$2,192.69	100-41970-355-224	North Cannon WMO	\$2,192.69

Date Range: 5/1/2019 To 5/30/2019

<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>
				\$39,549.02			\$39,549.02

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, Chair			Date
Mark Ceminsky	City Council/Town Board			Date
Timothy Murphy	City Council/Town Board, Chair			Date