

EUREKA TOWNSHIP

DAKOTA COUNTY

STATE OF MINNESOTA

TOWN BOARD MEETING OF AUGUST 13, 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)
Lu Barfknecht (Supervisor)
Mark Ceminsky (Supervisor)

Members Absent: None

Others Present: Bill Funk (Planning Commission Liaison)
Chad Lemmons (Township Attorney)
Ralph Fredlund (Planning Commission Chair)
Julie Larson (Planning Commissioner)
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. Election Judge Schedule Approval to be added after Treasurer's Report
2. Acknowledge Receipt of Attorney Letters to be added as item E. under Old Business
3. Approve Training to be added as item F. under New Business
4. Barfknecht Permit Refund to be added as item F. under Treasurer's Report
5. 220th St. Joint Agreement to be added as item D. under Road Contractor
6. CUP Question to be added as item F. under Old Business

Motion: Supervisor Barfknecht 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 Treasurer Marcia Wilson (*see attached report*).

A. Bills and Receipts

Motion: Supervisor Barfknecht moved to approve the Bills and Receipts list as reported, seconded by Supervisor Ceminsky.

Motion carried 5-0

B. Outstanding Invoices

C. Budget

Treasurer Wilson pointed out three areas that are over budget: Snow Removal, Signage and Ditch Maintenance.

Motion: Supervisor Ceminsky moved to transfer \$5,500 from Road Maintenance to Ditch Maintenance, seconded by Vice Chair Hansen with friendly amendment to move \$5,500 from Dust Control instead of Road Maintenance.

Motion carried 5-0

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

Motion: Chair Murphy moved to accept the budget as amended, seconded by Vice Chair Hansen.

Motion carried 5-0

D. Escrow

E. Permit Worksheet

Treasurer Wilson is providing monthly updates to the County of permits issued. Septic permits issued by the building inspector will be tracked separately.

F. Barfknecht Permit refund

The Barfknecht's contractor applied for a permit which was deemed unnecessary by the building inspector and are asking for the permit fees to be refunded.

Motion: Supervisor Ceminsky moved to refund the permit fee, seconded by Vice Chair Hansen.

Motion carried 4-0 with Supervisor Barfknecht abstaining

Supervisor Barfknecht asked to submit a request for payment of 32 hours for preparing meeting minutes.

Motion: Chair Murphy moved to approve the payment to Lu Barfknecht for 32 hours of meeting minutes preparation, seconded by Vice Chair Hansen.

Motion carried 4-0 with Supervisor Barfknecht abstaining

Motion: Supervisor Ceminsky moved to approve the Treasurer's Report as read, seconded by Vice Chair Hansen

Motion carried 5-0

Election Judge Schedule Approval

Commissioner Julie Larson submitted the 2018 Election Judge schedule for approval and requested an increase in pay for the election judges.

Motion: Vice Chair Hansen moved to approve the Election Judge schedule as presented, seconded by Supervisor Ceminsky.

Motion carried 5-0

Motion: Supervisor Ceminsky moved to approve payment of the head judges at \$16.75 per hour and all other judges at \$15.75 per hour, seconded by Supervisor Palmquist.

Motion carried 5-0

Chair Murphy thanked Commissioner Larson and Jody Arman-Jones for their participation and work for the elections.

Chair Murphy introduced new staff members Bob Finke (Town Clerk) and Ranee Solis (Deputy Clerk).

Public Comment

A. Cheryl Mohn – Udder Tech, Inc.
No representative appeared, item was withdrawn

B. All Others

1. Deputy Smidt – Sheriff's Department

Deputy Smidt from the Dakota County Sheriff's Department provided an update on occurrences in the area:

- A. There have been incidents of speeding on 250th and Dodd.
- B. Phone scams are occurring again, be aware.
- C. Commissioner Larson commented about a truck that has been parking on Highview Ave. at night with no markers. Deputy Smidt recommended calling the Sheriff's office when this occurs so they can address it with the truck owner.

2. Vernon Lang wished to thank Supervisor Ceminsky and Vice Chair Hansen for their part in fixing the road near his home.

Road Contractor – Bryce Otte

Bryce Otte with Otte Excavating provided an update of roads:

A. Complaint regarding snow plow damage to mailbox – Supervisor Barfknecht will advise the owner to place flags near the mailbox, Supervisors Ceminsky and Hansen to take a look at the area.

B. Otte Excavating proposal for Denmark Avenue

Motion: Vice Chair Hansen moved to approve the Otte Excavating proposed frost boil repairs on Denmark Avenue not to exceed \$14,600 from the General Fund, seconded by Supervisor Ceminsky.

Motion carried 5-0

C. TKDA proposal for Grenada Avenue

Supervisor Ceminsky is awaiting the report from TKDA in order to post a Special Meeting to discuss the repairs.

D. 220th Joint Agreement

Supervisor Ceminsky discussed the contract with the City of Farmington, suggesting we get together with them and re-negotiate the contract.

Consent Agenda

A. Approve minutes of the June Town Board meeting

B. Approve minutes of the July Town Board meeting

Supervisor Ceminsky requested that the minutes be amended to correct the misspelling of names.

Motion: Vice Chair Hansen moved to approve the June and July minutes as amended, seconded by Supervisor Ceminsky.

Motion carried 5-0

Planning Commission Update (Liaison Bill Funk)

Commissioner Bill Funk provided a summary of the August 7, 2018 Planning Commission meeting:

- Cheryl Mohn – CUP inquiry was forwarded to the Town Board.
- Northern Natural Gas – Town Border Station- Motion to forward to the Town Board without recommendation carried 5-0.
- Ostlie Farms / Harmer Lot Splits – Motion to recommend to the Town Board to approve carried 5-0.
- Progressive Rail – Soliciting input on addition of storage track north of town hall. Motion to forward to Board for September meeting carried 4-1 with Commissioner Larson dissenting.
- Fence Ordinance - Motion to set Public meeting for September 4th at 6:00 p.m. for new language and 6:30 p.m. to rescind old revision carried 5-0.
- Permit forms review – Due to the volume of permits in the packet, motion was made to review the following first three forms next month:
 - Agricultural Building Permit Application
 - New Building Permit Application
 - Land Use/Zoning Interim Use Permit Application
- Motion to approve May, June and July meeting minutes as amended carried 5-0.
- Chair Murphy recognized all those who have helped out with the staff transition.

Permit Requests

None

Land Use Requests

A. Ostlie Farms Lot Split Application

Glen Nord, acting as representative to the owner, presented a brief overview of the request. Ostlie Farms is requesting to split PID 13-03100-02-010 (Parcel A) into three parcels as follows:

Parcel C, consisting of 8.666 acres to be split from Parcel A and to be combined with PID 13-03000-77-010.

Parcel E, consisting of 50.879 acres to be split from Parcel A.

Parcel G, consisting of 20.76 acres to be split from Parcel A.

Having determined the Lot Split application to be in compliance with Ordinance 3, Section 3, the Planning Commission forwarded the application to the Town Board with recommendation of approval.

Motion: Vice Chair Hansen moved to approve the Lot Split for PID #13-03100-02-010 as presented, seconded by Supervisor Ceminsky with a friendly amendment to include the second PID #13-03000-77-010.

Motion carried 5-0

B. Ames Land use/Zoning request for storage of bagged mulch

Town Board table the Interim Use Permit request and suggested that Mr. Ames request a text amendment.

C. Northern Natural Gas CUP review

No representative appeared.

Motion: Vice Chair Hansen moved to table the item to allow time for attorney review, seconded by Chair Murphy, amended by Supervisor Barfknecht to include that it be added to the September meeting.

Motion carried 5-0

Old Business

A. Airport annexation of MAC property

Chair Murphy and Vice Chair Hansen will set up a meeting with Gary at MAC.

Motion: Chair Murphy moved to have the Town Clerk review 49 U.S.C. statute 47133, interpret it and call the Attorney Lemmons for discussion, seconded by Supervisor Barfknecht.

Motion carried 4-1 with Supervisor Ceminsky dissenting

B. Town Hall approved repairs

Sheetrock and painting is complete. Need a second proposal for LED lights.

C. Public Hearing for Fence Ordinance on September 4, 2018 at 6:00 p.m.

D. Miller permit discussion

Motion: Vice Chair Hansen moved to support the building inspector in issuance of the extension, seconded by Supervisor Ceminsky.

Motion carried 4-1 with Supervisor Barfknecht dissenting

E. Receipt of Attorney letters

F. CUP question

Supervisor Barfknecht asked: If a CUP review is done, what is the process? Attorney Lemmons responded that if there is evidence of abandonment greater than one year, send a letter notifying our intent to terminate the CUP, use the anniversary date of the CUP and give a 30 day notice.

New Business

A. Resident petition to pave Highview Rd. / Road exchange with Dakota County

Motion: Supervisor Ceminsky moved to send a letter to the petitioners explaining the County will not be paving Highview, seconded by Vice Chair Hansen.

Motion carried 5-0

B. Mt. Olivet extension request

Motion: Supervisor Ceminsky moved to table the item and review at the September meeting, seconded by Supervisor Barfknecht.

Motion carried 5-0

Town Clerk to propose an extension to Mt. Olivet.

C. Progressive Rail

Motion: Chair Murphy moved for Chair Murphy and Vice Chair Hansen to approach PGR this week with an alternative location for the track expansions in Eureka Township, seconded by Supervisor Barfknecht.

Motion carried 5-0

D. TKDA announcement of new incoming planner Merritt Clapp-Smith / Sherri Buss retiring

E. RFP Review: Contracted General Engineering Services proposals

TKDA submitted the only sealed proposal for Contracted General Engineering Services.

Motion: Supervisor Ceminsky moved for the Supervisors to review the TKDA proposal and make a decision at the September Town Board meeting, seconded by Supervisor Barfknecht.

Motion carried 5-0

F. Approve training

Motion: Chair Murphy moved to approve training for any Planning Commissioners, Town Board Supervisors, Town Clerk and Deputy Clerk interested in attending the 3 upcoming September training offered by GTS, seconded by Supervisor Palmquist.

Motion carried 5-0

Other Business

A. Town Clerk:

1. Township website review

Town Clerk Finke expressed his desire to stay with Town Web Design through February, when the contract expires.

Motion carried

2. Clerk / Deputy Clerk new computer review / proposal

Motion: Vice Chair Hansen moved to approve the purchase of computers and software for the Town Clerk and Deputy Clerk not to exceed \$3,500, seconded by Supervisor Ceminsky.

Motion carried 5-0

3. Adoption of RR 1000 / 2000 Record Retention practices

Motion: Supervisor Ceminsky moved to adopt the RR1000 and RR2000 Record Retention practices, seconded by Chair Murphy.

Motion carried 5-0

4. Clerk office / record room access

Town Clerk and Deputy Clerk are requesting that Planning Commission and Town Board members only enter the Clerk's office and records room upon invitation and only when accompanied by the Clerk or Deputy Clerk.

5. Authorization to install climate control system in storage

Motion: Chair Murphy moved to ask the Clerk to obtain quotes not to exceed \$1,000 to move the cage inside the storage building, clean the storage building and purchase storage containers, seconded by Supervisor Barfknecht.

Motion carried 5-0

Motion: Chair Murphy moved to authorize Supervisor Ceminsky to obtain quotes for climate control in the storage building not to exceed \$4,500, seconded by Supervisor Barfknecht.

Motion carried 5-0

6. General spending authorization

Motion: Supervisor Ceminsky moved to authorize the Clerk to approve purchases up to \$500 without Board approval, seconded by Supervisor Palmquist.

Motion carried 5-0

B. Set time for Township Attorney review

Motion: Chair Murphy moved to set a meeting for September 10th at 6:00 p.m. for attorney review, Seconded by Supervisor Ceminsky.

Motion carried 5-0

Motion: Vice Chair Hansen moved to set a Closed Meeting August 16, 2018 at 6:30 p.m. to discuss pending litigation with Chad Lemmons, Town Attorney, seconded by Supervisor Ceminsky.

Motion carried 5-0

Adjournment

Motion: Supervisor Hansen moved to adjourn the meeting, seconded by Supervisor Palmquist.

Meeting adjourned at 11:35 p.m.

Respectfully submitted,

Ranee Solis

Ranee Solis, Deputy Clerk

Minutes Officially Approved on : 9/11/18
Date

By: Robert C. Frank and [Signature]
Town Clerk Town Chair

EUREKA TOWNSHIP

TOWN BOARD MEETING

ATTENDANCE

AUGUST 13, 2018

Name (Printed)

Name (Signature)

Address

Cindy Murphy	Cindy Murphy	9110 225 th St. W. Lakeville
Nancy Sauber	Nancy Sauber	9445 225 th St. W. Lk
Dona Alice Storie	Alice Storie	10210-235 th St
Richard Ostlie		
Tom Ostlie		
Mike Ostlie		
Sam Darsin Lake		20930 Prairie Hills Lane Prior Lake MN
Brian Abern		6015 235 th St W
Chad Harner		23450 Hamburg Ave
Brian Sauber		8572 218 th St W. Lakeville
Jody Arman-Jones	Jody Arman-Jones	6905 255 th St. W.
Dan Arman-Jones		10005 235 th St W

August 7, 2018

PUBLIC COMMENT

If you wish to address the Town Board during the Public Comment period, please print your name and address below:

NAME

ADDRESS

NAME	ADDRESS
VERNON LANG	I PAWA AVE.

Treasurer Report August 13, 2018

Bank Balance

July 31, 2018

Checking Account	\$1,742.27
Outstanding Checks	-\$340.00
Savings Account	\$505,216.49
CD Account	\$104,427.81
	\$609,644.30

Total Investments
\$609,644.30

ACCOUNT BALANCES	\$611,046.57
Petty Cash In Cash Box	\$100.00
TOTAL INCLUDING CASH	\$611,146.57

	CD Matures	Original Investment
\$39,114.54	6/29/2021	5 yr
\$40,313.27	6/27/2022	5 yr
\$25,000.00	6/22/2023	5 yr
\$104,427.81		

TOTAL DISBURSEMENTS

Claims Processed between meetings	\$8,140.05
Total July Claims (Including Temp Staff)	\$76,087.68
Total July Payroll	\$1,298.70
	\$85,526.43

Date Range : 8/1/2018 To 8/30/2018

<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>
08/13/2018	PERA	Aug 18 payroll pmt	3585	\$146.35	100-41421-121-212	Treasurer	\$146.35
08/13/2018	Internal Revenue Service	fed tax deposit due in Aug 18	3586	\$230.29	100-41421-115-212 100-41421-122-212 100-41421-125-212	Treasurer Treasurer Treasurer	\$1.49 \$185.42 \$43.38
08/13/2018	Otte Excavating Inc.	July 18 Road bill	3587	\$35,865.00	201-43128-313-234 201-43122-313-201 201-43230-313-236 201-43127-313-233	Culverts/ Ditches Unpaved Streets Waste (Refuse) Collection Signage	\$15,010.00 \$20,350.00 \$275.00 \$230.00
08/13/2018	Kelly & Lemmons, P.A.	July legal Bill	3588	\$1,117.25	100-41615-304-216	Legal Services	\$1,117.25
08/13/2018	Envirotech	Road Saver in June 18	3589	\$35,434.58	201-43134-227-206	Dust Control	\$35,434.58
08/13/2018	TKDA	Professional services invoice 002018002295	3590	\$318.81	240-41960-314-223	Planning and Zoning	\$318.81
08/13/2018	Dakota Electric Association	July Electric Bills	3591	\$261.31	100-41940-381-220 100-41940-381-220	General Government Buildings and Plant General Government Buildings and Plant	\$239.45 \$21.86
08/13/2018	DSI/LSI	acct# 007602 July bill	3592	\$79.79	100-41940-384-220	General Government Buildings and Plant	\$79.79
08/13/2018	Culligan	bill Acct 10134684	3593	\$40.71	100-41940-382-220	General Government Buildings and Plant	\$40.71
08/13/2018	T & C Commercial Cleaning	Cleaning Town Hall August	3594	\$130.00		General Government Buildings and Plant	\$40.71

Date Range : 8/1/2018 To 8/30/2018

<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>
08/13/2018	K Schroeder Masonry	Aug Invoice	3595	\$340.00	100-41940-315-220	General Government Buildings and Plant	\$130.00
08/13/2018	Frontier Communications	Acct 952046903736 053101 7 July bill	3596	\$178.67	100-41335-316-220	Cleaning/ maintenance	\$340.00
08/13/2018	Town Web Design	Domain Name Renewal and webiste Hosting and Maintenance invoice 3133	3597	\$465.00	100-41940-321-213	General Government Buildings and Plant	\$178.67
08/13/2018	BroadView Technology Solutions LLC	invoice 2310	3598	\$186.00	100-41920-325-213	Data Processing	\$465.00
08/13/2018	Earl F Anderson	road signs Invoice 0117787-IN	3599	\$544.10	100-41920-309-212	Data Processing	\$186.00
08/13/2018	Express Employment Services	ACCOUNT NUMBER 22200802 Temp Admin	3600	\$713.00	201-43127-226-233	Signage	\$544.10
08/13/2018	CardMember Services	Acct 6026 expenses email	3601	\$36.82	100-41425-104-212	Clerk	\$713.00
					100-41421-203-212	Treasurer	\$36.82
Total For Selected Claims				\$76,087.68			\$76,087.68

Date Range: 8/1/2018 To 8/30/2018

<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>
	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

Date Range: 8/1/2018 To 8/4/2018

<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>
08/04/2018	V. Hugo Montes de Oca	drywall repair	3583	\$3,250.00	430-41940-223-121	General Government Buildings and Plant	\$3,250.00
08/04/2018	Menards	Storage shed supplies	3584	\$1,640.05	100-41940-223-121	General Government Buildings and Plant	\$1,640.05
Total For Selected Claims				\$4,890.05			\$4,890.05

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