

EUREKA TOWNSHIP

**DAKOTA COUNTY
STATE OF MINNESOTA**

TOWN BOARD MEETING OF JUNE 8, 2020

Due to the Peacetime Emergency and social distancing guidelines, the Town Board Chair has determined it is not practical or prudent to conduct an in-person meeting. Accordingly, under Minnesota Statute section 13D.021, the following meetings shall be conducted entirely through teleconferencing or other electronic means.

Call to Order

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

Supervisors Present: Donovan Palmquist, Tim Murphy, Lu Barfknecht, Ralph Fredlund and Mark Ceminsky.

Others Present: Ranee Solis (Town Clerk), Chad Lemmons (Town Attorney), Julie Larson (Planning Commission Liaison), Nancy Sauber (Planning Commission Chair), Bill Clancy, Randy Wood, Bryce Otte, Gloria Belzer, Brian Ahern, Kathleen Kauffman and Georgie Molitor.

Approval of the Agenda

Motion: Chair Palmquist moved to approve the agenda as presented, seconded by Supervisor Fredlund. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Mark Ceminsky - Aye. *Motion carried 5-0.*

Consent Agenda

1. Pole shed permit – Jonathan Hoes, 4623 280th St. W., PID 13-03600-79-013
2. Minutes of the May 11, 2020 Town Board meeting
3. Minutes of the May 26, 2020 Town Board meeting

Motion: Supervisor Ceminsky moved to approve the consent agenda items 1-3, seconded by Chair Palmquist. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Mark Ceminsky - Aye. *Motion carried 5-0.*

Public Comment

Kathleen Kauffman,

Chair Palmquist read Kathleen Kaufman's submitted comment for the record: I am providing a report on my solar energy system. Year to date the carbon we kept out of the air (6 tons) was equivalent to planting 155 trees. By the end of the year we will have a medium sized forest. I hope they move with speed on the ordinance amendment. If we had waited for the change, we would have lost over \$1,100 in savings. Delay has real costs.

Chair Palmquist asked three times if there were any others who would like to make comment and, hearing none, the floor was closed.

Sheriff's Department

(None)

Road Contractor Update (Otte Excavating)

Bryce Otte provided a report on the roads:

- Dust control is taking place, he has received good comments on the roads.
- Request a meeting with the road supervisors to put together a gravel plan. The Clerk was directed to forward a copy of the road schedule from the annual meeting to Bryce and Chair Palmquist.
- New signs are up.
- One ditch has been graded, will start mowing within a week.
- Iberia and Iceland culvert status: shoveled out both sides of the culvert two weeks ago. It still contains sediment, but there is nowhere for it to go besides the yard.
- The ditch near Nancy Sauber is too steep, would need to use a skid loader.
- Road closed signs should be put on the new gates at Chub Lake.
- Will call Progressive Rail again about the damaged culvert.

Planning Commission Update (Julie Larson – Liaison)

Commissioner Larson provided a summary of the June 2, 2020 Planning Commission meeting:

- Citizen inquiry from Larry Schofield, weighed in on whether the parcel at 25898 Dodd Blvd is buildable and determined that it is not since there are already four houses in the quarter-quarter section.
- Recommended approval of Jonathan Hoes' pole shed application.
- Determined that Bill Roske's deck application needed revisions as it did not meet the setbacks.
- Approved the April 7th and May 5th meeting minutes.

Treasurer's Report

Clerk Solis read the Treasurer's Report: Checking account \$3,136, Outstanding checks \$422.64, Savings account \$740,666, CD's \$67,861.06, Total accounts \$811,240.42, May claims \$29,422.53 and Payroll \$3,559.68.

Motion: Chair Palmquist moved to approve the Treasurer's Report as read, seconded by Supervisor Fredlund. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Mark Ceminsky - Aye. *Motion carried 5-0.*

Net Pay and Claims

Supervisor Fredlund questioned receipt of two opposing invoices for town hall mowing from Beaver Creek and K Schroeder. Vice Chair Murphy explained that K Schroeder had been called to complete the initial mowing, and Beaver Creek had to re-cut and clean up. Chair Palmquist recommended approving both invoices for payment.

Motion: Chair Palmquist moved to approve the net pay and claims as presented, seconded by Supervisor Fredlund. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Mark Ceminsky – Abstain due to conflict of interest. *Motion carried 4-0.*

Supervisor Ceminsky commented that the Town Board and Planning Commission quarterly payroll should have been included in the net pay. Supervisor Fredlund explained that the quarterly payroll will take place at the second meeting of the month.

Receipts and Disbursements

Supervisor Ceminsky reminded that Farmington and Lakeville should be billed for the joint road maintenance on 225th, 220th and Essex.

Motion: Chair Palmquist moved to approve the receipts and disbursements as presented, seconded by Supervisor Fredlund. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Mark Ceminsky - Aye. *Motion carried 5-0.*

New Business

Approve attorney presence at all scheduled CUP/IUP public hearings

Motion: Vice Chair Murphy moved to approve attorney presence at all scheduled CUP/IUP public hearings, seconded by Chair Palmquist. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Mark Ceminsky - Aye. *Motion carried 5-0.*

Approve training for new officials and staff

Motion: Vice Chair Murphy moved to highly encourage all officials and staff to take training related to their positions and authorize reimbursement without seeking Board approval, seconded by Chair Palmquist. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Mark Ceminsky - Aye. *Motion carried 5-0.*

Commissioner Clancy requested the creation of a training calendar. The Board agreed and requested that anyone who has training information to include in the calendar should forward that information to the Clerk.

Groundwater protection at the township level (DNR & County re: water transfer to AZ)

Vice Chair Murphy reported that he spoke with County Commissioner, Mike Slavik, who provided that the State issued legislation, that covers all of Dakota County, prohibiting the transfer of water to Arizona. Dakota County has a moratorium through May of 2021. The goal is to obtain a State law prohibiting it.

Complaint – 24230 Holyoke Path

The Board assigned Supervisors Fredlund and Palmquist to investigate the complaint and provide their findings at the June 22nd meeting.

Housing density

Supervisor Ceminsky stated that there have been a lot of citizen inquiries regarding buildable lots and building rights in the township. When the work group was looking at possible commercial zoning, a lot of the residents stated that they would rather see housing density increase.

Motion: Supervisor Ceminsky moved to change the density to 1 per 5 acres and have the Planning Commission work on what would be needed to change the Comprehensive Plan and language for a possible zoning change in the Township, seconded by Chair Palmquist for discussion.

Commission Chair Sauber pointed out that there are hundreds of undeveloped building rights that have not been exercised, it is not that there isn't the room for expansion. We cannot increase density without Met Council approval and they have told us repeatedly that they see us zoned as Ag until 2040. The Board discussed having the Planning Commission research zoning in neighboring townships and ask questions of the Met Council regarding the reality of a change in density within the township.

A roll call vote was taken: Donovan Palmquist – Nay; Tim Murphy – Nay; Lu Barfknecht – Nay; Ralph Fredlund – Nay; Mark Ceminsky - Aye. *Motion failed 1-4.*

Motion: Supervisor Fredlund moved for the Planning Commission to discuss with the Met Council what is needed to create a denser housing situation in the Township, seconded by Chair Palmquist. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Mark Ceminsky - Aye. *Motion carried 5-0.*

Old Business

Revised Right-of-Way Fee Schedule

Supervisor Fredlund expressed his concern that the current fee schedule will continue to hinder reasonable applicants. His proposal does not involve trying to make money or cover our normal operating road expenses. The applicants would be required to post a bond or escrow to cover any damages or additional costs. Vice Chair Murphy requested that the Clerk create a comparison sheet of the proposed fee schedules from Supervisor Fredlund and Supervisor Ceminsky for discussion at the June 22nd meeting.

Preparedness Plan

Supervisor Fredlund presented a Township Covid-19 Preparedness Plan based on the MAT template. The plan would require additional cleaning costs to sanitize after meetings, providing masks and gloves to staff and guests, purchase of a touchless hand sanitizer station and infrared thermometer. He added that we need to be serious about preventing any issues and move on this before holding an in-person portion of the public hearing on June 15th

Motion: Supervisor Ceminsky moved to adopt the Covid-19 Preparedness Plan, seconded by Chair Palmquist. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Mark Ceminsky - Aye. *Motion carried 5-0.*

TKDA estimates for Eureka Estates drainage issues

Motion: Supervisor Ceminsky moved to table the item and invite Larry Poppler to attend the June 22nd meeting, seconded by Chair Palmquist. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Mark Ceminsky - Aye. *Motion carried 5-0.*

Damaged culverts in Progressive Rail right-of-way
Discussed earlier during the road report, no action taken.

Other Business

Clerk update regarding recording documents with the County on behalf of applicants
Clerk Solis reported that the Township can record documents on behalf of applicants, and is awaiting a response regarding fees. Attorney Lemmons offered that the fee is \$46 per document and the Board should require separate payment for the application fee to the Township and the recording fee to the County.

Summary of June 8, 2020 Closed Town Board meeting

Attorney Lemmons announced that the Town Board held a closed meeting at 6:00 pm in which the Town Board elected to take no action on the incident that occurred May 26th at town hall.

Adjournment

Motion: Chair Palmquist moved to adjourn the meeting, seconded by Supervisor Fredlund. A roll call vote was taken: Lu Barfknecht – Aye; Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Ranee Solis, Town Clerk

Minutes Officially Approved By: _____ on: _____
Town Chair Date