

Eureka Township

Dakota County

State of Minnesota

Special Town Board Meeting
December 5, 2012

Town Board members present were Brian Budenski, Kenny Miller, Pete Storlie, Steve Madden and Mark Ceminsky. MAT Attorney Paul Reuvers and Township Attorney Chad Lemmons was also present

Chair Brian Budenski called the Special Meeting of the Eureka Town Board to order at 7:00 p.m.

Agenda:

Town Hall Maintenance company for repairs to Town Hall

To go into a closed meeting under Minnesota State Statute Section 13D.03, subd. 3(b) attorney-client privilege) with MAT Attorney Paul Reuvers to discuss litigation strategy in the pending lawsuit with Terri Petters/ Fur-Ever Wild Ltd.

Town Hall Maintenance company for repairs to Town Hall

Supervisor Mark Ceminsky recused himself from discussion on this agenda item. He is the Owner of Beaver Creek Companies Inc., a Licensed Contractor.

Repairs to the Town hall after a storm three months ago have not been completed. Healy Construction, the original contractor for the building completed an estimate for the repairs were asked to make the repairs. Supervisor Kenny Miller commented that he has contacted Mike several times and the repairs keep getting put off, because he is too busy.

The repairs should be completed while the weather still permits. There are also issues with the heating vent/cold air exchanger. It is allowing cold air to enter the building. It needs to be repaired.

Supervisor Kenny Miller asked that Town Board allow Beaver Creek Companies Inc. to make the repairs. Since Supervisor Mark Ceminsky owns Beaver Creek Companies, an Affidavit of Official Interest in Claim would need to be filed prior to payment for his services. The contract price submitted by Beaver Creek for building maintenance and repair on the Eureka Town Hall are \$54.00 a man hour, plus materials.

The Town Board discussed hiring Beaver Creek on a one time basis or for ongoing maintenance. They decided to discuss ongoing maintenance at a Regular Town Board meeting.

A motion by Supervisor Kenny Miller: To contract with Beaver Creek Companies to make the insurance claim repairs on the building and to handle any negotiations if it goes beyond the estimate and to handle the HVAC problem- vent on the fresh air intake. Motion seconded by Supervisor Pete Storlie. Motion carried by unanimous vote.

Supervisor Kenny Miller will contact Healy Construction and let them know their services are no longer needed.

A motion by Supervisor Brian Budenski: To move into closed meeting. Motion seconded by Supervisor Kenny Miller. Motion carried by unanimous vote.

At 7:09 pm the Town Board moved into closed session.

At 7:54 pm the Town Board moved back into open session.

Summary of closed session:

There is a Summary Judgment motion scheduled for January 30, 2013 in Dakota County. The purpose of the Summary Judgment hearing is to seek a Judgment against Ms. Petters. If the Township prevails, it will put the case to an end. If Terri ceases to operate, then we are done. If Terri doesn't cease then the next step is to move for civil contempt, which the Attorney's would handle.

A motion by Supervisor Kenny Miller: To adjourn. Motion seconded by Supervisor Mark Ceminsky. Motion carried by unanimous vote.

Meeting adjourned at 7:55 p.m.