

Eureka Township

Dakota County

State of Minnesota

Special Town Board Meeting of September 28, 2010

Town Board members present were Brian Budenski, Carrie Jennings, Kenny Miller, Dan Rogers and Nancy Sauber. Jeff Otto, Town Board Liaison in the negotiations, was also present at the meeting, and Clerk/Treasurer Nanett Sandstrom was present to record the minutes. Township Attorney Trevor Oliver arrived at 6:30 p.m., due to traffic congestion.

Agenda: To go into a closed session for the purpose of discussing the litigation situation with the Township Attorney.

Chair Brian Budenski called the Special Meeting of the Eureka Town Board on September 28, 2010, to order at 6:10 p.m.

A motion by Supervisor Brian Budenski: To go into a closed meeting to discuss the continuing topic concerning Country Stone of Minnesota vs. Eureka Township. The motion was seconded by Supervisor Nancy Sauber. The motion carried by unanimous vote.

The Town Board moved into closed session at 6:11 p.m.

At 7:13 p.m. the Town Board moved back into open session.

Township Attorney Trevor Oliver summarized the closed meeting:

The Town Board went into closed session at 6:10 p.m. The Town Board considered a proposed Settlement Agreement and Site Plan in the Town of Eureka vs. Friedges Landscaping, Inc., Friedges Holding, Inc., and Country Stone & Soil of MN, Inc., in First Judicial District Court, file number 19HA-CV-09-3468. There was discussion held on points of the proposed agreement, minor changes were suggested.

Supervisor Carrie Jennings moved and Supervisor Nancy Sauber seconded the motion for approval of the Agreement with the latest changes made and to authorize the Town Board Chair, Brian Budenski, to execute the documents to complete the Agreement, provided that Country Stone and Soil address/correct issues raised with the septic drain field and well locations on the site plan that was provided. The motion passed by unanimous vote and the agreement was approved; corrections will be made and an executed copy will be sent to representatives of Country Stone and Friedges Holdings. Adequacy of the size of the septic system was questioned; Darrel Gilmer, Septic Inspector, will check on this.

A motion by Supervisor Carrie Jennings: To adjourn. Motion seconded by Supervisor Nancy Sauber. Motion carried by unanimous vote.

Meeting adjourned at 7:14 p.m.