

EUREKA TOWNSHIP
Dakota County, State of Minnesota

TOWN BOARD MEETING
March 28, 2022 – 7:00 P.M.

Call to Order

The Eureka Township Town Board meeting was called to order at 7:00 p.m. by Chair Lu Barfknecht and the Pledge of Allegiance was given.

Supervisors Present: Lu Barfknecht, Donovan Palmquist, Ralph Fredlund, Nancy Sauber and Kathleen Kauffman.

Others Present: Nathan Shaw, Stacy Shaw, Jason Lybarger, Beth Eilers.

Zoom Attendance: Rane Solis, Emma Otto, Mike Greco, Brian Ahern, Deb Burkhardt, Julie Larson, Jim Sauber, Jeff Otto.

Approval of the Agenda

The following changes were made to the agenda:

1. Remove Gravel quotes from Road Report, table until the next meeting.
2. Remove Scotts/Hyponex accessory building application, table until the next meeting at the request of the applicant.
3. Add acknowledgement of Planning Commissioner resignation.
4. Move Housing Rights Transfer text amendment to the last item under Old Business.
5. Add I. Meeting dates update under Old Business.
6. Add J. Updated version of Codification under Old Business.
7. Add K. Potential closing of 245th St. under Old Business.
8. Add F. Set date for meeting with Troy Gilchrist to discuss administrative enforcement process under New Business.
9. Add G. Set date for meeting with Bob Ruppe to discuss the permitting process under New. Business.
10. Add Statement from Donovan Palmquist after approval of the agenda.

Motion: Chair Barfknecht moved to approve the agenda as amended. Supervisor Fredlund seconded. *Motion carried 5-0.*

Statement from Donovan Palmquist

Vice Chair Palmquist made the following statement:

I have asked myself a lot of questions about what we want to do here. I believe everyone has good intentions and must assume we are acting in good faith as both citizens and officials. None of us are better than anyone else. None of our opinions are more important than others. We all have unique backgrounds and experiences.

- Respect our time, positions, responsibilities, careers and opinions.

- Not everyone is up to speed on all issues and may need a reasonable amount of time to process the information.
- It is up to us to present the proper information as thoroughly and concisely as possible. The less we wing it in discussion the better.
- There are no absolute right solutions. We are not all going to agree 100% of the time, but we must be respectful of our differences.
- We need to keep the big picture in mind. Are we heading in the right direction? Are we being consistent in our interpretation of the ordinances? Perfect is the enemy of time.
- We do not work for our Ordinances; we work for our citizens. We need to be more ally and less adversary even though we do enforce the Ordinances.
- We are problem solvers. When making decisions we have to consider these points: Does it resolve the problem fairly? Does it cause undue burden? Does it cause unintentional impact or does it resolve impact? Does it reflect fairness and/or compromise? Are the complaints based on actual impact? Are they grievance or simply a violation of the ordinance?

I think we can all work together to get things done.

Road Report

Vice Chair Palmquist provided an update that gravel was placed on 225th as scheduled. Supervisor Kauffman requested that the road contractor pick up the 5-gallon buckets that were dumped at the Town Hall.

Public Comment

**The opinions expressed in public comments are those of the authors and may not represent the official positions of the Town Board. The Town Board does not control or guarantee the accuracy of information contained in the comments, nor does it endorse the views expressed.*

Chair Barfknecht opened the floor for public comment and reminded that if anyone has comment regarding any agenda items, now is your time to speak.

Randy Wood – 23775 Essex Ave, Farmington

Planning Commission Chair Randy Wood addressed the agenda item regarding the proposed text amendment to Ordinance 2, Chapter 3. He requested the author to consider tabling or withdrawing the text amendment as he does not feel it is needed. The Board can currently review applications without the Planning Commission. The wording needs to be better defined.

Chair Barfknecht asked three times if there were any other attendees who would like to make comment. Hearing none, the floor was closed.

Citizen Inquiry - None

Acknowledgement of Planning Commissioner resignation

Chair Barfknecht acknowledged receipt of a resignation letter from Julie Larson. She is no longer a member of the Planning Commission.

Treasurer's Report

Net pay and claims

The Clerk presented payroll in the amount of \$2,651.23 for payment.

The following claims in the amount of \$20,720.84 were presented for payment:

Grossman Companies	February road work	\$9,655.0
De Lage Landed	Copier rental due April	\$100.97
JTN Communications	Internet bill due April	\$199.00
City of Farmington	1 st Qtr fire contract	\$9,727.52
Visa	Locksmith/water	\$1,037.85

Motion: Supervisor Fredlund moved to approve the net pay and claims as presented. Chair Barfknecht seconded. Roll call vote: Lu Barfknecht – Aye; Donovan Palmquist – Aye; Ralph Fredlund – Aye; Nancy Sauber – Aye; Kathleen Kauffman – Aye. *Motion carried 5-0.*

Approval of 2021 Financial Report from Auditor

Treasurer Solis anticipated that the audit report would be submitted in time for the meeting, but she has not yet received it.

Old Business

Discussion of possible additions to structures to be included in play structure text amendment

Supervisor Kauffman requested that the Board members submit a list of any other structures they would like to be included. Supervisor Fredlund recommended that the Board increase the maximum square footage by 200 square feet instead of the proposed text amendment to exclude certain structures. Supervisor Kauffman will prepare the proposed text amendment for the next meeting.

Proposed text amendment to Ordinance 2, Chapter 3

Supervisor Kauffman proposed additional language to Ordinance 2, Chapter 3, Section 8 as follows:

If, after an initial review by the Planning Commission, the Town Board decides to approve a revised permit, the application does not need to return to the Planning Commission. The revisions can be made and submitted to the Clerk who will provide them to the Town Board at the earliest opportunity for approval.

Supervisor Kauffman explained the purpose of the text amendment is to provide for exceptions to the Ordinance when it is not necessary for the Planning Commission to review a permit, such as permits involved in litigation or applications involving minor changes. It is a waste of the applicants and Commissioners' time to readdress a permit that the Board has ruled on. Supervisor Sauber and Attorney Lemmons have stated that all permits must go

back to the Planning Commission, but there are exceptions, and this text amendment addresses those exceptions.

Motion: Supervisor Kauffman moved that the proposed text amendment be approved. Chair Barfknecht seconded for discussion.

Vice Chair Palmquist agreed that, in the past, the Board has allowed changes to a permit application without sending it back to the Planning Commission. Chair Barfknecht expressed that a revision of the wording needs to be done.

Motion withdrawn.

Sheriff's Department

The Sheriff's Deputy reported that there is nothing pressing to pass on. There was an incident of 30 cars racing near Living Waters, but they dispersed peacefully. The Board informed the Deputy that meetings are changing to Tuesdays beginning in April. An audience member reported that there have been thefts of outgoing mail recently. The Deputy advised all residents to call the incidents in.

Town Hall

A. Sound system

Supervisor Fredlund suggested to obtain quotes from the installer for training on the system, as well as some possible improvements.

B. General repair/roof

The Board agreed to move forward with a roof inspection of the Town Hall.

C. Exterminator

Supervisor Kauffman suggested the need for an exterminator to perform an inside evaluation regarding mice. The Board agreed to table this item until the next meeting to see if more mice are caught in traps.

D. Lights

Supervisor Kauffman called an electrician and learned that we can switch the lights to LED without replacing the fixture by disconnecting the ballasts. Clerk Solis noted that electricians are requiring a trip charge to come out for a quote.

Motion: Supervisor Fredlund moved to approve a trip charge for an electrical quote on the Town Hall lights. Chair Barfknecht seconded. *Motion carried 5-0.*

E. New Hours

With the meetings changing to Tuesdays, the Deputy Clerk has suggesting changing the Town Hall hours to Tuesdays and Wednesdays. The Board suggested extending the Tuesday hours to 6:00 p.m.

Motion: Supervisor Fredlund moved for the Town Hall to be open on Tuesdays from 10 a.m. to 6 p.m., Wednesdays from 10 a.m. to 2 p.m. and Thursdays from 10 a.m. to 2 p.m. Chair Barfknecht seconded. *Motion carried 5-0.*

F. Rental option

The Board agreed to table this agenda item to allow time for attorney review.

ALAAC meeting

Supervisor Sauber reported the committee has approved the Bylaws and elected 2 Chairs, one from the user group and one from the public group. They will alternate meetings. The meeting in June will be in person.

VRWJPO second convene meeting

Supervisor Sauber reported that the committee can review the request regarding a grant for the drainage issues, but it is a low priority.

Review of fence permit application

The Board discussed that the fence ordinance needs to be updated from the text amendment that was approved in 2018. Fences do not need a permit unless they are over 7 feet. The proper application for fences is the administrative fence application.

Resolution 2022-03 Finances at New Market Bank

The Clerk provided a copy of the revised resolution for finances at New Market Bank.

Meeting dates

The Clerk provided a copy of the revised resolution adopting the Town Board meeting dates and times as Tuesdays at 7:00 p.m.

Updated version of Codification

Supervisor Kauffman reported that General Code has acknowledged they used the wrong source for the recodification. The Board agreed that all Supervisors will review the document and report any discrepancies to the Clerk for the next meeting.

Closure of 245th St. W.

The Board agreed to pursue closing 245th St. at the Scott County border. Supervisor Kauffman will seek instruction from the attorney.

Housing Rights Transfer text amendment review

The Board agreed they would like to review the text amendment and clarify some questions prior to the public hearing.

The Board agreed to schedule a special meeting to review the housing rights transfer text amendment on April 19, 2022, at 7:00 p.m.

New Business

Grounds maintenance quotes

Chair Barfknecht recused herself from the discussion. The Clerk presented quotes from Git 'er Mowed and Ottomatic Lawn Care, noting that the Ottomatic quote was submitted after the deadline in the RFP. Because of this, Supervisor Sauber asked Emma Otto about her submission. It appears there were email problems at Town Hall resulting in her filing a second proposal which was after the deadline. Supervisor Sauber suggested that it would be fair to consider the quote from our current service provider. They have done a good job and their quote is lower than Git 'er Mowed.

Motion: Supervisor Fredlund moved to award the ground maintenance contract to Ottomatic Lawn Care for a period of 3 years. Supervisor Sauber seconded with a friendly amendment to include quote for weed service. *Motion carried 4-0, with Chair Barfknecht recused.*

Inspectron contract renewal

Chair Barfknecht noted that there are discrepancies in the pricing between the fee schedule and the contract. The Board agreed to table the item and forward the contract to the attorney for review.

Couri & Ruppe contract

The Board reviewed the legal services contract and noted a few corrections to be made.

Kennedy & Graven agreement

Supervisor Kauffman noted this is not a contract. The Board agreed the following projects should be forwarded to Troy Gilchrist: litigation with the resident in Eureka Estates, MPM reclamation plan and an administrative enforcement system.

Set date to meet with Troy Gilchrist of Kennedy & Graven

Supervisor Kauffman will work with Mr. Gilchrist to schedule a meeting with the Board in May.

Set date to meet with Bob Ruppe of Couri & Ruppe

Supervisor Kauffman will work with Mr. Ruppe to schedule a meeting with the Board and Planning Commission to discuss the Township's permit process.

Dakota County Officers Association meeting

Supervisor Kauffman provided a few highlights from the meeting: County Commissioner Mike Slavik discussed that property values have increased by 9% for farms and 20% for homes. This increase may knock a lot of residents out of homestead status. The County Broadband Board has been dissolved. MAT is lobbying for landowners to have a say in annexation and for townships to have a choice when the County wants to give a road back.

Clerk Matters

Supervisor Sauber asked whether Tim Murphy has turned in his written resignation. Chair Barfknecht responded that a resignation is not needed, Supervisor Kauffman is seated either through the end of Tim's term or until he is able to return to the Board. Supervisor Kauffman offered to clarify this information with the attorney.

Adjournment

Motion: Supervisor Kauffman moved to adjourn the meeting. Chair Barfknecht seconded.
Motion carried 5-0.

Meeting adjourned at 10:03 p.m.

Respectfully submitted,

Ranee Solis, Town Clerk

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