

**EUREKA TOWNSHIP**  
*Dakota County, State of Minnesota*

**SPECIAL TOWN BOARD MEETING**  
**May 10, 2022 – 6:00 P.M.**

**Call to Order**

The Eureka Township Special Town Board meeting was called to order at 6:00 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: Troy Gilchrist, Rane Solis.

Zoom Attendance: Carol Cooper.

Chair Barfknecht stated the purpose of the meeting is to discuss the possibility of a Township-specific Ordinance enforcement procedure with Troy Gilchrist, Township counsel for special projects.

Mr. Gilchrist explained that charter cities use an administrative hearing process, but the question is whether towns have this authority. Currently, townships have the authority to create such a process for limited traffic violations.

There are two statutes that govern towns: Minn. Stat. § 365. TOWN GENERAL LAW and Minn. Stat. § 368. METROPOLITAN AREA TOWNS.

**368.01 POWERS OF CERTAIN METROPOLITAN AREA TOWNS.**

Subdivision 1. Towns described.

A town that has platted portions where 1,200 or more people reside or a town that has a platted area within 20 miles of the city hall of a city of the first class having over 200,000 population shall have the powers enumerated in this section. Its town board may adopt, amend, or repeal ordinances and rules for the purposes enumerated.

Subd. 1a. Certain other towns.

A town with a population of 1,000 or more that does not qualify under subdivision 1, shall have the enumerated powers upon an affirmative vote of its electors at the annual town meeting. The population must be established by the most recent federal decennial census, special census as provided in section [368.015](#), or population estimate by the state demographer made according to section [4A.02](#), whichever has the latest stated date of count or estimate.

Subd. 22.Penalties.

The town board may declare that the violation of any ordinance is a penal offense and prescribe penalties for it. No penalty shall exceed that provided by law for a misdemeanor, but the costs of prosecution may be added.

The Board could not state for certain whether Minn. Stat. § 368 applies to Eureka Township. Mr. Gilchrist recommended using the Minn. Stat. §365 powers to administer citations. The procedure will be for the Board to call a special Town Meeting, provide a detailed resolution of the administrative enforcement procedure, and receive a majority vote of the Town electors.

*Motion:* Supervisor Sauber moved to authorize Troy Gilchrist to draft an administrative enforcement procedure for the Township. Supervisor Kauffman seconded. *Motion carried 5-0.*

**Adjournment**

*Motion:* Supervisor Sauber moved to adjourn the meeting. Vice Chair Palmquist seconded. *Motion carried 5-0.*

Meeting adjourned at 6:50 p.m.

Respectfully submitted,

\_\_\_\_\_  
Ranee Solis, Town Clerk

Minutes Officially Approved By: \_\_\_\_\_ on: \_\_\_\_\_  
Town Supervisor Date