

EUREKA TOWNSHIP
Dakota County, State of Minnesota

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

Call to Order

The Eureka Township Town Board meeting was called to order at 7:09 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: Bill Clancy, Deb Burkhardt, TJ Grossman, Dan Adelman, Char Adelman, Brian Ahern, Randy Kubers, Leroy Chard, Mark Henry, Randy Wood and Erik Oksnevad.

Zoom Attendance: Rane Solis, Julie Larson and Carol Cooper.

Approval of the Agenda

The following changes were made to the agenda:

1. Table Old Business item E. Study group on accessory buildings
2. Add item Follow up on complaint under Old Business.

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

Sheriff's Department

- The Sheriff's Department has increased traffic control.
- Keep them updated on the barricade issues.

Chair Barfknecht reported that mail is now being delivered to the residents in Scott County affected by the closure of 245th St. W.

Road Report – Mark Henry

- Main graveling is almost complete, will continue with spot gravel.
- Spraying chloride as we go.
- TJ Grossman presented a list of increases for next year.

245th St. road closure – barricade pricing

Mark Henry recommended the Board approve the quote to rent the jersey barriers for one year.

Motion: Supervisor Fredlund moved to approve the quote from Safety Signs for jersey barrier rental in the amount of \$1,650. Chair Barfknecht seconded. *Motion carried 5-0.*

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

Citizen Inquiry

Leroy Chard – MPM

Supervisor Sauber recused herself. Mr. Chard spoke regarding the letter sent to MPM and himself regarding the violations of the mining pit. He asked the Board to provide direction on what needs to be done to get back in good standing. Commissioner Clancy commented that there is a disconnect between Mr. Chard and MPM as to the amount of aggregate left to mine. MPM stated that it is mined out. Mr. Chard responded that MPM wants to close the pit and walk away; they are not interested in mining the remaining materials. The Board explained that the mine is in violation of the IUP. The Board plans to hire an expert, at the mine's expense, to review the IUP and produce a plan to get into compliance. Mr. Chard agreed to the Board's recommendation.

Motion: Chair Barfknecht moved to recess the regular Town Board meeting. Supervisor Fredlund seconded. *Motion carried 5-0.*

Motion: Supervisor Fredlund moved to convene the Board of Adjustments and Appeals. Chair Barfknecht seconded. *Motion carried 5-0.*

Board of Adjustments and Appeals

Dan and Char Adelmann, PID 13-00900-50-015 – Variance request

Supervisor Fredlund confirmed that the variance request applies only at the railroad tracks, with an easement for the other two driveways. The driveway is 16 feet at the railroad crossing with the inability to widen it to 24 feet due to the railroad refusing to allow an expansion.

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

Motion: Supervisor Sauber moved to grant the variance request for Dan and Char Adelmann at 23733 Hamburg Ave with PID 13-00900-50-015 as presented as the railroad causes a practical difficulty. Supervisor Fredlund seconded. *Motion carried 5-0.*

Chair Barfknecht stated that the Adelmans will receive written notification of the approval.

Motion: Supervisor Sauber moved to close the Board of Adjustments and Appeals and return to the regular Town Board meeting. Vice Chair Palmquist seconded. *Motion carried 5-0.*

Permit Requests

Erik & Amy Jo Oksnevad, 23633 Hamburg Ave, PID 13-00900-50-014 – New Residence

Supervisor Sauber requested that the Oksnevad's label the setbacks on the site plan and initial it. In addition, a Vermillion River Watershed permit is required. The VRWJPO permit must be received prior to the start of construction.

Motion: Supervisor Fredlund moved to approve the new residence permit for Erik and Amy Jo Oksnevad at 23633 Hamburg Ave with PID 13-00900-50-014 subject to a VRWJPO approval letter prior to the start of construction. Supervisor Sauber seconded. *Motion carried 3-1*, with Supervisor Kauffman abstaining and Chair Barfknecht opposed due to approving a permit based on conditions.

Erik & Amy Jo Oksnevad, 23633 Hamburg Ave, PID 13-00900-50-014 – Driveway

Supervisor Sauber noted that a VRWJPO permit is also required for the driveway as it crosses a flow area.

Motion: Vice Chair Palmquist moved to approve the driveway permit for Erik and Amy Jo Oksnevad at 23633 Hamburg Ave with PID 13-00900-50-014. Supervisor Fredlund seconded. *Motion carried 3-1*, with Supervisor Kauffman abstaining and Chair Barfknecht opposed due to approving a permit based on conditions.

Supervisor Sauber stated that Mark Ryan of the VRWJPO is the person the Township goes to on this issue. If Mr. Ryan is okay with the contingency, there is no reason for the Township to stand in the way.

Treasurer's Report

Net pay and claims

The Clerk presented payroll in the amount of \$2,186.84 for payment.

The following claims in the amount of \$48,887.67 were presented for payment:

PERA	June payroll balance	\$0.01
De Lage Landen	July copier rental	\$95.83
Custom Office Products	Office supplies	\$113.92
JTN Communications	Internet July/reissue Feb	\$398.00
City of Lakeville	Annual fire contract	\$47,000
Beth Eilers	Mileage reimbursement	\$32.76
Ranee Solis	Stamps reimbursement	\$34.80
DSI/LSI	June garbage	\$156.79
Inspectron	May building inspection	\$1,055.56

Motion: Supervisor Fredlund moved to approve the net pay and claims as presented. Chair Barfknecht seconded. *Motion carried 5-0.*

Old Business

Broadband grant update

Supervisor Kauffman reported that the grant application was denied because there were not enough homes being served. Ben Blomgren with JTN is preparing an application to the state which would require a commitment from the Township to cover 25% of the cost and JTN to cover 25% of the cost. The application is due in August.

Complaint follow-up

Chair Barfknecht reported that the complaint on the Lybargers has been satisfied and a follow-up letter should be sent to the complainant and the Lybargers.

Annual CUP reviews pending citizen appearance/acknowledgement of notice to attend

The Board discussed the need to review the conditions of the CUPs to determine if attendance is required. The Clerk was directed to send reminder letters to Mark Nelson, Terri Petter, and the new owner of Butch Hansen's former property.

Fence Ordinance amendment

The Board agreed to the following changes:

Section 6 (A) – change to 3 feet or less.

Section 5 – remove.

Section 6.2 (d) – Any temporary fencing, less than 180 days, such as those installed to control snow, installed at construction sites for safety purposes or silt fencing installed to control soil erosion.

The Board agreed to review the clean copy for approval at the next meeting.

Mining engineer scope of work

Supervisor Sauber recused herself from discussion. The Board agreed that the Supervisors will submit suggested language to the Clerk for review at the next meeting.

Furniture update – desks and chairs

Chair Barfknecht is continuing to search for someone to build two more desks. The Board agreed to order 8 new chairs for the meeting room.

Motion: Supervisor Sauber moved to approve spending up to \$400/chair for eight chairs for the meeting room. Chair Barfknecht seconded. *Motion carried 5-0.*

Town Hall

Supervisor Kauffman reported the following:

- Three gas furnaces – expect replacement in January 2025.
- Two air condensers – expect replacement in January 2025.
- Water heater – researching age and life expectancy.
- An inspection request has been submitted for the roof.
- Escrow current balance is \$16,811 with \$10,200 scheduled to be added each year.

Resident survey on enhancements to Town Hall grounds – Supervisor Kauffman requested to send out the survey as presented. Supervisor Sauber suggested that an option should be added to the survey to respond that no changes should be made at all.

Amendment to Ordinance 2, Chapter 3, Section 8

Motion: Supervisor Kauffman moved to adopt Resolution 2022-09 amending Ordinance 2, Chapter 3, Section 8. Chair Barfknecht seconded with a friendly amendment that it applies only to litigation and the Town Board, in writing, will instruct the Planning Commission.

Motion carried 3-2, with Supervisors Sauber and Fredlund opposed.

Adjournment

Motion: Chair Barfknecht moved to adjourn the meeting. Supervisor Kauffman seconded.

Motion carried 5-0.

Meeting adjourned at 10:26 p.m.

Respectfully submitted,

Ranee Solis, Town Clerk

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