

EUREKA TOWNSHIP
Dakota County, State of Minnesota

TOWN BOARD MEETING
August 22, 2023 – 7:00 P.M.

Call to Order

The Eureka Township Town Board meeting was called to order at 7:01 p.m. by Chair Barfknecht and the Pledge of Allegiance was given.

Supervisors Present: Lu Barfknecht, Nancy Sauber, Allen Novacek, Tim Pope, and Randy Wood.

Others Present: Liz Atwater, Mark Henry, Deputy Perez, Bill Clancy, Beth Eilers

Zoom Attendance: Bryan Wolfe, Deb Burkhart, Ralph Fredlund, Gloria Belzer, Shari LaFavre, Julie Larson.

Approval of the Agenda

Vice Chair Sauber requested the following:

New Business:

D. Free Water Testing Elko New Market

Motion: Chair Barfknecht moved to approve the agenda. Vice Chair Sauber seconded the motion. *Motion carried 5-0.*

Sheriff Report

Deputy Perez reported there have been a lot of speeding on Cedar, a few domestic calls and juveniles out after curfew.

Road Report

Superintendent Henry reported gravel is down and dustproofing is substantially done. Spot gravel should be completed in the next week. The tree removal will be towards the end of the month. Clerk Atwater discussed the 2023 LRIP (Road) Funding free webinars opportunities being offered. Supervisor Wood reported that Clerk Atwater, Vice Chair Sauber, Planning Commission Chair Clancy, Road Superintendent Henry, and himself had a meeting with TKDA to discuss a possible scope of work. TKDA should be submitting the proposal for services by the end of September.

Permits

Scott and Shari LaFavre, 24335 Dodd Blvd., PIN 13-1800-25-040

Motion: Vice Chair Sauber moved to approve the building permit application for the indoor pool at 24335 Dodd Blvd., PIN 13-1800-25-040 with the understanding, as has been conveyed from the watershed and shoreland people, as to what has to happen with the discharge water and where it can be daylighted to. That is now a chlorine pool and not a saltwater pool. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

Supervisor Sauber stated she spoke with the JPO and the recommendation would be they do best practices with the pool company to dechlorinate the water to a certain level. They have

to discharge it at least 20 feet from any building foundation and 200 feet from the Vermillion River and any wetland.

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 a comment. Hearing none, the floor was closed.

Complaints –

2023-07 – 10132 235th – Fence

Chair Barfknecht and Supervisor Wood will investigate the complaint.

Treasurer’s Report

Net Pay and claims

The Clerk presented payroll in the amount of \$3,191.33 for payment.

The following claims in the amount of \$31,456.20 were presented for payment:

Elizabeth Eilers	Night to Unite Supplies	\$437.84
Couri and Ruppe	June Legal Services	\$187.50
Debra Burkhardt	Night to Unite Supplies	\$40.44
Driessen Water	Rental- Water Softener	\$41.19
ECM Publishers	Cannabis Ordinance	\$63.00
Envirotech	Dust Control	\$5,744.58
JTN Communications	Internet	\$199.00
JTN Communications	Broadband Expansion	\$23,700.39
Elizabeth Atwater	Toilet paper, Keys	\$99.01
Mark Henry	July Mileage	\$163.75
MAT	Clerk Training	\$100.00
T&C Cleaning	August Cleaning	\$150.00
Benafica, LLC	HRA September	\$530.50

Motion: Chair Barfknecht moved to approve the net pay and claims as presented. Supervisor Wood seconded the motion. Roll call vote: Nancy Sauber – Aye; Allen Novacek – Aye; Tim Pope – Aye; Randy Wood – Aye, Lu Barfknecht - Aye. *Motion carried 5-0.*

CD Recommendations

Motion: Chair Barfknecht moved to approve to purchase a CD for \$25,000 for 7 months at 5.1% at Genisys from the General Fund. Supervisor Pope seconded the motion. Roll call vote: Nancy Sauber – Aye; Allen Novacek – Aye; Tim Pope – Aye; Randy Wood – Aye, Lu Barfknecht - Aye. *Motion carried 5-0.*

Motion: Chair Barfknecht moved to approve to purchase a CD for \$30,000 from Road and Bridge for 7 months at 5.1% at Genisys. Supervisor Novacek seconded the motion. Roll call vote: Nancy Sauber – Aye; Allen Novacek – Aye; Tim Pope – Aye; Randy Wood – Aye, Lu Barfknecht - Aye. *Motion carried 5-0.*

Other Treasurer Reports

Clerk Atwater explained she sent out the spreadsheet to the Board of the 2023 year to date expenses versus budget. She would like to start looking at and discussing the 2025 budget at the second meeting in September.

Unfinished Business

Ordinance Permit Pricing vs Referring to a Fee Schedule

The Board reviewed and made edits. The Clerk will present an updated version at the next meeting.

Township Road Speed Project/Laws on Putting up Speed Limit Signs

Commissioners Eilers gave a presentation regarding research for roads in the Township that meet the qualifications for road residential district. The Board requested additional data or the next meeting.

ARPA Funds

Clerk Atwater emailed Attorney for guidance on requirements if the Township were to approval additional expansions of the Broadband project.

MPM/Chard Mining

Chair Barfknecht reported that the email from our Attorney stated that MPM was going to check on the language with the lease with Mr. Chard regarding reclamation obligation. Planning Commission Chair Clancy recommended since the IUP expires September 2024 and the Town Board should do nothing at this point. Chair Barfknecht asked this be kept on the agenda for next month for follow up.

MPCA

Clerk Atwater reported that she spoke with Paul at MPCA, and they have given the Resident to September 18th to remedy the situation. MPCA stated they will inspect on September 19th and Clerk Atwater will follow up on September 20th with Paul at MPCA.

Closed Road -245th between Dodd and County Line

Supervisor Wood reported he spoke with TJ Grossman, and it was recommended to leave the road open until fall and then make it permanently closed with guard rails, for example, that can't be moved. Supervisor Wood stated that TJ would not give him a quote to get the barriers back at this time. Clerk Atwater is waiting to get a written estimate from Grossman for the cost to keep the road open.

Motion: Supervisor Novacek moved to reopen the road. Supervisor Pope seconded the motion. *Motion failed 3-2.*

Point North/IT Services

Clerk Atwater met with three IT companies and is getting the finalized quotes. She is planning to present the information to the Board in September.

Planning Commission Application Recommendation

The Planning Commission is planning to present at the September 12th meeting.

Right of Way- Attorney Advice

The Attorney advised the Town Board that an encroachment agreement would be required, and the property owners would need to have liability insurance with limits not less than the maximum liabilities limits for a municipality as provided in Minnesota Statutes Section 466.04. The Board discussed this was not an option for the homeowner and they agreed to get a quote from the road vendor to repair the slope of the road.

Dakota Sheriff- Dakota 911 JPA

Motion: Supervisor Novacek moved to adopt the Resolution. Chair Barfknecht seconded the motion with a friendly amendment to add to the motion it would be Resolution 2023-21. The Resolution is specifically to join Dakota911 JPA agreement. *Motion carried 3-2.*

Vice Chair Sauber requested the minutes reflect she voted no because she wanted more data the same as Supervisor Wood. "Since Sheriff Leko is obliging to give us the information asked for that, we should not act without the full information."

Dakota County Mail Balloting

The Board discussed and agreed to not go with the mail ballot option.

New Business

Septic Systems Reports from Inspectron

Vice Chair Sauber requested that Inspectron should send us Septic System reports with their regular reports.

2024 Levy Reporting

Motion: Chair Barfknecht moved to approve Resolution 2023-22 to adopt the 2024 budget and property tax levy as presented. Supervisor Pope seconded the motion. *Motion carried 5-0.*

September 12- Special Closed Meeting

Clerk Atwater explained that per Resolution 2023-13, 2.14, staff is to have a performance evaluation at the first meeting in September. The Board agreed to meet prior to the regular Town Board meeting at 6:30 pm.

Water testing from Elko New Market

Vice Chair Sauber reported there was an email regarding a free water testing clinic and environmental health fair at the Elko New Market library on September 30, 2023. Clerk Atwater will post on the website and email out to News and Notices.

Minutes for Approval

7.25.2023 Town Board Minutes

Motion: Chair Barfknecht moved to approve the minutes from July 25, 2023. Vice Chair Sauber seconded the motion. *Motion carried 5-0.*

8.8.2023 Special Town Board Meeting Minutes

Motion: Chair Barfknecht moved to approve the minutes from August 8, 2023, Special Town Board meeting. Vice Chair Sauber seconded the motion. *Motion carried 5-0.*

8.8.2023 Town Board Meeting Minutes

Motion: Chair Barfknecht moved to approve the minutes from August 8, 2023. Vice Chair Sauber seconded the motion. *Motion carried 4-1.*

Clerk Matters

Special Meeting Pay for Clerk

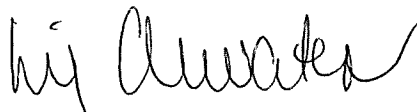
Clerk Atwater asked the Board about getting paid for Special Meetings when requested and paid for by a resident. The Board agreed the Clerk should get paid for this type of meeting in addition to their regular salary.

Adjournment

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

Meeting adjourned at 10:03 pm

Respectfully submitted,



Liz Atwater, Town Clerk

Minutes Officially Approved By:  on: 9/26/2023
Town Chair Date