

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

**TOWN BOARD MEETING**  
**December 12, 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, Tim Pope, Allen Novacek, Nancy Sauber, and Randy Wood.

Others Present: Liz Atwater, Beth Eilers, Melanie Storlie

Zoom Attendance: Ralph Fredlund, Carol Cooper, Deb Burkhardt, Julie Larson, Chad Harmer, Brian Ahern.

**Approval of the Agenda**

Vice Chair Sauber made the following additions:

X.- New Business

I. NCRWMO

J. ALAAC

*Motion:* Chair Barfknecht moved to approve the agenda as amended. Supervisor Pope seconded the motion. *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 additional attendees who would like to make a comment. Hearing none, the floor was closed.

**Reports**

Election Report-

Clerk Atwater posting for candidate filing has been in the Newspaper and posted on the bulletin board. There are two supervisor seats in this election and the Affidavit of Candidacy will open January 2, 2024.

Planning Commission Update-

Planning Commissioner Beth Eilers shared items that were discussed at the December Planning Commission meeting. A full summary is provided in the meeting minutes and is available for viewing at the Town Hall and on the website.

## **Land Use**

Kauffman, Charles & Kathleen, 25506 Ipava Ave.

*Motion:* Chair Barfknecht moved to approve the Lot Split Application PIN 13-02000-52-013, and PIN 13-02000-52-014 as submitted. Supervisor Pope seconded the motion. *Motion carried 5-0.*

## **CUP Review**

Wat Lao of Minnesota

There was not a representative present from Wat Lao of Minnesota. The Board directed Clerk Atwater to send a letter to Wat Lao of Minnesota and put them on a Town Board meeting for January.

## **Complaints**

2023-11- 24185 Denmark Ave

The Board directed Clerk Atwater to contact Inspectron to go to the property to inspect and to send letters to the complainant and to the resident.

## **Treasurer's Report**

Clerk/Treasurer Atwater read the Treasurer's Report as of November 30, 2023: Total of all accounts is: \$1,217,193.36.

*Motion:* Vice Chair Sauber moved to approve the Treasurer's Report for November 30, 2023, as presented. Chair Barfknecht seconded the motion. Roll call vote: Lu Barfknecht – Aye; Allen Novacek – Aye; Tim Pope – Aye; Randy Wood – Aye, Nancy Sauber - Aye. *Motion carried 5-0.*

## Net Pay and claims

The Clerk presented payroll in the amount of \$3,131.15 for payment. Claims in the amount of \$29,127.33 were presented for payment. See page 7 for a list of claims.

*Motion:* Chair Barfknecht moved to approve the net pay and claims as presented. Supervisor Wood seconded the motion. Roll call vote: Lu Barfknecht – Aye; Tim Pope – Aye; Randy Wood – Aye, Nancy Sauber - Aye. *Motion carried 4-0.* Supervisor Novacek abstained. He requested it be noted "I am abstaining as a result of Nancy mentioning my name in a way that made it look like I was adjourning quickly. I don't want it to look like I was trying to deny Mark pay."

## Receipts and Disbursement

Clerk/Treasurer Atwater presented the November receipts in the amount of \$299,2960.92 and November disbursement in the amount of \$186,622.06.

## Other Treasurer Reports

Clerk Atwater reviewed the Cash Control Statement, Schedule 1, PTO balances, and Investments with the Board.

## **Unfinished Business**

### Township Road Speed Project

*Motion:* Vice Chair Sauber moved that we move ahead with this project. That we have the signs that are incorrectly posted for speed taken down, working with Mark Henry as Road Superintendent. We go ahead and approve the quotes from the installation from Warning Lites and was it M&R for the signs. And that we put the resolutions for those roadways on the agenda for the next meeting. And we look into 235<sup>th</sup> between Highview and Dodd. Vice Chair Sauber decided to restate and separated the motion.

*Motion:* Vice Chair Sauber moved that we go ahead and accept the quotes for the installation and the signs. Simultaneously with removal of the signs that are not correct, as far as our authority for speed. Thus, satisfying Al's desire to have this done simultaneously. Supervisor Wood seconded the motion. Allen Novacek – Aye; Randy Wood – Aye; Nancy Sauber – Aye; Lu Barfknecht – Nay; Tim Pope – Nay. *Motion carried 3-2.*

*Motion:* Vice Chair Sauber moved that we move forward with adopting the Resolution as prepared by the attorney and paid for by the Township at our next meeting. Supervisor Wood seconded the motion. Vice Chair Sauber amended her motion that we discuss them at our next meeting. Supervisor Wood accepted the amendment. Allen Novacek – Aye; Randy Wood – Aye; Nancy Sauber – Aye; Lu Barfknecht – Aye; Tim Pope – Nay. *Motion carried 4-1.*

*Motion:* Vice Chair Sauber moved that we request the Planning Commission if they would be so kind as to look into the qualifications for 235<sup>th</sup> Street between Highview and Dodd. If it does qualify, it should be moved to the Board for approval and then that can be followed through with. Supervisor Wood seconded the motion. Vice Chair Sauber amended her motion to include that qualifications are per the Statute that gives us the authority to post a speed limit of 35 MPH in an area that qualifies as a rural residential zone. It has to be a minimum distance and a minimum average of distance between driveways. Supervisor Wood accepted the amendment. Allen Novacek – Aye; Randy Wood – Aye; Nancy Sauber – Aye; Lu Barfknecht – Aye; Tim Pope – Nay. *Motion carried 4-1.*

### MPCA

No updates to report.

### Closed Road -245<sup>th</sup> between Dodd and County Line

The Board stated this is a closed issue and to remove it from the agenda.

### Farmington Fire Contract

Attorney Ruppe is reviewing the contract and discussing it with his Partner, Mike, who represents Empire and has the same concerns with the contract.

### 250<sup>th</sup> Speed Study

Clerk Atwater reported she has discussed this with the County and am waiting for more information on requirements, which could include a Resolution from the Board.

## **New Business**

### Driveway Instructions

One correction was made by the Board.

*Motion:* Vice Chair Sauber moved to approve the Driveway or Approach Permit instructions with the one correction as submitted by the Planning Commission. Chair Barfknecht seconded. *Motion carried 5-0.*

### 2024 Budget Category Approval

*Motion:* Vice Chair Sauber moved to approve the 2024 Budget category information as presented by the Township Treasurer. Supervisor Wood seconded the motion. *Motion carried 5-0.*

### Resolution 2023-25 ARPA Funds on Lost Revenue Replacement Category.

*Motion:* Vice Chair Sauber moved to approve Resolution 2023-25 ARPA Funds on Lost Revenue Replacement Category. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

*Motion:* Vice Chair Sauber moved to move the remaining ARPA Funds into the Fire budget since it is going up 40%. Supervisor Wood seconded the motion. Allen Novacek – Aye; Randy Wood – Aye; Nancy Sauber – Aye; Lu Barfknecht – Aye; Tim Pope – Nay. *Motion carried 4-1.*

### Resolution 2023-26 Staff Compensation and Reimbursement Policy

*Motion:* Vice Chair Sauber moved to approve Resolution 2023-26 establishing a policy for the compensation and reimbursement of the employees. Chair Barfknecht seconded the motion. Allen Novacek – Aye; Randy Wood – Aye; Nancy Sauber – Aye; Lu Barfknecht – Aye; Tim Pope – Nay. *Motion carried 4-1.*

### Lakeville Comp Plan Amendment

*Motion:* Vice Chair Sauber moved that we return the form to Lakeville that no comments on the application will be forthcoming. Chair Barfknecht seconded the motion. *Motion carried 5-0.*

### Employee Job Descriptions

The Board reviewed the job descriptions for the Clerk/Treasurer, Deputy Clerk/Treasurer and Road Superintendent. Supervisor Wood will discuss with Mr. Henry the meeting attendance requirement in the description and recommend, if necessary, changes to the document. The Board agreed the Clerk/Treasurer and Deputy Clerk/Treasurer descriptions require no edits or changes.

### General Code- Codification of Chapter 126

*Motion:* Chair Barfknecht moved to approve the recodification to bring our code book up to date. Supervisor Wood seconded the motion. *Motion carried 5-0.*

### Special Closed Meeting with Attorney

The Town Board will hold a Special Closed Meeting on January 9, 2024, at 6pm with the Township Attorney.

### NCRWMO- North Cannon River Watershed Management Organization

Vice Chair Sauber reported there was a meeting at Castle Rock Town Hall. The main topic of discussion was concern about water resources because of the proposed gravel pit in Waterford Township. The organization does not have regulation powers, but they agreed to send a letter to BWSR (Minnesota Board of Water and Soil Resources) with their concerns about preserving the water and the quality of the water.

### ALAAC

Vice Chair Sauber reported they will be having their last meeting of the year on December 15<sup>th</sup>. This is the end of Supervisor Sauber's and Supervisor Wood's terms. The Board is accepting letters of interest for the positions, which are 2-year terms.

### **Minutes for Approval**

*Motion:* Vice Chair Sauber moved to approve Town Board Public Hearing minutes from July 24, 2023, as presented. Supervisor Wood seconded the motion. *Motion carried 4-0. Supervisor Pope abstained.*

*Motion:* Vice Chair Sauber moved to approve Town Board meeting minutes from October 10, 2023, as presented. Chair Barfknecht seconded the motion with one spelling correction. *Motion carried 5-0.*

*Motion:* Vice Chair Sauber moved to approve the Special Town Board meeting minutes from October 24, 2023, as presented. Supervisor Wood seconded the motion. *Motion carried 5-0.*

*Motion:* Chair Barfknecht moved to approve the October 24, 2023, Town Board regular meeting minutes. Vice Chair Sauber seconded the motion with one spelling correction. *Motion carried 5-0.*

*Motion:* Vice Chair Sauber moved to approve the minutes from the Town Board Public Hearing of November 14, 2023, as presented. Chair Barfknecht seconded the motion. *Motion carried 4-0. Supervisor Pope abstained.*

*Motion:* Chair Barfknecht moved to approve the Town Board meeting minutes from November 14, 2023, as presented. Chair Barfknecht seconded the motion with one correction. *Motion carried 5-0.*

### **Clerk Matters**

Clerk Atwater reported that she and Amy will be taking time off at the end of the year.

Clerk Atwater asked the Board the best way to handle a complaint that has come in and is not from a resident, as per complaint policy. However, it is a legitimate ordinance complaint. The Board reviewed the complaint policy. Chair Barfknecht read from the policy "The Township may deviate from this policy at any time if at any time at the sole discretion of the Township, a deviation is deemed appropriate. High risk to health and safety through potential environmental impacts." Clerk Atwater stated she would include this complaint on the next agenda.

*Motion:* Chair Barfknecht moved that it is a special case, because our policy itself says that if there's abandoned cars on a property, several of them, I would make a motion that it be placed on our agenda for the next meeting so we can review it and then determine, assign a couple individuals based on what we view, whether it is a legitimate complaint or not and then follow our policy. Our policy itself says that if there is health and safety risk potential to an environmental impact, aesthetic and or nuisance violations then we will follow our complaint policy and assign Supervisors to it, to go out and take a look. Vice Chair Sauber seconded the motion. Randy Wood – Aye; Nancy Sauber – Aye; Lu Barfknecht – Aye; Tim Pope – Nay; Allen Novacek – Nay. *Motion carried 3-2.*

Supervisor Novacek requested the following for the record. "As a result of the Chair lady's movements or language, the complaint was relayed to use at a time when it shouldn't have been as far as it's nature, and who was being complained against. This is way, way out of balance."

**Adjournment**

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

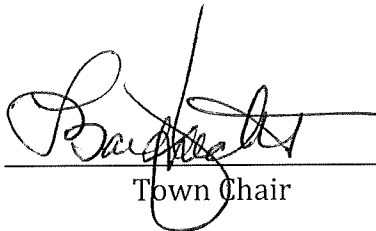
The meeting adjourned at 9:01 pm.

Respectfully submitted,



Liz Atwater, Town Clerk

Minutes Officially Approved By:

  
Town Chair

on: 1/23/2024  
Date

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Total</u>
12/12/2023	Payroll PPE 11.30.23	11152	Payroll PPE 11.30.23	\$ 1,933.31
12/12/2023	Payroll PPE 11.30.23	11153	Payroll PPE 11.30.23	\$ 502.22
12/12/2023	Payroll PPE 11.30.23	11154	Payroll PPE 11.30.23	\$ 695.62
12/12/2023	Internal Revenue Service	11155	November Payroll	\$ 1,657.55
12/12/2023	PERA	11156	November Payroll	\$ 1,069.30
12/12/2023	City of Farmington	11157	4th Quarter Fire Contract	\$ 10,019.35
12/12/2023	Dakota Electric	11158	Service 10/13-11/14/2023	\$ 17.76
12/12/2023	Dakota Electric	11159	Service 10/13-11/14/2023	\$ 228.91
12/12/2023	Driessen Water	11160	Rental and Salt	\$ 71.31
12/12/2023	DSI	11161	December Garbage	\$ 163.05
12/12/2023	ECM Publisher	11162	Ordinance 2023-06	\$ 56.00
12/12/2023	General Code	11163	Annual Maintenance	\$ 995.00
12/12/2023	Haferman Water Conditioning	11164	Water Softener for Town Hall	\$ 4,589.00
12/12/2023	Inspectron	11165	November Inspection	\$ 7,394.47
12/12/2023	Kennedy & Graven	11166	October Special Counsel and enforcement	\$ 783.50
12/12/2023	Ottomatic Lawn Care	11167	Town Hall mowing 10/3 and 10/11	\$ 750.00
12/12/2023	Mark Henry	11168	November road mileage	\$ 173.58
12/12/2023	M & R Signs	11169	Road signposts	\$ 594.35
12/12/2023	Point North	11170	December billing IT services	\$ 548.00
12/12/2023	VISA	11171	Adobe monthly fee for Deputy Clerk	\$ 16.20
				<u>\$ 32,258.48</u>