

EUREKA TOWNSHIP

Dakota County, State of Minnesota

TOWN BOARD MEETING October 8, 2024 – 7:00 P.M.

Call to Order

The Eureka Township Town Board meeting was called to order at 7:02 p.m. by Chair Pete Storlie and the Pledge of Allegiance was given.

Supervisors Present: Lu Barfknecht, Mark Ceminsky, Allen Novacek, Tim Pope, and Pete Storlie.

Others Present: Liz Atwater, Brent Walby, Ron Bjustrom, Dave Fellon, Mark Pflaum, Mark Butler, Leroy Chard, Chad Phillips, Dan Chard, Tom Chard, Stephanie Reposo, Jerome Phillipe, Chris Jalb, Deanna Sheely, Vern Lany, Rand Kubes, Sarah and Michael Mahoney.

Zoom Attendance: Deb Burkhardt, Julie Larson, Michael Lang, Rachel, Carol Cooper, Georgie Molitor, Randy Wood, Ashley, Jeff Otto, Ralph Fredlund, Melanie Storlie, Liz E.

Approval of the Agenda

Motion: Supervisor Barfknecht moved to approve the agenda. Vice Chair Ceminsky 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 Storlie opened the floor for public comment and stated that if anyone has comment regarding any agenda items, now is your time to speak.

Ron Bjustrom, 22447 Highview Ave

Mr. Bjustrom stated he owns 40 acres on Highview Ave. He offered his support for commercial zoning.

Brent Walby, 22447 Highview Ave

Mr. Walby stated his support for commercial and industrial zoning.

Dave Fellon, Progressive Railroad

Mr. Fellon stated that having the railroad will help with industrial businesses and zoning. He looks forward to working as a team with Eureka Township.

Marty Kiehm, 8345 W 267th Street

Mr. Kiehm stated he works in the construction business, and he supports any type of industrial zoning the Township may consider. He explained that the Township does not have the overhead that the Cities have, which is sewer and water. Industry is very easily developed without sewer and water.

Chair Storlie closed the floor for public comment.

Reports

Planning Commission- Dan Heyda

Planning Commissioner, Dan Heyda, shared items that were discussed at the October Planning Commission meeting. A full summary is provided in the Planning Commission meeting minutes and is available for viewing at the Town Hall and on the website.

Permit

Pflaum, Mark, 6124 225th Street W., PIN 13-00200-76-013 *Agriculture/Farm

Motion: Vice Chair Ceminsky moved to approve the exempt ag permit for Mark Pflaum at 6124 225th Street W., PIN 13-00200-76-013. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

Hallcock, Wayne, 5975 280th Street W., PIN 13-03500-76-010 *Deck

Motion: Vice Chair Ceminsky moved to approve the deck addition for Wayne Hallcock at 5975 280th Street W., PIN 13-03500-76-010. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

Friedges Landscaping, Inc., PIN 13-00700-26-030 *Red Iron Construction Building

Mr. Charles "Butch" Hansen was present as the representative for John Friedges. Mr. Hansen stated the proposed building will store agricultural related products, such as mulch and sod processing equipment. The Town Board had a discussion regarding the Minnesota State Statutes regarding Agricultural standards to qualify for Agricultural Exempt. Vice Chair Ceminsky asked Mr. Hansen if any of the mining equipment would be stored in the building. Mr. Hansen replied "No, there will be no rock crushing stuff, there will be no excavators. Anything used in the mine won't be stored in that building."

Motion: Supervisor Novacek moved to approve Friedges Landscaping, PIN 13-00700-26-030, ag exempt building. Vice Chair Ceminsky seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Mark Ceminsky – Aye; Pete Storlie- Nay; Lu Barfknecht – abstained. *Motion carried 3-1.*

Land Use

Krapu, Jeff, 24315 Dodd Blvd., PIN 13-01800-25-033 *Lot Split

The Town Board reviewed the Lot Split Application requesting that PIN 13-01800-25-033 containing 24.66 Acres on the GIS and 24.64 on the survey. Parcel A will contain 7.96 acres and Parcel B will contain 16.68 acres. The CUP will remain on Parcel B.

Motion: Supervisor Novacek moved to approve the lot split for Jeff Krapu at 24315 Dodd Blvd., PIN 13-01800-25-033. Vice Chair Ceminsky seconded the motion. *Motion carried 5-0.*

CUP Review

Prairie Creek Community School- Simon Tyler

It was reported that no complaints have been made. All the information required was submitted to the Town Board for review. The Town Board deemed the review completed.

Reports Continued

Sheriff's Department

Clerk Atwater read a report from the Dakota County Sheriff's department.

"Our office has seen an uptick over the past month of scam phone calls in which the caller claims to be with the Sheriff's Office and tells the potential victim they missed a court date. Sometimes they claim the victim did not appear in federal court for a subpoena. They will then advise the victim they need to pay the fine in bitcoin. Remind them that no law enforcement agency will ask for people to pay a fine in bitcoin, gift cards, or over the phone. In the past few weeks, we've had instances where victims have been scammed out of \$19,900, \$15,000 and \$4,700. These callers can be very demanding and sound threatening over the phone. They will even spoof the main Sheriff's Office phone number. When in doubt, hang up and call our office directly.

We have been receiving a lot of calls for school bus stop-arm violations. Remind them about the laws regarding stop-arms and ask them to spread the word.

Residents are not able to complete extra patrol requests online. Dakota911 now has the ability to receive non-emergency requests for service. They can go to the link, fill out the form, and a call will be created in CAD. <http://dakota911mn.gov>

No updates on the Nikki Anderson case out of Randolph. Investigations continue to follow up on leads.

We have been field training new deputies on a continuous basis. We have three in training now, with another individual scheduled to start FTO on November 5th. We also anticipate three new hires starting towards the end of October."

Roads

Road Report

Vice Chair Ceminsky reported that he is waiting for bids and then a meeting with Dakota County to go over work needed from the flooding this past year.

Consent Agenda

Motion: Vice Chair Ceminsky moved to pass items A, B, C, D, E, F, and G on the consent agenda. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

Items were as follows:

- a. 5.21.2024 Round Table Planning Commission and Town Board
- b. 8.14.2024 Town Board Meeting
- c. 9.10.2024 Public Hearing
- d. 9.10.2024 Town Board Meeting
- e. Resolution 2024-23 Election Judges
- f. Resolution 2024-24 Financials at Castle Rock Bank
- g. Resolution 2024-25 Financials at Old National Bank

Treasurer's Report

Clerk/Treasurer Atwater read the Treasurer's Report as of September 30, 2024: Total of all accounts was: \$995,851.22.

Motion: Chair Storlie moved to accept the Treasurer's Report as presented. Vice Chair Ceminsky seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie- Aye; Mark Ceminsky – Aye; Lu Barfknecht – Aye. *Motion carried 5-0.*

Net Pay and claims

The Clerk presented payroll in the amount of \$5,618.39 and claims in the amount of \$24,130.35 for payment. See page 7 for a list of claims.

Motion: Chair Storlie moved to approve the net pay and claims list. Supervisor Novacek seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie- Aye; Mark Ceminsky – Aye; Lu Barfknecht – Aye. Motion carried 5-0.

Receipts and Disbursements

Clerk/Treasurer Atwater presented the September receipts in the amount of \$103,375.21 and disbursements in the amount of \$271,224.88.

Other Treasurer Reports

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

2025 Budget

Clerk/Treasurer Atwater stated this will be put on the next agenda, but additional meetings may be needed.

2026 Annual Meeting and Levy Planning

Clerk/Treasurer Atwater stated this needs to be started in January and may require additional meetings.

Unfinished Business

JPA with Dakota County Sheriff

Motion: Chair Storlie moved to forward the JPA to the Attorney for review. Vice Chair Ceminsky seconded the motion. Motion carried 5-0.

Trees Along Right-Of-Way

Vice Chair Ceminsky reported that quite a few trees in the right-of-way have died. Chair Storlie suggested checking with Dakota County about grants available to assist with removal.

Town Hall Updates

Vice Chair Ceminsky reported that the landscaping and painting have been completed by Clerk Atwater's dad who volunteered his time. Chair Storlie reported the sidewalk had been replaced and Supervisor Pope stated it looks great. Clerk Atwater explained the septic pipe cover was broken, and it was replaced with a cover that is flush with the ground. The refrigerator has been delivered to the Town Hall. Clerk Atwater is just waiting on bids to get the water line hooked up to it. Clerk Atwater received two bids for replacing the interior garage lights, outside lighting around the building, parking lot lights and entry way to Town Hall. Tommy's Electric: \$4,860.00. Top Line Electric: \$6,617.11

Motion: Vice Chair Ceminsky moved to accept the bid from Tommy's Electric to replace the lighting that is included in the bid for \$4,860.00. Supervisor Novacek seconded the motion. Motion carried 5-0.

New Business

Commercial

Motion: Vice Chair Ceminsky moved to accept the definitions and setbacks for the commercial as presented. Supervisor Novacek seconded the motion. Vote: Allen Novacek – Aye; Tim Pope – Aye; Mark Ceminsky – Aye; Pete Storlie- Nay; Lu Barfknecht – Nay. *Motion carried 3-2.*

Quotes for Roads 2025

Vice Chair Ceminsky requested for the Board's approval to ask for quotes for rock based on total tonnage and dust proofing based on work anticipated for 2025 Road Projects.

Motion: Chair Storlie moved to send out the 2025 road project list to get quotes for the tonnage on material. Supervisor Barfknecht seconded the motion. Chair Storlie clarified his motion was for the 2025 Road Projects presented which includes the tonnage of the gravel, dust coating and brush cutting. Supervisor Barfknecht accepted this clarification. *Motion carried 5-0.*

Planning Commission Items

The Town Board agreed that the draft ordinance of home extended business and draft survey would be discussed at the Special Town Board and Planning Commission meeting to be held on October 9th, 2024.

Farmington Comprehensive Plan

The Town Board agreed that the Comprehensive Plan Amendment is not anticipated to impact this jurisdiction.

MPM/Chard Mining IUP Expiration

Mr. Mark Butler stated that MPM worked with and had an agreement with TKDA on reclamation and reclamation plans. Chair Storlie asked if there was any documentation and Mr. Butler replied that it was a verbal discussion.

Supervisor Novacek asked Mr. Butler what they would offer as a solution. Mr. Butler explained the MPM would like to transfer the IUP back into Chard's name. Supervisor Barfknecht pointed out that the IUP is expired and a new IUP would need to be applied for.

Minnesota Flag

The Town Board directed the Clerk to order a Minnesota Flag for the Town Hall with the old design.

CUP Review Requirements

The Town Board discussed CUP review requirements for the Township. The Town Board agreed that the Board conducts a review. The property owner will not be required to appear in person as long as they have submitted all their required paperwork, and they have not received any complaints. Public comment is not required during a CUP review. The Clerk was directed to contact the Attorney to find out if this should be a formal policy or resolution.

Township Newsletter

The Town Board agreed they no longer need to approve the newsletter prior to the Clerks sending it out. Supervisor Novacek recommended having a disclaimer that the Newsletter has not been reviewed or approved by the Town Board prior to its publication.

Chair Storlie asked why the Town Hall was going to be open on Christmas Eve. Clerk Atwater explained that it is not a paid holiday for the Clerks.

Motion: Chair Storlie moved to make Christmas Eve a holiday for the Clerks. Supervisor Barfknecht seconded the motion. *Motion carried 5-0.*

Website and Email Address

Clerk Atwater explained that the Township can get a .gov website through the Federal Government. The website would be eureka.gov. It would go live on January 1, 2025, and would also change the email addresses.

Motion: Vice Chair Ceminsky moved to go with the new website and email address. Supervisor Barfknecht seconded the motion. *Motion carried 5-0.*

General Code Quote

Motion: Chair Storlie moved to proceed with updating with a cost between \$680.00-\$885.00 with General Code. Vice Chair Ceminsky seconded the motion. *Motion carried 5-0.*

Lakeville Fire Contract

Chair Storlie reported that Supervisor Novacek, Clerk Atwater, and himself met with the City of Lakeville regarding the fire contract and pricing. Clerk Atwater will send the draft to Attorney Gilchrist to review.

Closed Meeting with Attorney

Clerk Atwater will work with Attorney Alsop to schedule a closed meeting regarding litigation.

Resolution 2024-26

Motion: Supervisor Barfknecht moved to pass Resolution 2024-26 agreeing to release restrictions imposed on a parcel of property. Vice Chair Ceminsky seconded the motion. *Motion carried 5-0.*

Clerk Matters

Employee Review

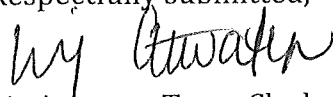
The Town Board will conduct the Clerks' review on November 12th, at a special meeting at 6:30 pm.

Adjournment

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

The meeting was adjourned at 9:41pm.

Respectfully submitted,



Liz Atwater, Town Clerk

Minutes Officially Approved By:  on: 12-10-24
Town Chair Date

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Total</u>
10/08/2024	Payroll ending 9/30/2024	11501	Payroll ending 9/30/2024	\$ 2,094.71
10/08/2024	Payroll ending 9/30/2024	11502	Payroll ending 9/30/2024	\$ 702.28
10/08/2024	Payroll ending 9/30/2024	11503	Payroll ending 9/30/2024	\$ 184.70
10/08/2024	Payroll ending 9/30/2024	11504	Payroll ending 9/30/2024	\$ 270.78
10/08/2024	Payroll ending 9/30/2024	11505	Payroll ending 9/30/2024	\$ 369.40
10/08/2024	Payroll ending 9/30/2024	11506	Payroll ending 9/30/2024	\$ 277.05
10/08/2024	Payroll ending 9/30/2024	11507	Payroll ending 9/30/2024	\$ 452.51
10/08/2024	Payroll ending 9/30/2024	11508	Payroll ending 9/30/2024	\$ 277.05
10/08/2024	Payroll ending 9/30/2024	11509	Payroll ending 9/30/2024	\$ 277.05
10/08/2024	Payroll ending 9/30/2024	11510	Payroll ending 9/30/2024	\$ 572.57
10/08/2024	Payroll ending 9/30/2024	11511	Payroll ending 9/30/2024	\$ 270.78
10/08/2024	ECM Publishers	11512	Public Hearing Sept 10	\$ 76.80
10/08/2024	Inspectron, INC	11513	September 2024 Inspectron	\$ 11,783.34
10/08/2024	JTN Communication	11514	Internet	\$ 199.00
10/08/2024	Kennedy & Graven	11515	Enforcement Matters	\$ 690.00
10/08/2024	Metro Alarm & Locks	11516	Sept-Nov 2024	\$ 90.00
10/08/2024	Metro Sales	11517	Copier and Copies	\$ 275.80
10/08/2024	MN Department of Labor	11518	State Surcharge Quarter 2, 2024	\$ 791.04
10/08/2024	Ottomatic Lawn Care	11519	Town Hall mowing August	\$ 750.00
10/08/2024	Pat's Concrete & Bobcat	11520	Sidewalk repairs at Town Hall	\$ 1,800.00
10/08/2024	T&C Cleaning	11521	Cleaning September	\$ 150.00
10/08/2024	Town Law Center	11522	September General	\$ 483.00
10/08/2024	Grossman	11523	Grading and garbage	\$ 2,475.00
10/08/2024	Dakota Electric	20241008EFT1	Electric	\$ 231.58
10/08/2024	DSI	20241008EFT2	October Garbage	\$ 179.36
10/08/2024	Visa	20241008EFT3	Adobe, Fridge, Supplies	\$ 980.61
10/08/2024	IRS	20241008EFT4	September Payroll	\$ 2,026.87
10/08/2024	PERA	20241008EFT5	September Payroll	\$ 1,067.46
				<u>\$ 29,748.74</u>