

# EUREKA TOWNSHIP

Dakota County, State of Minnesota

## TOWN BOARD MEETING

November 12, 2024 – 7:00 P.M.

### Call to Order

The Eureka Township Town Board meeting was called to order at 7:05 p.m. by Chair Pete Storlie and the Pledge of Allegiance was given.

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

Others Present: Liz Atwater, Tom Chard, Leroy Chard, Chad Phillip, Chris and Myrna Juliar, Bill Clancy, Terry and Ashley Schultz, Sarah Lybarger, Phil Cleminson.

Zoom Attendance: Mark Butler, Gloria Belzer, Jim Sauber, Jeff Otto, Julie Larson, Ralph Fredlund, \*9520, Randy Wood, Michael Lang, IPAD 3, 651-\*\*\*\*-080.

### Approval of the Agenda

Vice Chair Ceminsky requested the following be added to the agenda:

X. Unfinished Business

E. Squatter Ordinance

XI. New Business

K. Brush Cutting bid

*Motion:* Chair Pete Storlie moved to approve the agenda as amended. Supervisor Novacek seconded the motion. *Motion carried 4-0.*

### Reports

Sheriff's Department- Josh

A lot more fatal accidents have been happening lately, so asking everyone to drive carefully and slow down.

Vice Chair Ceminsky requested the Sherriff Department to place a speed trailer at Dodd and 250<sup>th</sup>, and at 235<sup>th</sup> at Cedar and Denmark, that includes information about the engine braking ordinance.

### 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 reminded that if anyone has comment regarding any agenda items, now is your time to speak.

Chair Storlie closed the floor for public comment.

## **Reports Continued**

### Planning Commission- Melanie Storlie

Planning Commission Chair, Melanie Storlie shared items that were discussed at the November 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**

### Bartyzal, Nick 27025 Galaxie Ave., PIN 13-03400-27-011 \*Detached Garage

*Motion:* Vice Chair Ceminsky moved to approve the permit for Nick Bartyzal at PIN 13-03400-27-011, 27025 Galaxie Ave, Farmington for 50 X 30 garage. Supervisor Novacek seconded the motion. *Motion carried 4-0.*

## **Citizen Inquiry**

### Schultze, Ashley – 26851 Ipava, Ordinance 240-43 Performance Standards

Ashley Schultz gave a presentation to the Town Board on Ordinance 240-43 Performance standard and asked the Town Board to review the Ordinance and possibly make changes.

## **Roads**

### Road Report

Vice Chair Ceminsky reported that the graders have been working on getting the roads shaped up for winter. Most roads that were not graveled this year are flat and unable to achieve a crown. 225<sup>th</sup> is in rough shape, and gravel has been ordered to try to get the road in better shape before winter. The vendor who is cutting brush in the right of way on 240<sup>th</sup>, 235<sup>th</sup> and Fordham, has cleared a lot of brush. Reminder to residents, if you see people/vehicles who are suspicious and could be dumping, please report to the Sheriff's office and try to get the plate information.

## **Consent Agenda**

*Motion:* Vice Chair Ceminsky moved to approve items A, B, and C on the consent agenda. Chair Pete Storlie seconded the motion. *Motion carried 4-0.*

*Items were as follows:*

- a. 10.8.2024 Special Town Board Minutes
- b. 10.9.2024 Special Planning Commission and Town Board Minutes
- c. 10.24.2024 Special Town Board Minutes

## **Treasurer's Report**

Clerk/Treasurer Atwater read the Treasurer's Report as of October 31, 2024: Total of all accounts was: \$972,982.74.

*Motion:* Chair Pete 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. *Motion carried 4-0.*

### Net Pay and claims

The Clerk presented payroll in the amount of \$5,049.84 and claims in the amount of \$23,659.12 for payment. See page 8 for a list of claims.

*Motion:* Chair Pete Storlie moved to approve the net pay and claims as present. Supervisor Novacek seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie- Aye; Mark Ceminsky – Aye. *Motion carried 4-0.*

### Receipts and Disbursements

Clerk/Treasurer Atwater presented the October receipts in the amount of \$11,651.34 and disbursements in the amount of \$34,519.82.

### Other Treasurer Reports

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

### CD Recommendations

Clerk/Treasurer Atwater reported the Township has 4 CDs that are maturing soon.

- General Fund 7-month CD at Genisys

*Motion:* Supervisor Novacek moved that we move the \$25,750.82 presently with Genisys to Castle Rock bank for the 6-month period of 4.15%. Supervisor Pope seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Nay; Pete Storlie - Nay; Mark Ceminsky – Nay. *Motion failed 1-3.*

*Motion:* Vice Chair Ceminsky moved for the amount to Castle Rock be for the 12-month term at 4.3%. Motion did not receive a second.

*Motion:* Supervisor Novacek moved that we move the \$25,750.82 from Genisys to New Market Bank at 4.5%\*. Supervisor Pope seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie - Aye; Mark Ceminsky – Aye. *Motion carried 4-0. \*CD is a 7-month term.*

- General Fund 6-month CD at Frandsen

*Motion:* Supervisor Pope moved to move the \$25,651.78 to the 6-month Frandsen CD for 4.54%. Supervisor Novacek seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie - Aye; Mark Ceminsky – Aye. *Motion carried 4-0.*

- Road and Bridge 7-month CD at Genisys

*Motion:* Supervisor Pope moved to roll the \$30,900.99 into a 7-month CD at Genisys at 4.65%. Supervisor Novacek seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie - Aye; Mark Ceminsky – Aye. *Motion carried 4-0.*

- Asphalt and Hard Surfaces CD at Frandsen

*Motion:* Vice Chair Ceminsky moved to move the Road and Bridge 6-month CD at Frandsen over into Frandsen at a 6-month CD at 4.54% or best rate available. Chair Pete Storlie seconded the motion. Vice Chair Ceminsky amended his motion to include the Asphalt and Hard Road Surfaces. Chair Pete Storlie accepted the amendment. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie - Aye; Mark Ceminsky – Aye. *Motion carried 4-0.*

## **Unfinished Business**

### JPA with Dakota County Sheriff

Clerk Atwater reported the Attorney is still reviewing the contract.

### Lakeville Fire Contract

Clerk Atwater reported the Attorney is still reviewing the contract.

### MPM/Chard Mining IUP Expiration

Chair Pete Storlie summarized that the IUP has expired for this pit and needs to be reclaimed. The Town Board is looking for options and solutions that would be best for the Township, the owner, and all parties involved. Options discussed were that MPM has to honor the agreement with the IUP and if they want to continue to mine the property, they will have to apply for a new IUP, the Township would have to take action with the reclamation and the bond, or another solution to solve the problem. The goal is to get the property back to where it was.

Mark Butler with MPM stated that MPM would not like to mine on the property, but the landowner Chard would like to complete the mining process on their property. MPM's lease expires with Chard in 2027.

LeRoy Chard and his son, Tom, were also present. LeRoy Chard stated he would like to get a permit and have his sons take over mining the property.

Chair Pete Storlie proposed meeting individually with the involved parties to better understand their plans and then report back at the next meeting.

*Motion:* Chair Pete Storlie moved that Pete and Mark will meet the parties involved in this on an individual basis and get a more in-depth understanding what direction they want to go. They will report back to the board at the next meeting. Supervisor Novacek seconded the motion. *Motion carried 4-0.*

### Planning Commission Items: Draft Ordinance of home extended business and Draft Survey

The Town Board agreed to table these topics until New Business and discuss with the TB and PC Special meeting topics.

## **New Business**

### Squatter Ordinance

The Town Board will discuss under the planner topic.

### Applewood Orchard

The Town Board directed the Clerk to send a letter to the Owners of Applewood Orchard requesting their attendance at the December Town Board meeting and informing them they are currently in violation and are not allowed to operate any agrotourism on the property.

### Town Board and Planning Commission 10.9.2024 Meeting review topics

Chair Storlie gave a summary of the Round Table meeting. He explained the plan for the proposed open house is to provide the community with challenges the Township is facing and then ask the community for their suggestions or recommended solutions to the challenges. The challenges that

were discussed are threat of annexation, restricted land use/housing density, preserving agriculture and rural character, preserving our autonomy, increase tax base through infrastructure maintenance, improvement, additions or public services cost increases.

#### Engineer and Planner for the Township

The Clerk reached out to 4 different companies for a request for a meeting. Two of those companies had conflicts of interest, and one was a smaller operation and was not interested. Two representatives from the Planning Commission and Town Board meet with the fourth company, WSB. Based on this meeting, WSB submitted a proposal to assist with the open house task and to become the Township's planner.

*Motion:* Chair Pete Storlie moved to accept the open house phase, task 1, 2, 3, and 4, not to exceed \$4,750.00 for those tasks with WSB. Vice Chair Ceminsky seconded the motion. *Motion carried 4-0.*

*Motion:* Vice Chair Mark moved to accept WSB as our Planning and Engineering firm for Eureka Township. Supervisor Novacek seconded the motion. *Motion carried 4-0.*

*Motion:* Vice Chair Mark moved to accept WSB proposal of working up to 10 hours a month, with a maximum yearly budget of \$18,000 and to attend all Planning Commission meetings and requested Town Board meetings at a flat rate of \$250 a meeting. Supervisor Novacek seconded the motion. *Motion carried 4-0.*

Clerk Atwater will schedule a meeting with WSB with the same four representatives from the Planning Commission and Town Board.

The Town Board agreed to table the ordinance for home extended businesses, the draft survey, and the squatter ordinance until after meeting with the planner. It will be kept on the agenda under unfinished business.

#### Cannabis Ordinance Update

The Town Board reviewed the recommended Cannabis Ordinance by Attorney Gilchrist. Clerk Atwater and Deputy Clerk Liberty will work with the Planning Commission to schedule a Public Hearing.

#### Ordinance 240-43 Performance Standards (Animal Units)

The Town Board agreed to forward this to the Planning Commission for review.

#### Sealed Bids for Gravel 2025

Clerk Atwater reported that Notice of Seal bid was properly posted on the Town Hall, website and in the newspaper. Bids were received from 4 vendors, with one being emailed and received after the deadline. The Town Board agreed not to consider that bid. The Town Board opened the bids individually and the bids were as follows:

- Milestone Materials: Class 5, 16,300 tons at 8.75/ton and 4.50/Delivery. Total \$215,975
- Anderson Rock & Lime (Cannon Falls): Class 5, 16,300 tons at 7.00/ton and 7.20/delivery. Total \$231,460
- Anderson Rock & Lime (Solberg): Class 5, 16,300 tons at 6.00/ton and 6.70/delivery. Total \$207,010.

The Town Board tabled the discussion on gravel bids until after reviewing the budget for 2025

#### Quotes for Street Sweeping 2025

Clerk Atwater reported that Requests for Quotes were sent out to vendors and posted on the website. Only one vendor returned a quote; On Call Sweeping, for \$2,400.

*Motion:* Supervisor Novacek moved to not sweep this year. Supervisor Pope seconded the motion. Vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Nay; Mark Ceminsky – Nay. *Motion failed 2-2.*

The Town Board agreed to discuss it at the December meeting.

#### Quotes for Dustproofing

Clerk Atwater reported that Requests for Quotes were sent out to vendors and posted on the website. The Town Board reviewed the quotes, and the bids were not comparable at this time. The Town Board directed the clerk to contact the vendors to find out the rate of application for Envirotech. Also find out the difference between Magnesium Chloride, Calcium Chloride, and Durablend. The Town Board will review this information at the December meeting.

#### Tree Trimming in Right of Ways

Vice Chair Ceminsky provided to the Town Board a bid from Otte Excavating for a 3-year estimated plan to trim trees in the right of ways throughout the Township. The Town Board agreed to discuss it at the December meeting.

#### Orderly Annexation Agreements

*Motion:* Vice Chair Mark Ceminsky moved that we engage with the planner and the attorney in talking about, working on orderly annexation, but not directly with the Cities, just with us. Chair Storlie seconded the motion. Chair Storlie made a friendly amendment to include that the Attorney does not engage any neighboring jurisdiction, Township or City, without the Board's approval. Vice Chair Ceminsky accepted the amendment. *Motion carried 3-1, with Supervisor Novacek voting Nay.*

#### PIN 13-00800-76-010

The Town Board requested that the Clerk contact the Attorney regarding the options to acquire this property, since it is in the Township roadway.

#### 2025 Budget Recommendations and Review

Clerk/Treasurer Atwater reviewed the 2025 Budget with the Town Board. Some adjustments were suggested and will be reviewed at the December meeting.

#### 2025 Annual Meeting and 2026 Levy Planning

The Town Board agreed to hold a special meeting on December 10, 2024, at 6pm.

#### Town Hall Water Line for Refrigerator.

*Motion:* Vice Chair Ceminsky moved to approve and additional \$250.00 to get the water line installed. Supervisor Novacek seconded the motion. *Motion carried 4-0.*



<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Total</u>
11/12/2024	Payroll ending 10/31/2024	11526	Payroll ending 10/31/2024	\$ 2,014.22
11/12/2024	Payroll ending 10/31/2024	11527	Payroll ending 10/31/2024	\$ 388.71
11/12/2024	Payroll ending 10/31/2024	11528	Payroll ending 10/31/2024	\$ 925.88
11/12/2024	Payroll ending 10/31/2024	11529	Payroll ending 10/31/2024	\$ 153.77
11/12/2024	Payroll ending 10/31/2024	11530	Payroll ending 10/31/2024	\$ 315.46
11/12/2024	Payroll ending 10/31/2024	11531	Payroll ending 10/31/2024	\$ 124.67
11/12/2024	Payroll ending 10/31/2024	11532	Payroll ending 10/31/2024	\$ 128.83
11/12/2024	Payroll ending 10/31/2024	11533	Payroll ending 10/31/2024	\$ 175.46
11/12/2024	Payroll ending 10/31/2024	11534	Payroll ending 10/31/2024	\$ 124.67
11/12/2024	Payroll ending 10/31/2024	11535	Payroll ending 10/31/2024	\$ 141.29
11/12/2024	Payroll ending 10/31/2024	11536	Payroll ending 10/31/2024	\$ 153.77
11/12/2024	Payroll ending 10/31/2024	11537	Payroll ending 10/31/2024	\$ 124.67
11/12/2024	Payroll ending 10/31/2024	11538	Payroll ending 10/31/2024	\$ 124.67
11/12/2024	Payroll ending 10/31/2024	11539	Payroll ending 10/31/2024	\$ 153.77
11/12/2024	Elizabeth Atwater	11540	Mileage	\$ 93.92
11/12/2024	Mark Ceminsky	11541	Mileage	\$ 144.05
11/12/2024	General Code	11542	Annual Maintenance	\$ 995.00
11/12/2024	JTN Communication	11543	Internet	\$ 199.00
11/12/2024	Kennedy & Graven	11544	Enforcement Matters	\$ 287.50
11/12/2024	Marketing Clarity	11545	Website Redesign	\$ 400.00
11/12/2024	Marketing Clarity	11546	Maintenance Plan	\$ 500.00
11/12/2024	MATIT	11547	Worker's Comp 2025	\$ 1,269.00
11/12/2024	Metro Alarm & Locks	11548	December-February 2025	\$ 90.00
11/12/2024	Otte Excavating	11549	Ditch Mowing	\$ 5,670.00
11/12/2024	Ottomatic Lawn Care	11550	Town Hall mowing September	\$ 750.00
11/12/2024	Safety Signs	11551	Signs for Township	\$ 1,262.05
11/12/2024	Safety Signs	11552	Emergency Signs	\$ 298.45
11/12/2024	T&C Cleaning	11553	Cleaning October	\$ 150.00
11/12/2024	Tommy's Electric	11554	Town Hall Lighting	\$ 4,960.00
11/12/2024	Town Law Center	11555	October General	\$ 1,817.00
11/12/2024	Ellen Canfield	11556	Mileage Election	\$ 41.54
11/12/2024	Mary Dawson	11557	Mileage Election	\$ 3.01
11/12/2024	Elizabeth Eilers	11558	Mileage Election	\$ 3.62
11/12/2024	William Pekarna	11559	Mileage Election	\$ 17.42
11/12/2024	Susan Rogers	11560	Mileage Election	\$ 4.02
11/12/2024	Kris Todd	11561	Mileage Election	\$ 4.02
11/12/2024	Melanie Storlie	11562	Mileage Election	\$ 3.62
11/12/2024	Elaine Swedin	11563	Mileage Election	\$ 8.71
11/12/2024	Cheryl Schindeldecker	11564	Mileage Election	\$ 4.02
11/12/2024	IRS	20241112 EFT1	October Payroll	\$ 2,213.65
11/12/2024	PERA	20241112 EFT2	October Payroll	\$ 1,140.81
11/12/2024	Dakota Electric	20241112 EFT3	Electric	\$ 214.65
11/12/2024	DSI	20241112 EFT4	November Garbage	\$ 146.51
11/12/2024	Point North	20241112 EFT5	Firewall yearly subscription	\$ 276.00
11/12/2024	Point North	20241112 EFT6	November Billing IT	\$ 528.84
11/12/2024	Visa	20241112 EFT7	Supplies	\$ 162.71
				<b>\$ 28,708.96</b>