

EUREKA TOWNSHIP
Dakota County, State of Minnesota

TOWN BOARD MEETING
June 11, 2024 – 7:00 P.M.

Call to Order

The Eureka Township Town Board meeting was called to order at 7:00 p.m. by Chair Storlie and the Pledge of Allegiance was given.

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

Others Present: Liz Atwater, Pat and Daniel Tutewohl, Jeff Otto, Deb Burkhardt, Andre Stouvenel, Nancy Sauber, Brian Storlie.

Zoom Attendance: Julie Larson, Carol Cooper, Randy Wood, Jim Sauber, Ralph Fredlund.

Approval of the Agenda

Motion: Chair Storlie moved to approve the agenda. Vice Chair Ceminsky seconded the motion.
Motion carried 4-0.

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

Jeff Otto- 25580 Dodd Blvd

See page 6 for written public comment.

Chair Storlie closed the floor for public comment.

Reports

Planning Commission

Planning Commissioner Brian Storlie shared items that were discussed at the June 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.

JTN Communications: Broadband

See page 7 for the written report.

Permits

Hallock, Wayne, 5957 280th Street W., PIN 13-03500-76-010 *Addition

Motion: Vice Chair Ceminsky moved to approve the permit for 5957 280th Street W., PIN 13-03500-76-010 for an addition. Chair Storlie seconded the motion. *Motion carried 4-0.*

Beissel, Kevin * Rudi, Jeff, XX 255th Street W., PIN 13-02400-51-015 *New Construction

Motion: Vice Chair Ceminsky moved to approve permit application and move to the inspector for approval for PIN 13-02400-51-015 with the addition of the silt fence that was talked about at the Planning Commission meeting, where it extends for runoff past the house and past the septic system. Supervisor Novacek seconded the motion. *Motion carried 4-0.*

Citizen Inquiry

25805 Fairgreen Ave

Pat and Janie Tutewohl told the Board they intend to build a new home on their property but requested to live in their current home during the construction, then tear down the original house once the new home is completed. The Town Board had instructed the attorney to compose an agreement that would include an escrow. Dennis Olson, the Attorney representing the Tutewohls, asked the Town Board about some of the language in the agreement and escrow amounts. Chair Storlie recommended that \$3000-5000 be put in an escrow account for administrative costs and recommended the Tutewohl's get a bid for demolition and removal of the current house to get an accurate amount for the Security Deposit escrow.

Farmington Fire Contract

Motion: Chair Storlie moved to approve the fire service agreement with the city of Farmington. Supervisor Pope seconded the motion. Vote: Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky – Aye, Allen Novacek - Nay. *Motion carried 3-1.*

Roads

Road Report

Vice Chair Ceminsky reported the grading vendor has been out grading. The weather has put the Township behind on grading. There have been many phone calls with compliments on the roads and a few complaints. There are still a few more roads to get rock, and there will be roads that will not get gravel due to budget restraints this year.

RFQ- Ditch Mowing

Only one quote was received from Otte's Excavating \$5,670 per mowing and it will be completed twice a year.

Motion: Vice Chair Ceminsky moved to accept Otte's contract. Supervisor Novacek seconded the motion. *Motion carried 4-0.*

RFQ- Tree Trimming

Supervisor Pope left his seat and moved to the audience. Chair Storlie explained that Supervisor Pope is recusing himself from the RFQ for the tree trimming, as he submitted a bid.

The Town Board reviewed and compared all bids.

- Carr Tree Service: \$12,400.00
- Castle Rock Contracting and Tree Service \$10,500.00
- Pope Premium Enterprises \$12,137.03

Vice Chair Ceminsky noted that Castle Rock's quote included \$2,500 per mobilization, but it is unknown how many mobilizations it would take. He also pointed out that Pope Premium Enterprises quote included tax (\$912.03), which needs to be removed. Vice Chair Ceminsky further explained that Pope Premium Enterprises quote also included a line item for trimming up the tree canopy

(\$825.00), that the other vendors did not include. After removing this item from the bid, Pope's total quote would be \$10,400.00

Motion: Supervisor Novacek moved to accept the Pope estimate. Vice Chair Ceminsky seconded the motion. Supervisor Novacek amended his motion that the Pope estimate would be for the grand total of \$10,400.00. Vice Chair Ceminsky accepted the amendment. *Motion carried 3-0.*

Sign Quotes

Vice Chair Ceminsky presented two different quotes for the Town Board to review. He recommended the Town Board go with the bid that included the diamond reflective signs for dead end roads, instead of the bar style. Chair Storlie asked the Clerk if there is money in the budget for signs. Clerk Atwater stated the budget for signs is \$4,000 and the Township has spent to date \$3,739, plus there will be another \$2,000 for installation of the speed signs. Clerk Atwater to review the budget and present recommendations to the Board at a future meeting.

Treasurer's Report

Clerk/Treasurer Atwater read the Treasurer's Report as of May 31, 2024: Total of all accounts was: \$1,009,179.02.

Motion: Vice Chair Ceminsky moved to accept the Treasurer's Report as read. Supervisor Novacek 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 \$2,900.53 and claims in the amount of \$68,452.14 for payment. See page 5 for a list of claims.

Motion: Chair Storlie moved to approve the net pay and claims as presented. 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 May receipts in the amount of \$213,670.50 and May disbursements in the amount of \$302,397.96.

Other Treasurer Reports

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

Unfinished Business

Mining Superintendent and Mining Fees

Supervisor Novacek reported he has had concerns with the Mining Superintendent position even existing and the mines having to pay to be reviewed by the Mining Superintendent. He reviewed the contract between the Township and the Mining Superintendent, Carrie Jennings, and the Township can terminate the contract at any time. Supervisor Pope asked why the Mining Supervisor was created. Vice Chair Ceminsky stated that when he read the minutes, the Town Board at the time, were concerned about reclamation of the pits. Chair Storlie stated there are state and federal agencies that

oversee the mines and can provide information. The Town Board discussed that the contract did not include a requirement for a Certificate of Insurance from the contractor.

Motion: Supervisor Novacek moved that we notify our present Mining Superintendent that position, she has been terminated, through no fault of her own, just terminated. Vice Chair seconded the motion. Roll call vote: Allen Novacek – Aye; Pete Storlie – Aye; Mark Ceminsky – Aye; Tim Pope – Nay. *Motion carried 3-1.* The Town Board directed Clerk Atwater to draft a letter to Carrie Jennings.

Cannabis Moratorium and updates

The Attorney provided information on the new legislation. The Moratorium ends January 2025, and the State is still working on processes.

New Business

Meeting Regarding Potential Annexation with the City of Lakeville

Chair Storlie, Vice Chair Ceminsky, and Clerk Atwater will schedule a meeting.

Special Meeting- Ordinance Text Amendment

Special Town Board Meeting regarding the proposed ordinance text amendment will be June 20th at 1pm.

Adjournment

Motion: Supervisor Pope moved to adjourn the meeting. Supervisor Novacek seconded the motion. *Motion carried 4-0.*

The meeting was adjourned at 8:44pm.

Respectfully submitted,



Liz Atwater, Town Clerk

Minutes Officially Approved By:


Town Chair

on:

8-14-24

Date

| <u>Date</u> | <u>Vendor</u> | <u>Check #</u> | <u>Description</u> | <u>Total</u> |
|-------------|------------------------|----------------|---------------------------------------|---------------------|
| 6/11/2024 | Payroll ending 5/31/24 | 11386 | Payroll ending 5/31/24 | \$ 2,014.22 |
| 6/11/2024 | Payroll ending 5/31/24 | 11387 | Payroll ending 5/31/24 | \$ 886.31 |
| 6/11/2024 | Anderson Rock and Lime | 11388 | Gravel | \$ 1,267.73 |
| 6/11/2024 | Anderson Rock and Lime | 11389 | Gravel | \$ 45,338.30 |
| 6/11/2024 | Dakota Electric | 11390 | Electric | \$ 161.31 |
| 6/11/2024 | Dakota Electric | 11391 | Electric | \$ 17.49 |
| 6/11/2024 | DSI | 11392 | June Garbage | \$ 163.05 |
| 6/11/2024 | Kennedy & Graven | 11393 | Legal | \$ 1,974.88 |
| 6/11/2024 | Elizabeth Atwater | 11394 | Mileage | \$ 112.56 |
| 6/11/2024 | Mark Ceminsky | 11395 | Mileage for Roads April and May | \$ 525.95 |
| 6/11/2024 | MAT | 11396 | Town Law Review | \$ 65.00 |
| 6/11/2024 | Visa | 11397 | Adobe, USPS, Sam's, Vista Print | \$ 345.49 |
| 6/11/2024 | Mark Ceminsky | 11398 | Paint | \$ 53.44 |
| 6/11/2024 | IRS | 11399 | May Taxes Payroll | \$ 1,735.44 |
| 6/11/2024 | PERA | 11400 | May Payroll | \$ 1,088.12 |
| 6/11/2024 | Inspectron | 11401 | May 2024 Inspections | \$ 1,189.82 |
| 6/11/2024 | City of Farmington | 11402 | Fire Administration Q1 | \$ 13,281.56 |
| 6/11/2024 | JTN | 11403 | June 2024 | \$ 199.00 |
| 6/11/2024 | Marketing Clarity | 11404 | Website Redesign 1 st half | \$ 400.00 |
| 6/11/2024 | Point North | 11405 | June Billing | \$ 533.00 |
| | | | | <u>\$ 71,352.67</u> |

Public Comment for 6/11/2024 Town Board Meeting

My name is Jeff Otto, I have resided at 25580 Dodd Blvd. for 21 years.

My subject has to do with the May 24th, 2024, application for a text amendment related to AgTourism.

Let me first be clear that the efforts of Mr. and Mrs. Parranto for a quarter century have been a very positive asset to the Eureka community and surrounding areas. Continuing this particular legacy of community benefit under new leadership looks to be worthy.

The Planning Commission has scheduled a hearing Tuesday evening, June 18th, on this text amendment.

It is the text amendment wording that has serious implications for the entire Township far beyond the Parranto property and potentially for the next two decades or more. There will be important questions raised for consideration. Yet tonight the Board will be considering a Special Meeting of the Board, on this amendment, to be held right away Thursday the 20th at the unusual time of 1 pm in the afternoon. The time itself is curious knowing there are Board and Planning Commission members with full-time jobs.

The Planning Commission should be allowed a much more realistic time frame for both hearing the issues and consideration of the extensive and thoughtful work done by the AgTourism Task Force eleven years ago, which included Mr. Parranto as a key member.

Such a day and a half rush by the Board clearly boxes the Planning Commission into an untenable position with no serious opportunity to craft a truly positive amendment. It certainly can and must be improved to preserve the clear benefits as well as protect property owners from other possible future efforts that could stretch the intent to the detriment of adjacent property owners and Eureka taxpayers in general.

One example to consider is that the current proposal advocates as a Conditional Use Permit, while the Task Force study's Ordinance amendment recommended handling as an Interim Use Permit. There may be positive and negative considerations for both choices, so which would be the better fit? Seeking input from the Town Attorney or MAT may be very important.

I hope this Board will choose a much more realistic time frame for due diligence in the amendment process. To not do so would show a clear disregard for fair, proper and competent leadership for our residents.

Thank you.

I apologize for not being present at the meeting today as I had already committed my time to the Castle Rock Township meeting this evening before being requested for an update on the projects.

The State Border to Border fiber project has successfully completed all major construction. We met with field representatives from a State contractor to complete field validation paperwork and technical validation tests. Everything passed the state's requirements for construction, bandwidth, latency, and reliability. We are now focused on connecting everyone to the network as quickly as possible. We began with connecting some of the more difficult homes in terms of terrain and obstacles and have now moved toward locations that pose less of an impediment. Signed release forms and regular communication are necessary to bring a cable to the customer home which varies depending on the person in contact with us. We expect to have 25-30%% of the passed homes connected by the end of the month. Installation of fiber optic service to the home is a process that requires multiple steps. We have opted to limit our use of contractors for connecting homes to control quality to a greater degree. We are receiving a lot of positive feedback from folks who are using the network and we're hoping to connect everyone who wants service before the end of the construction season.

Likewise, the two extension projects on 235th / Highview and southern Eureka Estates are also accepting customers at this time. We see a similar positive experience for those in said neighborhoods.

On other news; JTN was awarded a separate grant from the State (using federal funds) to extend service south in to the northern part of Greenvale Township. The route path is from 257th and Highview south to 267th, west to Iberia, and south to the neighborhood on 280th and Iberia. This will benefit 22 residents of Eureka Township who will have access to fiber optic internet service at zero cost to the Township. This also provides another route to further expand service to other neighborhoods in the future. The construction timeline set by the state for this project is 1 year from the beginning of construction. We expect to begin construction in June once all permits are secured.

There are multiple opportunities for State and Federal funding in the future that can leverage funds by JTN and the Township toward further expansion to cover more homes in the township. Given our track record of an excellent working relationship with the Township and staff and our ability to deliver our projects as stated and within all defined goals and timelines; we would like to continue the discussion with the board on future expansion projects. There are still hundreds of homes in the area without high speed internet that would benefit greatly from an expansion of service. If the board is willing an estimated maximum contribution toward a similar project (matched by JTN and the summation matched by the State if the award is granted) we will present project options that will use those funds in an efficient way to deliver service to as many homes in the township as possible at the next meeting. We look forward to your response.

As always please feel free to reach out to me directly if you have any questions or comments about what the future of broadband in the township looks like. My contact information is below for reference.

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