

EUREKA TOWNSHIP
Dakota County, State of Minnesota

AGENDA
TOWN BOARD MEETING
January 14, 2025 – 7:00 p.m.

- I. Call to Order and Pledge of Allegiance
- II. Approval of the Agenda
- III. 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.
- IV. Bartyzal, Nick 27025 Galaxie Ave., PIN 13-03400-27-011 *Detached Garage
- V. Reports
 - A. Sheriff's Department
 - B. Planning Commission- Dave Wheeler
 - C. Roads Report (Ceminsky)
 - D. Dakota County Tax Forfeiture Parcel: PIN 13-00800-76-010
- VI. Consent Agenda
 - A. 3.28.23 Town Board Meeting Minutes **Pages 3-8**
 - B. 12.10.24 Town Board Special Meeting Minutes **Page 9**
 - C. 12.10.24 Town Board Meeting Minutes **Pages 10-16**
 - D. 12.17.24 Open House Minutes **Page 17**
- VII. Treasurer's Report
 - A. December Treasurer's Report **Pages 1-18**
 - B. Net pay and claims **Pages 19-87**
 - i. Net Pay: 8,153.83
 - ii. Claims: 38,495.71
 - iii. Total: 46,649.54
 - C. December Disbursements \$359,314.26 **Pages 88-91**
 - D. December Receipts \$308,808.17 **Pages 92-94**
 - E. Other Reports: Cash Control Statement, Schedule 1, PTO, Investments with accrued interest **Pages 95-100**
 - F. CD
 - i. R&B 5-month Cd 2.4.2025 Frandsen
 - G. Investment Planning
- VIII. Board of Audit

IX. Unfinished Business

- A. *JPA with Dakota County Sheriff – Attorney Review - Tabled*
- B. Planning Commission items-
 - i. *Draft ordinance of home extended business - Tabled*
 - ii. *Draft survey – Tabled*
 - iii. *Squatters Ordinance Page 18*
- C. *Orderly Annexation Agreements- Attorney Review – Tabled*
- D. *Letter to Residents for Mailing List Page 19*

X. New Business

- A. Mine Review Process
- B. Open House Results- Special Meeting with TB and PC- January 28, 2025, at 7pm
- C. 2025 Annual Meeting and 2026 Levy Planning
 - i. February 11, 2025, at 6pm (Special Meeting)

XI. Adjournment

Upcoming Meetings/Dates:

- January 28, 2025, TB & PC Special Meeting 7pm
- February 4, 2025, Planning Commission Meeting 7pm
- February 11, 2025, Town Board Meeting 7pm

A quorum of the Planning Commission may be in attendance. No Planning Commission discussion or action will be taken.

If unable to attend in person, you can join via Zoom Meetings one of the following ways:

1. Navigate to: <https://zoom.us/j/3134376987?pwd=V3VRRkJKblUxeUY1elJBdmVNUmUrdz09>
Meeting ID: 313 437 6987
2. One tap mobile: dial 1-312-626-6799,, 3134376987#

EUREKA TOWNSHIP
Dakota County, State of Minnesota

TOWN BOARD MEETING
March 28, 2023 – 7:00 P.M.

Call to Order

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

Supervisors Present: Ralph Fredlund, Allen Novacek, Nancy Sauber, and Lu Barfknecht (Zoom).

Others Present: Liz Atwater, Mark Henry, Bill Clancy, Mike Resop, Bill Roske, Donovan Palmquist, Deb Burkhardt, Tim Pope, Tiffany Hoff, Randy Wood, Brian Ahern, Melanie Storlie, Pete Storlie.

Zoom Attendance: Gloria Belzer, Lynne Olson, Julie Larson, Jeff Otto, Mark Ceminsky, Colleen Riley.

Approval of the Agenda

Supervisor Novacek made the following additions:

- New Business
- F. Elections

Motion: Supervisor Fredlund moved to approve the agenda as amended. Supervisor Novacek seconded the motion. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Aye. *Motion carried 4-0.*

Sheriff Department

Deputy O'Hara reported the weather is getting nicer and they are noticing more speeders. He reminded everyone to lock their cars and houses.

Supervisor Resignation

Chair Barfknecht stated that Supervisor Kauffman, who was appointed to the vacant seat left by Tim Murphy, submitted a letter of resignation as of March 27, 2023.

Motion: Chair Barfknecht moved pursuant to Minnesota State Statute 367.02 the Board accepted Kathleen's written resignation letter. Supervisor Sauber seconded the motion. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Aye. *Motion carried 4-0.*

Chair Barfknecht declared a vacancy in the seat of Supervisor Tim Murphy.

Motion: Chair Barfknecht moved that the Board would appoint a new Supervisor at the first meeting in April. Individuals that are interested in that seat have until April 5th to send in a written letter of interest to the Board. Supervisor Fredlund seconded the motion. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Aye. *Motion carried 4-0.*

Road Report - Mark Henry

- Work completed on Denmark by the School.
- Running into issues with blading the roads. Unable to blade before noon because the roads are still frozen.
- Once the weather warms up, 10 loads of spot gravel will be going on 225th.

Planning Commission Vacancy

The Planning Commission recommended that all letters of intent should be turned into the Clerk by noon on April 6th and the Town Board agreed.

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.

Bill Clancy- 25511 Ipava Ave

Mr. Clancy read a statement from Kathleen Kauffman. See page 5 for submitted comments.

Chair Barfknecht asked three times if there were any other attendees who would like to make comments. Hearing none, the floor was closed.

Citizen Inquiry

Bill Roske- 6335 265th Street W- Solar Panels

Mr. Roske received a permit to put Solar Panels on the roof. The racking system did not work and had to disassemble the system off the roof. Mr. Roske explained his plan is to install a ground mounting system. The Ordinance states that ground-mounted ASES shall not be placed in front yards. Mr. Roske explained that his house is set in the back of his lot. Chair Barfknecht asked the Clerk to read the definition of Front Yard from the Ordinance. The Town Board had discussion on the definition and agreed to have the Township Attorney review the definition.

Permit Requests

Youngfield Homes, Inc XXXX 267th Street W, Lakeville, PIN 13-02900-77-011, New Construction

Motion: Supervisor Sauber moved to approve the building permit for Christiania Lutheran Church on 267th Street W, with the PIN 13-02900-77-011 as submitted. Supervisor Novacek seconded the motion. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Aye. *Motion carried 4-0.*

Glory to Glory CUP

Supervisor Sauber had questions regarding the lighting on the sign. The light needs to be hooded and downward facing. The Board requested the Clerk send a letter reminding Glory to Glory that they are required to attend the CUP review and regarding the light on the sign.

Motion: Chair Barfknecht moved to approve the Glory to Glory CUP review. The Clerk will send a letter reminding them they need to be present each year at their review and they have 30 days to correct the lighting and have it hooded. Supervisor Fredlund seconded the motion. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Aye. *Motion carried 4-0.*

Mining CUP/IUP Annual Reviews

Motion: Chair Barfknecht moved to table the Mining CUP/IUP annual review for the Eureka Pit MPM for the first meeting in April, given the fact that we got the report late this afternoon. This will give everyone time to review the information. Supervisor Fredlund seconded the motion. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Allen Novacek- Aye; Nancy Sauber- recused. *Motion carried 3-0.*

Treasurer's Report

Net pay and claims

The Clerk presented payroll in the amount of \$3,948.31 for payment. Claims in the amount of \$9,312.55 were presented for payment. See page 6 for a list of claims.

Motion: Supervisor Fredlund moved to approve the net pay and claims as presented. Supervisor Sauber seconded the motion. Roll call vote: Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Aye. *Motion carried 4-0.*

Unfinished Business

NCRWMO Report

Supervisor Sauber summarized the 2022 Annual report from NCRWMO .

Data Practices Policy

Motion: Chair Barfknecht moved to table the Data Practices Policy until the first or second meeting in April. Supervisor Sauber seconded the motion. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Aye. *Motion carried 4-0.*

No Parking Near Chubb Lake

Supervisor Sauber reported she spoke with the Sheriff and followed up on the parking concerns near Chubb Lake.

New Business

Dakota County Bridge Maintenance Requests

Motion: Supervisor Fredlund moved to have our Road Superintendent work to resolve these and authorize him to do that. Supervisor Sauber seconded the motion. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Aye. *Motion carried 4-0.*

Traffic Study

Motion: Supervisor Sauber moved that the Town Board request Todd Howard of Dakota County to contact the DOT on the Township's behalf to conduct a traffic study on Country Road 80 between Dodd and Cedar. Chair Barfknecht seconded the motion and added a friendly amendment to request Mark Henry contact Todd Howard related to that request. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Aye. *Motion carried 4-0.*

Broadband Development Agreement

Motion: Supervisor Sauber moved to approve payment of the Eureka Township Redevelopment Agency Commission at a rate of \$90.00 per meeting. Chair Barfknecht seconded the motion. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Abstained. *Motion carried 3-0.*

Motion: Supervisor Sauber moved to approve the agreement contingent on any further Attorney review deemed appropriate. Chair Barfknecht seconded the motion. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Nay. *Motion carried 3-1.*

New Code Definitions

Supervisor Sauber requested the Attorney review the definitions to see if a public hearing would be required since some of the definitions have to do with zoning. The Town Board tabled discussion on this until after the Attorney review.

Reorganization Meeting Date and Time

The Town Board scheduled a Special meeting for April 11, 2023, at 7pm that will include reorganization items.

Election

Supervisor Novacek questioned the time frame for a new Supervisor to be sworn in. The Town Board reviewed State Statute 209.021 regarding the 10 days of notice of contest after the candidate files their financial statements.

Clerk Matters

Insurance Claim- MATIT

Clerk Atwater reported the Claim for the roof has been submitted.

Adjournment

Motion: Chair Barfknecht moved to adjourn the meeting. Supervisor Sauber seconded the motion. Lu Barfknecht- Aye; Ralph Fredlund- Aye; Nancy Sauber- Aye; Allen Novacek- Aye. *Motion carried 4-0.*

Meeting adjourned at 9:19 pm

Respectfully submitted,

Liz Atwater, Town Clerk

Minutes Officially Approved By: _____ on: _____
Town Chair Date

Eureka Township Clerk

From: Kathleen Kauffman
Sent: Tuesday, March 28, 2023 4:55 PM
To: Bill Clancy (external)
Cc: Eureka Township Clerk; Eureka Township Deputy Clerk
Subject: Statement of Kathleen Clubb Kauffman for Citizen Comment

I truly enjoyed the opportunity to serve the citizens of Eureka, I struggled with the decision to resign, but life happens. In replacing me I hope the Board refers to my statement of last September where I projected that I might resign at about this point in 2023.

I appreciate the work of every member of the Eureka government with whom I served, especially the chairperson Lu Barfknecht, but also the other Supervisors, PC members, and Clerks. Thank you for bringing your talents and dedication to the job. If my institutional knowledge is ever needed, you know where to find me.

DRAFT

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Total</u>
03/28/2023	Payroll ending 03/15/2023	10810	Payroll ending 03/15/2023	\$ 1,776.06
03/28/2023	Payroll ending 03/15/2023	10811	Payroll ending 03/15/2023	\$ 971.69
03/28/2023	Elizabeth Atwater	10812	Mileage	\$ 23.58
03/28/2023	Benafica	10813	HRA Fee	\$ 125.00
03/28/2023	Benafica	10814	HRA	\$ 1,013.83
03/28/2023	Dakota County	10815	Election Equipment	\$ 185.66
03/28/2023	Dakota County	10816	January 2023 Salt	\$ 1,486.06
03/28/2023	Dakota Sheriff's	10817	Ordinance Enforcement	\$ 720.00
03/28/2023	Carrie Jennings	10818	Mining Consultant	\$ 676.65
03/28/2023	JTN Communications	10819	Internet	\$ 199.00
03/28/2023	Quadiant Finance	10820	Postage Machine	\$ 35.00
03/28/2023	T & C Cleaning	10821	Cleaning	\$ 150.00
03/28/2023	Visa	10822	Postage and supplies	\$ 356.84
03/28/2023	Kennedy & Graven	10823	February Special Counsel	\$ 4,113.50
03/28/2023	Ellen Canfield	10824	Mileage	\$ 137.55
03/28/2023	Richard Fott	10825	Mileage	\$ 8.52
03/28/2023	William Pekarna	10826	Mileage	\$ 72.84
03/28/2023	Elaine Swedin	10827	Mileage	\$ 8.52
03/28/2023	Payroll ending 03/15/2023	10828	Payroll ending 03/15/2023	\$ 146.79
03/28/2023	Payroll ending 03/15/2023	10829	Payroll ending 03/15/2023	\$ 369.40
03/28/2023	Payroll ending 03/15/2023	10830	Payroll ending 03/15/2023	\$ 127.50
03/28/2023	Payroll ending 03/15/2023	10831	Payroll ending 03/15/2023	\$ 132.98
03/28/2023	Payroll ending 03/15/2023	10832	Payroll ending 03/15/2023	\$ 153.77
03/28/2023	Payroll ending 03/15/2023	10833	Payroll ending 03/15/2023	\$ 141.29
03/28/2023	Payroll ending 03/15/2023	10834	Payroll ending 03/15/2023	\$ 128.83

EUREKA TOWNSHIP
Dakota County, State of Minnesota
SPECIAL TOWN BOARD MEETING
December 10, 2024 – 6:00 P.M.

Call to Order

The Eureka Township Town Board Special Meeting was called to order at 6:00 p.m. by Chair Pete Storlie.

Supervisors Present: Mark Ceminsky, Tim Pope, Pete Storlie, Allen Novacek, and Lu Barfknecht (6:09 p.m.)

Others Present: Liz Atwater

Purpose of the Special Town Board Meeting

Chair Pete Storlie stated the purpose of the meeting is to discuss the annual meeting presentation, budget and financial information for 2025, and the 2026 levy.

2025 Budget

Clerk/Treasurer Atwater presented the Town Board with a 2025 budget worksheet and a 2024 year to date versus budget document for review. The General Fund and the Fire & Rescue required no adjustments from what was presented. The focus then shifted to the Road and Bridge fund. The Town Board reduced the dust control budget to \$70,550, and culvert repair to \$0.

Motion: Chair Pete Storlie moved to approve the 2025 budget as discussed and presented. Supervisor Barfknecht 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.*

2026 Levy

The Town Board discussed the levy budget for 2026, highlighting areas of concern and potential increases. The Town Board agreed to further review the budget and levy amounts at the next meeting, with a focus on presenting a realist view of the Township’s financial situation to the public. Clerk/Treasurer Atwater will send the budget worksheet to the Town Board.

Annual Meeting Presentation

Tabled.

Adjournment

Motion: Chair Storlie moved to adjourn the Special Town Board Meeting. Vice Chair Ceminsky seconded the motion. *Motion carried 5-0.*

The meeting adjourned at 6:50 pm.

Respectfully submitted,

Liz Atwater, Town Clerk

Minutes Officially Approved By: _____ on: _____
Town Chair Date

EUREKA TOWNSHIP
Dakota County, State of Minnesota

TOWN BOARD MEETING
December 10, 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, Melanie Storlie, Rocky and Joanne Ranch, David and Gina King, Tarell Friedley, Troy Gilchrist

Zoom Attendance: Julie Larson, Jim Sauber, Myrna, Jeff Otto, Ashley, *9520.

Approval of the Agenda

Clerk/Treasurer Atwater requested the following be added to the agenda:

XI. New Business

G. Lewis, Kisch & Associates- Audit

Motion: Chair Pete Storlie moved to approve the agenda as amended. Supervisor Pope seconded the motion. *Motion carried 5-0.*

Public Comment

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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

Planning Commission- Donovan Palmquist

Planning Commissioner, Donovan Palmquist, shared items that were discussed at the December 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.

Applewood Orchard

David and Gina King 7820 200th Street W.

Mr. King explained that they have withdrawn their application for an IUP. They will be submitting a new IUP application. Chair Pete Storlie stated they will need to have an IUP before their next season to be in compliance with the Township's Ordinances.

Permit

King, David (Applewood Orchard) 22702 Hamburg Ave., PIN 13-00400-75-020 *AG Exempt

Motion: Supervisor Novacek moved to approve the Applewood Orchard AG exempt permit located at 22702 Hamburg Ave., PIN 13-00400-75-020. Supervisor Pope seconded the motion. *Motion carried 5-0.*

Roads

Road Report

Vice Chair Ceminsky reported that roads have been in rough shape due to all the rain. A lot of garbage has been dumped on the roads. After grading, it has been reported people are driving and destroying areas of road. Residents who witness dumping or motor vehicles damaging roads should call the Sheriff department. If a resident notices an issue, but does not see it happen, they can report it to the Town Hall. Out of the Township's 34.8 miles of gravel road, 13.9 miles had overlay gravel applied.

Consent Agenda

Motion: Vice Chair Ceminsky moved to approve items A, B, and C on the consent agenda for Township meeting minutes. Chair Pete Storlie seconded the motion. *Motion carried 5-0.*

Items were as follows:

- a. 10.8.2024 Town Board Minutes
- b. 11.12.2024 Special Town Board Minutes
- c. 11.12.2024 Town Board Minutes

Treasurer's Report

Clerk/Treasurer Atwater read the Treasurer's Report as of November 30, 2024: Total of all accounts was: \$1,244,492.07.

Motion: Vice Chair Ceminsky moved to accept the Treasurer's Report as presented. Supervisor Barfknecht 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 \$3,479.21 and claims in the amount of \$52,032.90 for payment. See page 7 for a list of claims.

Motion: Chair Pete Storlie moved to approve the net pay and claims 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.*

Receipts and Disbursements

Clerk/Treasurer Atwater presented the November receipts in the amount of \$385,437.10 disbursements in the amount of \$120,269.68.

Other Treasurer Reports

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

CD Recommendations

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

- General Fund 9-month CD at Genisys- \$30,000
- General Fund 7-month CD at Genisys- \$30,000

Motion: Vice Chair Ceminsky moved to combine the two CDs into one CD at Genisys for 7-months at 4.65%. 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.*

- Road and Bridge 9-month CD at Genisys - \$35,000

Motion: Vice Chair Ceminsky moved to the Road and Bridge CD in 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; Lu Barfknecht - Aye. *Motion carried 5-0.*

- Town Hall CIP 9-month CD at Genisys- \$35,000

Motion: Supervisor Novacek moved to reinvest the \$35,000 Town Hall CD at 7-month CD at Genisys at 4.65%. Supervisor Pope 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.*

Additional Claim

The Clerk/Treasurer presented an additional claim in the amount of \$500.00 for payment. See page 7 for a list of claims.

Motion: Supervisor Novacek moved to approve that \$500 claim for tree clean up on 10.6.2024. Chair Pete Storlie seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie- Aye; Lu Barfknecht - Aye. *Motion carried 4-0. Supervisor Ceminsky abstained.*

Unfinished Business

JPA with Dakota County Sheriff

Attorney Gilchrist discussed with the Town Board the potential risks and benefits of a joint powers agreement (JPA) with the Dakota County Sheriff's department for enforcing the Town Ordinances. Attorney Gilchrist expressed concerns about the indemnification clause, which could leave the town liable for any damages or lawsuits resulting from the Sheriff's department's actions. The Town Board discussed exploring alternative solutions, such as hiring a law firm or prosecutor to handle ordinance enforcement. The Town Board directed the Township Attorney to do additional research on alternative solutions.

Motion: Vice Chair Ceminsky moved to not sign the JPA with the Dakota County Sheriff. Supervisor Pope seconded the motion. *Motion carried 5-0.*

Lakeville Fire Contract

Motion: Chair Pete Storlie moved to approve the Lakeville fire contract. Supervisor Pope seconded the motion. *Motion carried 5-0.*

MPM/Chard Mining IUP Expiration

Chair Pete Storlie reported that he and Vice Chair Ceminsky met with MPM and Mr. Chard.

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

The Town Board agreed that since the planner has now been hired to work with the Planning Commission, there is no action for the Town Board to take.

2025 Budget recommendations to review

This was discussed at the 12.10.2024 special meeting.

Sealed Bids for Gravel 2025

Motion: Vice Chair Ceminsky moved to accept the Anderson Rock and Lime quote out of the Solberg quarry at \$6.00 a ton for materials and \$6.70 a ton for trucking. 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.*

The Town Board discussed that they will need to revisit which roads will be done and adjust the tonnage to stay within the budget.

Quotes for Street Sweeping 2025

Motion: Vice Chair Ceminsky moved to not accept a street sweeping quote at this time. Supervisor Barfknecht seconded the motion. *Motion carried 5-0.*

Quotes for Dustproofing 2025

Motion: Chair Pete Storlie moved to accept the Envirotech Durablend at \$1.59 a gallon. Vice Chair Ceminsky seconded the motion. *Motion carried 5-0.*

Tree Trimming in Right of Ways

Motion: Chair Pete Storlie moved to approve Otte's tree trimming in the various areas as needed along Eureka Township right of way road ditches. With the intent this is not to exceed \$20,000 a year. Vice Chair Ceminsky seconded the motion. *Motion carried 4-1 with Supervisor Pope voting Nay.*

Orderly Annexation Agreements

Attorney Gilchrist suggested the Town Board have a work session in January.

Dakota County Tax Forfeiture Parcel

Motion: Chair Pete to authorize Supervisor Ceminsky to go to the auction for the tax forfeiture parcel 13-00800-76-010 and give him a check since that is what they require for payment. Supervisor Barfknecht seconded the motion. *Motion carried 3-1 with Supervisor Novacek voting Nay and Vice Chair Ceminsky abstaining.*

Open House

An Open House will be on December 17, 2024, from 5:30-7:30 pm. Topic: Challenges facing the Township's Future. This is not a meeting format, but to engage in conversation for citizens to provide their views on challenges and solutions for the Township.

New Business

Resolution 2024-27 Staff Compensation and Reimbursement Policy 2025

Motion: Vice Chair Mark Ceminsky moved to accept Resolution 2024-27 Staff Compensation and Reimbursement Policy for 2025. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

Ordinance 2024-05 Amending Chapter 240 Cannabis Businesses

Attorney Gilchrist discussed the differences between the proposed ordinance and the state model, noting that the proposed ordinance was more specific and stricter. He clarified that the state has taken control of zoning and that towns can only adopt reasonable restrictions. Concerns were addressed about the potential for cannabis businesses to be located anywhere, stating that they could be forced to move to a specific zoned area if a commercial district is established in the future. Attorney Gilchrist emphasized the importance of adopting the ordinance to avoid potential legal issues and to have a framework in place for future adjustments.

Chair Storlie asked for the record “What happens if we do nothing? We don’t pass it; we say we’re not going to allow cannabis. What happens? What’s the outcome?” Attorney Gilchrist replied “This is my concern for Towns that have zoning that aren’t really paying attention to this issue. We know that zoning says if isn’t expressly allowed, it is prohibited. If you don’t amend your ordinance to expressly allow it, then technically you are in violation of State Law.”

Motion: Vice Chair Mark Ceminsky moved to adopt Ordinance Amending Chapter 240 of the Eureka Town code regarding cannabis businesses Ordinance 2024-05. Supervisor Barfknecht seconded the motion. *Motion carried 5-0.*

Resolution 2024-28 Summary Resolution for Publication for Ordinance 2024-05

Motion: Vice Chair Mark Ceminsky moved to approve Resolution 2024-28 Summary Resolution for Publication for Ordinance 2024-05. Supervisor Barfknecht seconded the motion. *Motion carried 5-0.*

Mailings

Motion: Vice Chair Mark Ceminsky moved to have a letter sent out to residents to let them know the Township is no longer sending letters and to sign up for the email notification list. Supervisor Barfknecht seconded the motion. *Motion carried 4-1 with Supervisor Pope voting Nay.*

Clerks to draft a letter for the Board to review at the January meeting. Clerks will not send out letters to those already on the email list.

Policy on Citizen Input and Conduct at Township Meetings

Motion: Vice Chair Mark Ceminsky moved to adopt the Policy on Citizen Inquiry, Public Comment and Conduct at Township Meetings. Chair Pete Storlie seconded the motion. *Motion carried 5-0.*

2025 Annual Meeting and 2026 Levy Planning

Special Town Board Meeting on January 14, 2024, at 6pm.

Lewis, Kisch & Associates - Audit

Motion: Vice Chair Mark Ceminsky moved to accept Lewis, Kisch & Associates, LTD, to do the Annual Audit. Supervisor Novacek seconded the motion. *Motion carried 4-1 with Supervisor Pope voting Nay.*

Adjournment

Motion: Chair Storlie moved to adjourn the meeting. Vice Chair Ceminsky seconded the motion.
Motion carried 5-0.

The meeting was adjourned at 9:09pm.

Respectfully submitted,

Liz Atwater, Town Clerk

Minutes Officially Approved By: _____ on: _____
Town Chair Date

DRAFT

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Total</u>
12/10/2024	Payroll ending 11/30/2024	11567	Payroll ending 11/30/2024	\$ 2,014.22
12/10/2024	Payroll ending 11/30/2024	11568	Payroll ending 11/30/2024	\$ 725.00
12/10/2024	Payroll ending 11/30/2024	11569	Payroll ending 11/30/2024	\$ 739.99
12/10/2024	Elizabeth Atwater	11570	Mileage	\$ 34.17
12/10/2024	Mark Ceminsky	11571	Mileage	\$ 229.14
12/10/2024	City of Farmington	11572	4 th Quarter Fire Contract	\$ 13,281.55
12/10/2024	ECM Publishing	11573	Sealed Gravel Bids	\$ 499.20
12/10/2024	Grossman Companies	11574	Grading	\$ 3,538.50
12/10/2024	Grossman	11575	Grading	\$ 480.00
12/10/2024	Grossman	11576	Grading	\$ 23,512.50
12/10/2024	JTN	11577	Internet	\$ 199.00
12/10/2024	Kennedy & Graven	11578	Enforcement	\$ 3,886.04
12/10/2024	Metro Sales	11579	Copier	\$ 121.67
12/10/2024	Pressnall Plumbing	11580	Install Water Line Town Hall	\$ 755.00
12/10/2024	T&C Cleaning	11581	Cleaning	\$ 150.00
12/10/2024	Town Law Center	11582	Attorney	\$ 1,265.00
12/10/2024	Mark Ceminsky	11583	Tree Removal	\$ 500.00
12/10/2024	IRS	20241210 EFT1	November Payroll	\$ 2,065.77
12/10/2024	PERA	20241210 EFT2	November Payroll	\$ 1,113.02
12/10/2024	Dakota Electric	20241210 EFT3	Electric	\$ 169.07
12/10/2024	DSI	20241210 EFT4	Garbage	\$ 163.05
12/10/2024	Point North	20241210 EFT5	Monthly IT	\$ 527.00
12/10/2024	Visa	20241210 EFT6	Adobe	\$ 43.22

EUREKA TOWNSHIP
Dakota County, State of Minnesota
Public Open House
December 17, 2024 – 5:30-7:30 P.M.

Purpose of the Open House

Eureka Township held a public open house to get input on challenges facing the Township's future. The meeting was informal and a drop in event that allowed attendees to give feedback on a variety of challenges facing the township.

The event was hosted by Nate Sparks from WSB Engineering.

Attendance was not taken at the open house. No Town Board or Planning Commission discussion or action was taken.

Respectfully submitted,

Liz Atwater, Town Clerk

Minutes Officially Approved By: _____ on: _____
Town Chair Date

Planner Notes on Draft Squatters Ordinance

- The term “squatter” is often used to describe any unwanted person on a property, but the term actually refers to a very specific scenario, called “adverse possession”
- Adverse possession is defined in MN State Statute (this varies from state to state, so scenarios in the news in other places would not necessarily be applicable here)
- In MN, it is a doctrine under which a squatter could acquire a property’s title without purchasing it. To do this, a person must live on the property for at least 15 years, and pay the taxes on it for at least five years
- Trespassers – A person who does not meet the requirements to claim adverse possession – they are just there without permission. This is a criminal offense.
- Holdover Tenants – tenants who remain on the property after their lease has expired. Cannot claim adverse possession if they have been told to leave. In some situations they would be considered trespassers.
- Long-Term Guests – Have been invited to the space by the current occupant – if their presence violated the terms of the occupant’s lease, the owner may file for the current occupant’s eviction
- This is not a topic that is generally covered within a township or city’s zoning ordinance. It may be appropriate in another area of the township’s code though.
 - This issue is pretty squarely in the legal realm. Our recommendation would be to have the Township Attorney review and advise on whether an ordinance is legally necessary, or if state statute provides adequate coverage.
- The Township may want to consider other ordinances in this realm, such as a vacant property registration ordinance or a rental registration ordinance.
 - This would allow the township to be aware of any properties that will be vacant for a time (such a snowbirds or in the event of the death of a property owner), and if there are issues, a contact person has been designated. Similarly for rental properties – if there are issues, the owner would have agreed to rental rules and the addressing of any issues can be streamlined.

*Eureka Township
Dakota County
State of Minnesota*



25043 Cedar Avenue, Farmington, MN 55024-9670
(952) 469-3736 / clerk@eurekatownship-mn.us

January 14, 2025

Dear Eureka Township Property Owner,

The Eureka Township Board is writing to inform you that the Township Ordinance, Chapter 57, was updated in September 2024, and no longer requires notification to be given by first class mail to all owners of record within the Township. The Township posts all notices at the Town Hall in compliance with MN State Statute 366.01 Subd. 8. and offers residents the chance to stay informed by joining the Township's email list.

According to our records, you are not signed up for email notifications. To sign up, go to the Eureka Township's Website and click on the Subscribe button on the top right of the site or use the QR code provided below.



The Township has launched a new website at Eurekamn.gov. The current website (EurekaTownship-mn.us) will automatically forward you to the new website.

If you have any further questions, please feel free to contact the Town Hall at 952-469-3736.

Sincerely,

The Eureka Township Board