

Eureka Township

Dakota County

State of Minnesota

Special Town Board Meeting of September 3, 2009

Town Board members present were Jeff Otto, Dan Rogers, Brian Budenski and Carrie Jennings. Clerk/ Treasurer Nanett Sandstrom was present to record the minutes. Township Attorneys Trevor Oliver and Patrick Kelly were also present.

Chair Jeff Otto called the Special Meeting of the Eureka Town Board on September 3, 2009, to order at 7:00 p.m.

Agenda: To go into a closed session for the purpose of discussing the litigation situation with the Township Attorney.

The closed session is for the pending matter in First Judicial District Court, file number 19HA-CV-09-3468 the Town of Eureka, Plaintiff, V. Friedges Landscaping Inc. Friedges Holding Inc. and Country Stone & Soil of MN Inc., Defendants. The topic of closed session is advice to update litigation and negotiations.

Before moving into closed session, Chair Jeff Otto, for informational purposes only, updated the Town Board on the insurance claim for Town Hall damages. They have the received a go ahead for repairs to the Town Hall. Healy Construction will start repairs this week.

A motion by Supervisor Jeff Otto: To move into closed session. Motion seconded by Supervisor Carrie Jennings. Motion carried by unanimous vote.

At 7:03 p.m. the Town Board moved into closed session.

At 8:26 p.m. the Town Board moved back into open session.

Summary of Closed Meeting:

Attorney Patrick Kelly summarized the closed meeting session. The discussion was with respect to the status of litigation and high point issues on possible negotiations and there was direction given to legal counsel. It is understanding that the Township Attorney will contact legal counsel for Country Stone.

Chair Jeff Otto asked that the minutes clearly reflect that Supervisor Nancy Sauber was not present for any portion of the open or closed meeting.

A motion by Supervisor Jeff Otto: To adjourn. Motion seconded by Supervisor Carrie Jennings. Motion carried by unanimous vote.

Meeting adjourned at 8:27 p.m.