

**EUREKA TOWNSHIP**  
*DAKOTA COUNTY, STATE OF MINNESOTA*

**TOWN BOARD MEETING OF MARCH 22, 2021**

Due to the Peacetime Emergency and social distancing guidelines, the Town Board Chair has determined it is neither practical nor prudent to conduct an in-person meeting. Accordingly, under Minnesota Statute section 13D.021, the following meeting shall be conducted entirely through teleconferencing or other electronic means.

**Call to Order**

The Eureka Township Town Board meeting was called to order, via Zoom Meetings, at 7:00 p.m. by Chair Donovan Palmquist and the Pledge of Allegiance was given.

Supervisors Present: Donovan Palmquist, Lu Barfknecht, Ralph Fredlund and Nancy Sauber.

Supervisors Absent: Tim Murphy

Others Present: Ranees Solis, Chad Lemmons, Mark Ceminsky, Julie Larson, Randy Wood, Mike Callahan, Lindsey Van Woert, Brian Ahern, Andrew Gieseke, Mark Henry, Bill Clancy

**Approval of the Agenda**

The following changes were made to the agenda:

1. Add under Other Business, item A. Report on Lakeville annexation work session.
2. Add under Old Business, item H. Burning/Junk yard on upper 240<sup>th</sup>.
3. Add under Old Business, item I. Pool fencing.

*Motion:* Chair Palmquist moved to approve the agenda as amended, seconded by Supervisor Fredlund. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Aye. *Motion carried 4-0.*

**Net Pay & Claims**

*Motion:* Supervisor Fredlund moved to approve the net pay and claims as presented, seconded by Chair Palmquist. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Aye. *Motion carried 4-0.*

Supervisor Fredlund noted that following the process of the previous Treasurer by including meetings on the quarterly payroll that have not yet taken place is inappropriate. Going forward, the quarterly pay for Supervisors and Commissioners will be paid at the first meeting in the following month.

**Road Superintendent**

Gravel invitation to quote

Mark Henry presented a gravel invitation to quote for Board approval. Clerk Solis requested a decision on the date the quotes will be due, and at which meeting the quotes will be reviewed. The Board agreed that quotes will be accepted until noon on April 8, 2021, and will be reviewed at the Town Board meeting on April 12, 2021.

*Motion:* Chair Palmquist moved to approve the gravel invitation to quote as amended, seconded by Supervisor Fredlund. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Aye. *Motion carried 4-0.*

Supervisor Barfknecht asked about the status of the speed limit signs that were approved to be placed on 240<sup>th</sup> St. and offered to forward the details to Mark Henry.

#### Dust Coating

*Motion:* Chair Palmquist moved to approve for Mark Henry to request an estimate from the County to join the JPA for dust coating, seconded by Supervisor Barfknecht. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Aye. *Motion carried 4-0.*

#### Street Sweeping

Mark Henry suggested, and the Board agreed, to continue with Terpstra for street sweeping.

#### **New Business**

##### Electronic Locks

The Board reviewed a quote received from Metro Alarm & Lock for a keyless access control system in the amount of \$2,888. Chair Palmquist suggested looking into cameras at the front door and parking lot as well. The Board agreed to seek additional bids to be reviewed at the next meeting.

##### Radio tower status update

Supervisor Sauber noted that, as allowed by the ordinance, two extensions have already been given for the radio tower. Supervisor Barfknecht reminded that the Board approved going beyond the two extensions, referencing the October 26<sup>th</sup> meeting minutes. Supervisor Sauber questioned where the authority is coming from to do so. Attorney Lemmons responded that the cause of the delay is from a government agency, not the applicant, and requested to check into this.

*Motion:* Supervisor Fredlund moved to table the radio tower status update, seconded by Supervisor Sauber. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Aye. *Motion carried 4-0.*

##### Planning Commission vacancies/posting

The Board directed the Clerk to post the Planning Commission vacancies on the website and send notice out to the News and Notices distribution list. The vacancies consist of two 3-year seats, and one 2-year seat. Applications will be received until April 8<sup>th</sup> and interviews will be conducted at the April 12<sup>th</sup> meeting.

##### MnDOT Metro Functional Class Review – Dakota County

For informational purpose, no action needed.

### Building permits: Escrows and liens

The Clerks noted that there are two permits that were approved, the building inspector has performed plan reviews, but the applicants have not paid or picked up. They questioned whether the Board could adopt the requirement for a permit escrow upfront, or placement of a lien on the property to ensure payment. Attorney Lemmons suggested that municipalities may add outstanding bills to a property's tax bill, but the Board would need to adopt a proper resolution to do so. The Board could consider the payment of estimated fees up front to cover the plan review.

*Motion:* Supervisor Barfknecht moved to direct the Town Attorney to draft ordinance language that would allow us to collect unpaid fees or escrows for permits, seconded by Supervisor Sauber. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Aye. *Motion carried 4-0.*

### **Old Business**

#### Approval of “red-line” TBR forms

*Motion:* Supervisor Sauber moved to approve the red-line TBR forms as submitted by Jeff Otto, seconded by Chair Palmquist.

Supervisor Barfknecht noted that there are inconsistencies throughout the documents in reference to “receiving” parcel at times being called “destination” parcel. The Board agreed that “destination” should be changed to “receiving”. Supervisor Barfknecht also noted that there are numerous changes that are not highlighted as changes to the original language. Supervisor Sauber suggested approving the forms with the noted changes and request that Jeff Otto attend the next meeting to finalize the documents.

Chair Palmquist agreed to approve the forms as amended. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Nay; Ralph Fredlund – Aye; Nancy Sauber - Aye. *Motion carried 3-1.*

#### Newsletter content on housing density and other items

Supervisor Sauber pointed out that this item is still outstanding. Chair Palmquist offered that Colleen Riley will draft the newsletter and send to the Clerk for distribution.

#### Eureka Estates Drainage Project/LRIP update

Chair Palmquist stated that he turned in the grant application and should hear back from them in May or June. Supervisor Barfknecht asked if Mark Henry has scheduled the work that was approved to be done on Iceland and Iberia. Chair Palmquist responded that he would check with Mark Henry.

#### RFPs for mowing and grounds

The Board agreed to remove the weed control and fertilizing of the lawn from the RFP and seek quotes from a licensed company to perform this service. Manual weed control of the landscaping beds should remain in the RFP.

### Deputy Clerk job ad and description

The Board approved for the job ad and description to be posted on Craig's List, on the Township website, and to be sent to the News and Notices distribution list.

Interim Deputy Clerk Larson questioned whether an appointed Clerk would interview and select a Deputy Clerk, or the Town Board would do so. Attorney Lemmons offered to check into this and forward information to the Clerk for distribution.

### MPM expansion – letter needed from MPM

Supervisor Fredlund acknowledged that MPM submitted a letter on January 12, 2021 stating that they are officially rescinding the IUP application for mineral extraction from February 2020.

### Amended Retention Schedule

Attorney Lemmons noted he will have the requested amended retention schedule for the Board at the April meeting.

### Burning/Junk yard on 240<sup>th</sup>

The resident was sent a letter drafted by the Township Attorney, but are continuing to violate the ordinances. Chair Palmquist requested that Attorney Lemmons forward the letter to the Sheriff's Department.

### Pool Fencing

Supervisor Sauber is still awaiting a response from the building inspector regarding whether a change has been made regarding pool fencing requirements to the Building Code.

## **Other Business**

### Report on Lakeville annexation work session

Since the annexation meeting took place at the same time as our meeting tonight, Chair Palmquist offered to call Lakeville to receive an update and report back to the Board at the April meeting.

## **Approval of Meeting Minutes**

### October 13, 2020, Town Board meeting minutes

*Motion:* Supervisor Barfknecht moved to approve the minutes of the October 13, 2020, Town Board meeting as submitted, seconded by Supervisor Fredlund. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Abstain. *Motion carried 3-0.*

### October 26, 2020, Town Board meeting minutes

Supervisor Barfknecht noted that the second FAA in the first paragraph should be changed to FCC.

*Motion:* Supervisor Barfknecht moved to approve the minutes of the October 26, 2020, Town Board meeting as amended, seconded by Supervisor Fredlund. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Abstain. *Motion carried 3-0.*

#### November 9, 2020, Town Board meeting minutes

*Motion:* Chair Palmquist moved to approve the minutes of the November 9, 2020, Town Board meeting as presented, seconded by Supervisor Barfknecht. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Abstain.

*Motion carried 3-0.*

#### November 23, 2020, Town Board meeting minutes

*Motion:* Supervisor Barfknecht moved to approve the minutes of the November 9, 2020, Town Board meeting as presented, seconded by Chair Palmquist. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Abstain.

*Motion carried 3-0.*

#### February 8, 2021, Town Board meeting minutes

*Motion:* Chair Palmquist moved to approve the minutes of the November 9, 2020, Town Board meeting as presented, seconded by Supervisor Barfknecht. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Abstain.

*Motion carried 3-0.*

### **Summary of Meeting Task Items**

#### Township Attorney

- Check on extension of the radio tower.
- Check on ordinance language regarding the assessment of unpaid fees.
- Check on selection of the Deputy Clerk.
- Prepare an amended Retention Schedule.
- Forward letter sent to 240<sup>th</sup> resident to the Sheriff.
- Check on annexation: straightening borders and how much land can be annexed in one year without seeking Township permission.

Interim Deputy Clerk Larson informed the Board that there are outstanding permits awaiting finals from Darrel Gilmer. Mark Ceminsky and Marcia Wilson submitted a list of permits for payment to Mr. Gilmer in which final inspections had not been provided to the Township. Mr. Gilmer no longer holds an active license. The Board recommended contacting the State Building Inspector to ask how we should go about closing out these permits.

### **Adjournment**

Chair Palmquist moved to adjourn the meeting, seconded by Supervisor Fredlund. Roll Call Vote: Donovan Palmquist – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Nancy Sauber - Aye. *Motion carried 4-0.*

Meeting adjourned at 9:15 p.m.