

**EUREKA TOWNSHIP**  
*Dakota County, State of Minnesota*

**TOWN BOARD MEETING**  
**April 26, 2022 – 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: Lu Barfknecht, Ralph Fredlund, Nancy Sauber and Kathleen Kauffman.

Supervisors Absent: Donovan Palmquist.

Others Present: Ranees Solis, Randy Wood, Georgie Molitor.

Zoom Attendance: Gloria Belzer, Julie Larson, Deb Burkhardt.

**Approval of the Agenda**

The following changes were made to the agenda:

1. Add B. Culverts under Road Report.
2. Add I. Housing Rights Transfer text amendment follow up under Old Business.
3. Add B. Clerk review under Clerk Matters.
4. Add J. Furniture update under Old Business.
5. Add K. Inspectron update under Old Business.

*Motion:* Supervisor Sauber moved to approve the agenda as amended. Supervisor Fredlund seconded. *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 Barfknecht opened the floor for public comment and reminded that if anyone has comment regarding any agenda items, now is your time to speak.

Julie Larson – 24510 Highview Avenue

Ms. Larson asked if the Board knew what the flags in the right-of-way on Highview and 250<sup>th</sup> were for. Supervisor Fredlund offered to check into it.

Georgie Molitor – 8875 225<sup>th</sup> St. W.

Ms. Molitor informed the Board that her family would be performing their annual Mother's Day ditch cleaning on 225<sup>th</sup> and asked where the bagged trash and junk should be placed

for pick up by the road contractor. She also noted that green plastic from Scotts Miracle Gro has been blowing onto her land and asked the Board to reach out to them.

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

## **Road Report**

### Dust control schedule

The road supervisors will ask Mark Henry to provide a date range for dust control for posting on the website.

### Culverts

Supervisor Fredlund received complaints regarding culverts on Fairgreen and 265<sup>th</sup> and will forward the information to Mark Henry.

Supervisor Fredlund noted that the fee schedule offers Township-provided culverts for \$450, however, the prices now are \$840 for steel and \$400-\$500 for plastic. He proposed the Board remove the Township-provided option and amend the fee schedule. In addition, the Ordinance does not specify if the culvert must be made of galvanized steel or whether plastic is an option.

*Motion:* Supervisor Sauber moved for the Clerk to draft a resolution amending the fee schedule by removing the option of the Township providing a culvert. Supervisor Kauffman seconded. *Motion carried 4-0.*

## **Treasurer's Report**

### Net pay and claims

The Clerk presented payroll in the amount of \$2,185.72 for payment.

The following claims in the amount of \$6,324.37 were presented for payment:

Couri & Ruppe	Legal bill 3/21-4/5/22	\$2,300
Lawrence Tree	Tree removal/stump treatment	\$3,500
De Lage Landed	May copier rental	\$95.83
JTN Communications	May internet service	\$199.00
Quadient	Postage and rental	\$135.62
Custom Office Products	Office supplies	\$93.92

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

## **Annual CUP review: Spirit Ranch I – Chris Hale, 24005 Dodd Blvd**

*Motion:* Supervisor Sauber moved to refund the \$10 overpayment on the CUP review. Supervisor Fredlund seconded. *Motion carried 4-0.*

*Motion:* Supervisor Sauber moved for the Clerk to send a letter to the Hales explaining that the dog kennel license fee does not have to be paid if the kennel is not active. Supervisor Fredlund seconded. *Motion carried 4-0.*

*Motion:* Supervisor Kauffman moved to table the review for Spirit Ranch I, and for the Clerk to include a request that they appear at the next meeting in the letter. Supervisor Sauber seconded. *Motion carried 4-0.*

**Annual IUP review: MPM – Michael Callahan, 5100 235<sup>th</sup> St. W.**

*Motion:* Supervisor Kauffman moved to table the annual review for MPM and extend it until the May 10<sup>th</sup> meeting. Chair Barfknecht seconded. *Motion carried 3-0*, with Supervisor Sauber recused.

**Old Business**

Fence Ordinance

Supervisor Fredlund explained that the purpose of the 2018 amendment to the fence ordinance was to change the word permit to administrative fence approval.

Supervisor Sauber expressed her objection to items being forwarded to the attorney without full Board approval. Chair Barfknecht pointed out that the Board approved for Supervisor Kauffman to manage the attorney and asked the Clerk to add general discussion of liaison duties to the next meeting agenda.

*Motion:* Supervisor Kauffman moved to accept the amended fence language and forward to the Planning Commission for a public hearing. Supervisor Sauber seconded. *Motion carried 4-0.*

**Sheriff's Department – Deputy O'Meara**

Julie Larson requested increased patrol of 250<sup>th</sup> between Dodd and Cedar from 4-6 pm due to racing.

**Old Business - Continued**

Mining Ordinance

Supervisor Kauffman presented a draft interim ordinance authorizing a study and placing a moratorium on the establishment of new mining facilities, as well as a draft resolution approving summary language for publication of the interim ordinance.

Supervisor Sauber questioned whether a moratorium on zoning requires a public hearing. Supervisor Kauffman offered to check with the attorney.

*Motion:* Supervisor Kauffman moved to adopt the Interim Ordinance authorizing a study and placing a moratorium on the establishment of new mining facilities, subject to a response from the attorney as to whether a public hearing is required. Chair Barfknecht seconded. *Motion carried 3-0*, with Supervisor Sauber recused.

### Mining Engineer

Supervisor Kauffman offered to ask TKDA and Carrie Jennings to provide the scope of work.

### Text amendment regarding play structures

Supervisor Kauffman presented two versions of a text amendment to Ordinance 3, Chapter 4, Section 7.

Version 1: adding to C. “nor shall one play structure be considered in the total sum of accessory buildings on an individual parcel”; and adding a definition of play structure to Ordinance 1, Chapter 4.

Version 2: changing C. Area – The maximum total area of all accessory buildings shall not total more than ~~5,000~~ 5,200 square feet...”.

*Motion:* Supervisor Kauffman moved to forward version 1 of the proposed text amendment to the Planning Commission for a public hearing. Chair Barfknecht seconded. *Motion withdrawn.*

*Motion:* Chair Barfknecht moved to add a definition to Ordinance 1, Chapter 4 for play structures. Supervisor Kauffman seconded. *Motion failed 2-2*, with Supervisors Sauber and Fredlund opposed.

*Motion:* Chair Barfknecht moved to send Ordinance 3, Chapter 4 to the Planning Commission to amend Section 7 C. as proposed. Supervisor Kauffman seconded. *Motion failed 2-2*, with Supervisors Sauber and Fredlund opposed.

Supervisor Sauber stated her reason is that 5,000 sq. ft. is a fair amount and there is no need to make an exception. Supervisor Fredlund agreed that there is no need for exceptions to the Ordinance.

### Text amendment Ordinance 2, Chapter 3

*Motion:* Supervisor Kauffman moved to table the proposed text amendment. Chair Barfknecht seconded. *Motion failed 2-2*, with Supervisors Sauber and Fredlund opposed.

*Motion:* Supervisor Sauber moved to approve the text amendment as presented. Supervisor Kauffman seconded. *Motion failed 2-2*, with Supervisors Sauber and Fredlund opposed.

### Recodification project

*Motion:* Supervisor Kauffman moved to approve the change order from General Code in the amount of \$888.00 to update the recodification to the 2017 code book. Chair Barfknecht seconded. *Motion carried 4-0.*

### Closure of 245<sup>th</sup> at the Scott County border

Supervisor Kauffman reported the Township will not lose the easement by closing the road.

Supervisor Fredlund read Resolution 2022-04, temporarily closing 245<sup>th</sup> St. W., into the record:

Whereas the Town Board is the road authority for town roads in Eureka Township; and

Whereas the Town Board works with limited road and bridge funds set by a levy determined by the town electors at the annual meeting; and

Whereas the Town Board finds that 245<sup>th</sup> Street is infrequently used and does not provide direct access to homes; and

Whereas the Town Board determines keeping 245<sup>th</sup> Street open would impose an unreasonable burden on the Town's maintenance funds given its low level of use and high maintenance cost; and

Whereas town boards have the authority to close and barricade roads.

Now, therefore, be it resolved, by the Town Board of Eureka Township, Dakota County, Minnesota that 245<sup>th</sup> Street within the boundary of Eureka Township shall be closed effective as of the date that the Township causes barricades and proper signage to be placed on said road and running until such time when Town Board determines that the road is needed to accommodate traffic and orders the barricades and signs removed.

*Motion:* Supervisor Fredlund moved to approve Resolution 2022-04 temporarily closing 245<sup>th</sup> St. Supervisor Sauber seconded. *Motion carried 4-0.*

#### Reschedule Round Table meeting

The Board agreed to present either May 26<sup>th</sup> or June 9<sup>th</sup> to the Planning Commission for the Round Table meeting.

#### Furniture update

Chair Barfknecht has been in touch with Mr. Malowitz, who worked with Mr. Lefave to build the original desks, to provide a quote to build two more desks.

#### **Clerk Matters**

##### Clerk review

The Board agreed to schedule a closed meeting on May 24, 2022, at 6:30 p.m. for the Clerk review.

All remaining agenda items were tabled until the May 10<sup>th</sup> Town Board meeting.

#### **Adjournment**

*Motion:* Chair Barfknecht moved to adjourn the meeting. Supervisor Sauber seconded. *Motion carried 4-0.*

Meeting adjourned at 10:06 p.m.

Respectfully submitted,

\_\_\_\_\_  
Ranee Solis, Town Clerk

Minutes Officially Approved By: \_\_\_\_\_ on: \_\_\_\_\_  
Town Chair Date