

**Eureka Town Board Special Town Board Meeting
& Reorganization Meeting
March 27, 2012**

Special Town Board Meeting

Chair Brian Budenski called the meeting was called to order at 6:37 p.m.

Supervisors present included: Dan Rogers, Pete Storlie, Brian Budenski and Kenny Miller. Steve Madden and Mark Ceminsky arrived at 7:01 p.m. Clerk/Treasurer Nanett Sandstrom to record the minutes.

See attached attendance sheet for additional persons in attendance.

The Special Meeting agenda included:

1. Board of Canvass- March 13, 2012 Township Election
2. Resolution Reestablishing Precincts and Polling Places
3. Reorganizational Meeting of Town Board

Board of Canvass

The Dakota County Recount Summary Statement of Eureka Township General Election of March 13, 2012, held on March 23, 2012, was presented to the Town Board for review. There was one challenged ballot by Candidate Gloria Belzer for Supervisor #4 position.

The Eureka Township Board of Canvass results from March 16, 2012, were also presented.

In the Dakota County recount, Candidate Mark Ceminsky received one additional vote for the Supervisor #3 position.

The Town Board Accepted the challenged ballot. The challenged vote added to "Other ballots" Increasing the count to 19.

A motion by Supervisor Brian Budenski: The recount by Dakota County on March 23, 2012, Supervisor #3 stands as Nancy Sauber 159 votes and Mark Ceminsky 162 votes. For Supervisor #4, the recount is Gloria Belzer 152 votes, Steve Madden 157 votes. The recount challenge by Gloria Belzer was accepted, not to include the ballot that Madden is written on, bringing the ballot total of other to 19. Motion seconded by Supervisor Pete Storlie. Motion carried by unanimous vote.

The Newly elected Township Officers for 2012:

- Supervisor #3 Mark Ceminsky
- Supervisor #4 Steve Madden

Certificates of Election were prepared by the Clerk for the newly elected candidates. All Financial Reporting forms have been received.

Supervisor Dan Rogers vacated his seat at the Board table. He was thanked for his many years of service.

Resolution Reestablishing Precincts and Polling Places

The Clerk presented a draft Resolution for Reestablishing Precincts and Polling Places. This is a requirement handed down by the State of Minnesota.

A motion by Supervisor Kenny Miller: To pass the Resolution as presented. Motion seconded by Supervisor Pete Storlie. Motion carried by unanimous vote.

Reorganizational Meeting of Town Board

The following offices are held by the following people, term of office.

Supervisor #1	Brian Budenski	2 years to term (2014)
Supervisor #2	Pete Storlie	2 years to term (2014)
Supervisor #3	Mark Ceminsky	3 years to term (2015)
Supervisor #4	Steve Madden	3 years to term (2015)
Supervisor #5	Kenny Miller	1 year to term (2013)

A. Select a Town Board Chair and Vice Chair

Clerk Nanett Sandstrom issued ballots for Town Board Chair and Vice Chair. Brian Budenski was elected Chair of the Town Board, and Kenny Miller was elected Vice Chair.

Approval of the Agenda

T. Assignments were updated to include Item 10. as "Town Hall Supervisor"
Item 16. was added: Building Inspector Contact

A motion by Supervisor Brian Budenski: To approve the agenda as amended for the Reorganizational Meeting of March 27, 2012. The motion was seconded by Supervisor Kenny Miller. Motion carried by unanimous vote.

B. Verify Board of Supervisors Information

The Clerk passed around Board contact information sheets for verification. The Supervisors were asked to update their information.

C. The following schedule for Town Board meetings was set:

April 10, 2012 (Tuesday)	August 13, 2012	December 10, 2012
May 14, 2012	September 10, 2012	January 14, 2013
June 11, 2012	October 9, 2012 (Tuesday)	February 11, 2013
July 9, 2012	November 12, 2012	March 11, 2013

A motion by Supervisor Brian Budenski: To adopt the scheduled Board's Regular Meetings at 7 pm as noted on the agenda. The motion seconded by Supervisor Pete Storlie. The motion carried by unanimous vote.

D. *Planning Commission schedule and Town Board liaison is as follows:*

April 2, 2012	Kenny Miller	October 1, 2012	Pete Storlie
May 7, 2012	Pete Storlie	November 5, 2012	Brian Budenski
June 4, 2012	Mark Ceminsky	December 3, 2012	Mark Ceminsky
July 2, 2012	Steve Madden	January 7, 2013	Mark Ceminsky
August 6, 2012	Pete Storlie	February 4, 2013	Brian Budenski
September 4, 2012 (Tues)	Kenny Miller	March 4, 2013	Steve Madden

A motion by Supervisor Pete Storlie: To approve the schedule of the regular Planning Commission meetings as presented on the agenda. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

Per Township Ordinances the Clerk will draft a Resolution, Setting and Adopting Regular Scheduled Planning Commission Meeting Dates and Times for the April Town Board Meeting.

E. *Post Special Meetings of Town Board at Planning Commission Meetings*

A motion by Supervisor Brian Budenski: To post Special Meetings of the Town Board at each Planning Commission Meeting and Special Meetings of the Planning Commission at each Town Board Meeting. The motion was seconded by Supervisor Kenny Miller. The motion carried by unanimous vote.

F. *Designate Official Newspaper*

A motion by Supervisor Pete Storlie: To designate Thisweek Life and Times as the Township's Official Newspaper. The motion was seconded by Supervisor Kenny Miller. The Newspaper is changing its current name. Pete offered a friendly amendment to update to new name once known. Kenny accepted the amendment. The motion carried by unanimous vote. *The new name of the newspaper is: Sun Thisweek. (added to minutes at approval on 4/10/2012)*

G. *Designate Posting Place*

A motion by Supervisor Brian Budenski: To designate the official posting place as the Town Hall outside bulletin board located at 25043 Cedar Ave. in Eureka. The motion was seconded by Supervisor Kenny Miller. The motion carried by unanimous vote. *(Resolution No. 40- Signed by Chair and Clerk- 2005)*

H. *Designate Official Bank*

A motion by Supervisor Brian Budenski: To designate Castle Rock Bank as the Official Bank for the Township. Motion seconded by Supervisor Pete Storlie. Motion carried by unanimous vote.

The Clerk will draft Resolution 2012-02, A Resolution Adopting Township Procedures for Finances for adoption at the April 10, 2012 Town Board Meeting. Default signers are Chair Brian Budenski and Vice Chair Kenny Miller. If one of the default signers is absent from the Town Board Meeting then one of the following Supervisors: Steve Madden, Mark Ceminsky or Pete Storlie.

Steve Madden and Mark Ceminsky arrived at 7:01 p.m. Both Supervisors were given their Certificate of Election and were sworn into their respective positions.

I. *Designate Township Attorney*

Trevor Oliver represents the Township. The Law Firm is Kelly and Lemmons, P.A. A motion by Supervisor Kenny Miller: To approve Kelly Lemmons Law firm to represent the Township on a basis that in the near future a conference/ review will be set up with Trevor to outline our needs and to judge his response. A friendly amendment was offered by Supervisor Brian Budenski that Patrick Kelly should be included in the meeting. The meeting will be scheduled and held before the May meeting. Supervisor Kenny Miller accepted the amendment. Motion carried by unanimous vote. The motion was seconded by Mark Ceminsky. Motion carried by unanimous vote.

The Chair is an Attorney contact by default. A motion by Supervisor Mark Ceminsky: To nominate Supervisor Kenny Miller as attorney contact. Motion seconded by Supervisor Steve Madden. Motion carried by unanimous vote. As Chair Supervisor Brian Budenski will be the secondary contact.

J. *Designate other Professional Services*

TKDA is the current Engineering consultant. A motion by Supervisor Pete Storlie: To put together an RFQ for an Engineering Consultant Firm. Motion seconded by Supervisor Mark Ceminsky. Motion carried by unanimous vote.

K. *Compensation for Town Officers/ Planning Commission.*

1. *Town Board, Planning Commission, Election Judges*

A motion by Supervisor Brian Budenski: Town Board Officers receive \$80 per meeting, the Chair \$90. Planning Commission members \$60.00 per meeting; Planning Commission Chair, \$70 per meeting. Liaisons, both Town Board and Planning Commission members \$50. All Special Meetings paid at \$70. Motion seconded by Supervisor Pete Storlie. Discussion followed. Special meetings include outside meetings attendance directed by the Board. Motion carried by unanimous vote.

A motion by Supervisor Mark Ceminsky: To pay election judges \$10 an hour and the head judge \$15 per hour. Motion seconded by Supervisor Steve Madden. Motion carried by unanimous vote.

2. *Employees- Clerk/Treasurer Review was completed on March 15, 2012.*

3. *Mileage rate*

A motion by Supervisor Pete Storlie: That mileage is reimbursed at the current Federal mileage rate. Motion seconded by Supervisor Mark Ceminsky. The motion carried by unanimous vote.

Mileage may be submitted for trips to and from the Town Hall for Meetings, Special Meetings and Training. Mileage may be submitted quarterly.

That mileage submitted by the driver of the Road Review by both Planning Commission and Town Board is reimbursed at current Federal mileage rate, if submitted.

4. *Authorized expenses and reimbursements*

A motion by Supervisor Kenny Miller: To reimburse any reasonable and documented expenses relating to Township business, (Copies, long distance phone calls, office expenses, etc.) to be submitted with itemized receipts. The motion was seconded by Supervisor Pete Storlie. The motion carried by unanimous vote.

The Town Board encourages the attendance of MAT Training sessions. These sessions may be attended without prior approval of the Town Board. When Officers are asking for mileage expense reimbursement, they should attempt to attend sessions closest to the Township.

5. *Pay frequency*

A motion by Supervisor Brian Budenski: That Township Officers and Planning Commission members are paid quarterly accordingly to the dates adopted on the Board's schedule and Planning Commission schedule. The motion was seconded by Supervisor Pete Storlie. The motion carried by unanimous vote.

The Clerk keeps track of attendance at all Town Board, Planning Commission and Special Meetings held by the Township Board and Planning Commission. These will be paid to members quarterly unless they have requested in writing not to be paid for meetings attended. Town Board and Planning Commission members should turn in additional meetings and mileage to the Clerk prior to the dates listed below.

2nd Qtr: March 13, 2012, to June 11, 2012, (submitted to Clerk by Tuesday, June 5, 2012, for payment on June 11, 2012)

3rd Qtr: June 12, 2012, to September 10, 2012, (submitted to Clerk by Tuesday, September 4, 2012, for payment on September 10, 2012)

4th Qtr: September 11, 2012, to December 10, 2012, (submitted to Clerk by Tuesday, December 4, 2011, for payment on December 10, 2012)

1st Qtr: December 11, 2012, to March 11, 2013, (submitted to Clerk by Tuesday, March 5, 2013, for payment on March 11, 2013)

6. *MN Benefits program*

A motion by Supervisor Brian Budenski: To pass on the MN Benefits program offered by the Township Officers Life Plan.

7. *PERA*

(Public Employee Retirement Association) Township officers are entitled to PERA. Supervisor Steve Madden will obtain information on the Township Officer Plan for the April Town Board meeting.

L. *Potential Conflict of Interest Issues.*

Supervisor Kenny Miller, Eureka Sand & Gravel has a potential Conflict of Interest.

A motion by Supervisor Brian Budenski: If Supervisor Kenny Miller, owner and operator of Eureka Sand & Gravel, is awarded the contract for road gravel, spot gravel or emergency gravel; a resolution will be adopted for a Potential Conflict of Interest. The motion was seconded by Supervisor Pete Storlie. Supervisor Kenny Miller recused himself from voting on the motion. The motion carried by unanimous vote of the four Supervisors voting.

M. *Review and amend Board policies.*

A motion by Supervisor Brian Budenski: Current Board policies will remain in effect; these policies will be reviewed and updated as required. The first review, for Data Practices, will take place at the April Town Board Meeting. The motion was seconded by Supervisor Pete Storlie. The motion carried by unanimous vote.

N. *Compliance with Data Practices*

A motion by Supervisor Kenny Miller: To retain Clerk/Treasurer Nanett Sandstrom as Responsible Authority for compliance and will be naming a compliance official as part of the Assignments T. Motion seconded by Supervisor Brian Budenski. Motion carried by unanimous vote.

O. *The Town Board is aware of and complies with the 60-day Rule.*

P. *Township Financial Reporting Form*

The draft Audit has been received from Clifton LarsonAllen LLP. Supervisor Brian Budenski signed the Representation Letter, so the Final draft can be released and sent to the State Auditor's Office. The State Auditor's form will be submitted to the Auditor's Office by Larson Allen, the Township's auditor firm. The Clerk will submit the CTAS file electronically to the State Auditor's office.

Q. *Identify upcoming training opportunities*

MAT Training Opportunities were discussed.

R. *Local Boards of Appeals Training*

A motion by Supervisor Brian Budenski: To turn the Local Boards of Appeals over to Dakota County. Motion seconded by Supervisor Steve Madden. The Clerk will check on the requirements for this transfer.

S. *Direct that the list of officers form is sent to MAT*

The officers list was updated and will be sent to Minnesota Association of Townships.

T. *The following Supervisor assignments were set for the coming year:*

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| 1. Fire Contracts: Lakeville | Steve Madden |
| 2. Farmington | Steve Madden |
| 3. North Cannon River Water Shed | Mark Ceminsky/ Kenny Miller- Alternate |
| 4. Vermillion Water Shed | Brian Budenski/ Mark Ceminsky- Alternate |
| 5. Weed Inspector | Mark Ceminsky |
| 6. Ambulance | Steve Madden |
| 7. Roads | Mark Ceminsky/ Pete Storlie |
| 8. Wetlands/ DNR Contact | Kenny Miller |
| 9. Airlake Airport | Brian Budenski |
| 10. Town Hall Supervisor | Clerk/ Kenny Miller |
| 11. County Contact | Steve Madden/ Kenny Miller- Alternate |
| 12. Sheriff Contact | Steve Madden |
| 13. Compliance Official Data Practices | Pete Storlie |
| 14. Professional Services | Pete Storlie/ Kenny Miller- Alternate |
| 15. Building Inspector Contact | Pete Storlie/ Mark Ceminsky- Alternate |

A motion by Supervisor Kenny Miller: To continue drafting the newsletter the way it has been done in the past and not to appoint a Board contact. Motion seconded by Supervisor Mark Ceminsky. Motion carried by unanimous vote.

U. *Meetings: Road Inspection date:*

The date will be set at the April Town Board Meeting

V. *Bond Clerk and Treasurer*

The bond for the Clerk and Treasurer Errors and Omissions is part of the MATIT's Consolidated Coverage.

W. *Meeting electronic recording policy.*

A motion by Supervisor Mark Ceminsky: Unless the Board expressly states otherwise in the minutes of a particular meeting, any electronic recordings made of meetings by the Board are solely for the purpose of assisting the Clerk in developing accurate minutes. Such electronic recordings are not part of the Town's official records and, after approval of the minutes of the meeting to which an electronic recording applies, they will be erased immediately and then reused at a future meeting. If the Board is electronically recording a meeting, the Board may make a motion at the meeting to make the electronic recording part of the official record of the meeting. If a motion is passed to make an electronic recording a part of the official record, the Town Clerk shall preserve the electronic recording as part of the official record and make it available in the same manner as written minutes. Motion seconded by Supervisor Steve Madden. Motion carried by unanimous vote.

X. *Signers for checking and savings account*

The signer cards for the checking and savings account need to be updated. Town Board members will need to sign the signature cards at Castle Rock Bank.

Y. *W-4, I-9 and New Hiring Reporting forms*

The Township is required to have on file I-9 and New Hire Reporting Forms and W-4's on all employees. These forms will be distributed to all new officers. The W-4's will need to be submitted only if there are changes from last year.

Z. *Board Member Opinion Statement*

If a Town Board member is asked for an opinion on a matter, he needs to make it perfectly clear that it is only his opinion, that he is only one member of the Town Board. Even though a Board member's opinion may be given, the question would need to go before the Town Board for discussion and vote. An individual cannot act upon one Town Board member's opinion. Discussion on any matter can be discussed only between two Town Board members. Discussion between three or members of the Board is a quorum and a violation of the open meeting law. The Building Official is the person to contact to determine if a building permit is needed.

A Motion by Supervisor Brian Budenski: To adjourn. The motion was seconded by Supervisor Kenny Miller.

Meeting Adjourned at 8:40 p.m.