

# **Eureka Town Board Reorganization Meeting**

## **April 5, 2011**

Special Town Board Meeting

Chair Brian Budenski called the meeting was called to order at 7:05 p.m.

Present were Supervisors Dan Rogers, Nancy Sauber, Brian Budenski and Kenny Miller and Clerk/Treasurer Nanett Sandstrom to record the minutes.

Citizen present at the meeting was Jody Arman-Jones.

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

Supervisor #1	Brian Budenski	3 years to term (2014)
Supervisor #2	Pete Storlie	3 years to term (2014)
Supervisor #3	Nancy Sauber	1 year to term (2012)
Supervisor #4	Dan Rogers	1 year to term (2012)
Supervisor #5	Kenny Miller	2 years 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 Dan Rogers was elected Vice Chair.

*Approval of the Agenda*

A motion by Supervisor Nancy Sauber: To approve the agenda as presented. The motion was seconded by Supervisor Dan Rogers. Discussion followed.

Pete Storlie was unable to attend the meeting, due to a family emergency. The Town Board discussed Item T. Assignments. Members present at this meeting will choose which assignments they would like. Item T. Assignments will be placed on the agenda at the April 11, 2011, Town Board meeting, to allow Pete the opportunity to take some.

Vote was taken on the motion. The 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 and sign the MAT officers list. New officers were added. Upon completion, the form will be returned to Minnesota Township Association.

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

April 11, 2011	August 8, 2011	December 12, 2011
May 9, 2011	September 12, 2011	January 9, 2012
June 13, 2011	October 12, 2011 (Tuesday)	February 13, 2012
July 11, 2011	November 14, 2011	March 12, 2012

A motion by Supervisor Nancy Sauber: To approve the schedule of the Board's Regular Meeting as presented. The motion seconded by Supervisor Dan Rogers. The motion carried by unanimous vote.

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

April 4, 2011-Nancy Sauber	October 3, 2011 - Nancy Sauber
May 2, 2011 – Brian Budenski	November 7, 2011 - Kenny Miller
June 6, 2011 - Kenny Miller	December 5, 2011 - Nancy Sauber
July 5, 2011 (Tues) - Dan Rogers	January 3, 2012 (Tues.) - Brian Budenski
August 1, 2011 - Dan Rogers	February 6, 2012 - Pete Storlie
September 6, 2011 (Tues.) - Dan Rogers	March 5, 2012 - Brian Budenski

A motion by Supervisor Nancy Sauber: To adopt the schedule of the Planning Commission meetings as presented under D. The motion was seconded by Supervisor Kenny Miller. The motion carried by unanimous vote.

A motion by Supervisor Nancy Sauber: To set the Planning Commission meetings to start at 7:00 pm on the dates already approved. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

The Clerk drafted Resolution 2011-05 A Resolution Setting and Adopting Regular Scheduled Planning Commission Meeting Dates and Times. Supervisor Brian Budenski moved to adopt the resolution as drafted by the Clerk. Supervisor Kenny Miller seconded the motion. The motion carried by unanimous vote

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

A motion by Supervisor Kenny Miller: 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 content of the agenda would be the Planning Commission Meeting or Town Board Meeting. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

F. *Designate Official Newspaper*

A motion by Supervisor Nancy Sauber: To designate Thisweek Life and Times as the Township's Official Newspaper. The motion was seconded by Supervisor Dan Rogers. The motion carried by unanimous vote.

G. *Designate Posting Place*

A motion by Supervisor Nancy Sauber: 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 Brian Budenski. The motion carried by unanimous vote.  
(Resolution No. 40- Signed by Chair and Clerk- 2005)

H. *Designate Official Bank*

A motion by Supervisor Dan Rogers: To designate Castle Rock Bank as the Official Bank for the Township. Motion seconded by Supervisor Nancy Sauber. Motion carried by unanimous vote.

The Clerk presented Resolution 2011-04 A Resolution Adopting Township Procedures for Finances. Default signers are Chair Brian Budenski and Vice Chair Dan Rogers. If one of the default signers is absent from the Town Board Meeting then one of the following Supervisors: Kenny Miller, Nancy Sauber or Pete Storlie and will be appointed to sign checks for that Town Board Meeting

A motion by Supervisor Nancy Sauber: To accept the Resolution as presented with the fill-in names. The motion was seconded by Supervisor Brian Budenski. The motion carried by unanimous vote.

I. *Designate Township Attorney*

A motion by Supervisor Nancy Sauber: To keep Kelly & Lemmons, P.A. as Township Attorney. Motion seconded by Supervisor Kenny Miller. The motion carried by unanimous vote

Vote was taken by ballot for primary attorney contact. Nancy Sauber was elected as primary contact. Chair Brian Budenski is the secondary by default per the Attorney Engagement Policy.

There was discussion on the procedures for contacting the attorney. Supervisor Kenny Miller expressed concerns that the attorney is contacted between meetings without Town Board consent. Attorney contact Nancy Sauber commented that there are questions that come up between meetings that need to be sent to the Attorney to keep him fully informed, so he can be prepared when he is at a meeting. E-mails that are sent to the attorney are copied to the Town Board and the Attorney responses are also sent to all Board members when they are received. The possibility of having the Attorney in attendance at all Town Board Meetings was discussed. The Town Board will review Attorney contact communication quarterly, starting in July.

J. *Designate other Professional Services Firm*

Supervisor Kenny Miller suggested that the Town Board put out a RFQ for an Engineering Consultant Firm.

TKDA's contract was reviewed. The agreement was for three years (2008 to 2011). It is an open-ended contract. A 30-day notice of termination must be given. The Town Board agreed to get additional prices before renewing TKDA's contract.

TKDA is asking for a 2% increase in the hourly rate for staff that serves the Township.

A motion by Supervisor Brian Budenski: In the interim, to continue to use TKDA and honor the 2% increase until a decision is made and a new contract is signed.

Brian amended his motion: To continue the Professional Services contract with TKDA in the interim, since it expired and the attorney contact, Nancy Sauber, will check to see if an interim contract is needed. Supervisor Nancy Sauber asked that the record reflect the following: Nancy Sauber, as Attorney contact, was directed by the Town Board to discuss this with Trevor Oliver. The motion was seconded by Supervisor Dan Rogers. The motion carried by unanimous vote.

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

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

A motion by Supervisor Kenny Miller: To continue with current compensation rates for the coming year: Officers of the Town Board at \$50.00 per meeting; for the Chair, \$60.00 per meeting. Compensation for Planning Commission members at \$40.00 per meeting; Planning Commission Chair, \$50 per meeting. Inspections at \$25.00. Election Judge pay at \$10.00 per hour. All meetings that extend past 10:00 P.M., an additional \$10.00 will be paid to each Planning Commission Member or Board Member in attendance.

That we also include meetings that require the presence of designated Town Board and/or Planning Commission members to be paid at the regular rate. If Town Board or Planning Commission member attends a training session for an accepted responsibility, they will be compensated for attendance. The motion was seconded by Supervisor Dan Rogers. Roll call vote was taken on the motion. Kenny Miller- Aye, Brian Budenski- Aye, Nancy Sauber- Aye and Dan Rogers- Aye. Motion carried by unanimous vote.

2. *Employees- Clerk/Treasurer review was completed on March 22, 2011.* The Planning Commission Recorder's was hired November 2008. Her review will be on May 9<sup>th</sup> at a closed meeting at 6:30 p.m. All following reviews will be concurrent with the Clerk/Treasurer's review in March.

3. *Mileage rate*

A motion by Supervisor Brian Budenski: That mileage is reimbursed at the current Federal mileage rate. Motion seconded by Supervisor Kenny Miller. 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 be reimbursed at current Federal mileage rate, if submitted.

4. *Authorized expenses and reimbursements*

A motion by Supervisor Dan Rogers: 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 Nancy Sauber. 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 Dan Rogers: To set the pay frequency for Township Officers and Planning Commission Members quarterly, the dates to be updated by the Clerk. The motion was seconded by Supervisor Nancy Sauber. 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.

2<sup>nd</sup> Qtr: March 9, 2010, to June 13, 2011, (submitted to Clerk by Tuesday, June 7, 2011, for payment on June 13, 2011)

3<sup>rd</sup> Qtr: June 14, 2011, to September 12, 2011, (submitted to Clerk by Tuesday, September 6, 2011, for payment on September 12, 2011)

4<sup>th</sup> Qtr: September 13, 2011, to December 12, 2011, (submitted to Clerk by Tuesday, December 6, 2011, for payment on December 12, 2011)

1<sup>st</sup> Qtr: December 13, 2011, to March 12, 2012, (submitted to Clerk by Tuesday, March 6, 2012, for payment on March 12, 2012)

L. *Potential Conflict of Interest Issues.*

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

A motion by Supervisor Dan Rogers: 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 Brian Budenski. Supervisor Kenny Miller recused himself from voting on the motion. The motion carried by unanimous vote of the three 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 motion was seconded by Supervisor Dan Rogers. The motion carried by unanimous vote.

N. *Compliance with Data Practices*

A motion by Supervisor Kenny Miller: To designate Clerk/Treasurer Nanett Sandstrom as Responsible Authority for compliance with the Data Practices Act and Supervisor Dan Rogers as Compliance Official. 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 State Auditor's form has been submitted to the Auditor's Office by Larson Allen, the Township's auditor firm.

Q. *Identify upcoming training opportunities*

MAT Training Opportunities were discussed.

R. *Local Boards of Appeals Training*

That newly-elected Town Board Officers should be trained for Local Boards of Appeals, the year they are elected.

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

The officers list was updates and will be sent to Minnesota Association of Townships once the required signatures are obtained by absent officers.

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

- |                                  |                                       |
|----------------------------------|---------------------------------------|
| 1. Fire Contracts: Lakeville     | Dan Rogers                            |
| 2. Farmington                    | Dan Rogers                            |
| 3. North Cannon River Water Shed | Nancy Sauber/ Pete Storlie- Alternate |
| 4. Vermillion Water Shed         | Pete Storlie /Nancy Sauber- Alternate |
| 5. Weed Inspector                | Kenny Miller                          |
| 6. Ambulance                     | Dan Rogers                            |
| 7. Roads                         | Kenny Miller/ Dan Rogers              |
| 8. Wetlands Contact              | Kenny Miller                          |
| 9. Airlake Airport               | Dan Rogers                            |
| 10. Town Hall                    | Clerk                                 |
| 11. County Contact               | Kenny Miller/Nancy Sauber- Alternate  |
| 12. Sheriff Contact              | Dan Rogers                            |
| 13. DNR Contact                  | Kenny Miller                          |
| 14. Compliance Official          | Dan Rogers                            |
| 15. Employee Contact             | Brian Budenski                        |
| 16. Professional Services        | Kenny Miller/Nancy Sauber- Alternate  |

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 Nancy Sauber: 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 Dan Rogers. 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 were 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.

Z. *Road Gravel Bids.*

Road gravel bids were published in Thisweek Life & Times on March 25, 2011, and April 1, 2011. Bids will be opened at the April 11, 2011, Town Board Meeting.

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

Meeting Adjourned at 9:12 p.m.