

EUREKA TOWNSHIP
Dakota County, State of Minnesota

TOWN BOARD MEETING
July 19, 2022 – 7:00 P.M.

Call to Order

The Eureka Township Town Board meeting was called to order at 7:04 p.m. by Chair Lu Barfknecht and the Pledge of Allegiance was given.

Supervisors Present: Lu Barfknecht, Donovan Palmquist, Nancy Sauber and Ralph Fredlund (via Zoom).

Others Present: Bill Clancy, Mark Henry, Craig Beeler, Ernesto Godinez, Brian Ahern and Randy Wood.

Zoom Attendance: Rane Solis, Julie Larson, Taci Devasir, Carol Cooper and Deb Burkhardt.

Approval of the Agenda

The following changes were made to the agenda:

1. Add C. Inspectron issues under Permit Requests.
2. Add D. Citizen inquiries under Old Business.
3. Add C. Attorney liaison/Town Board approval of money under New Business.

Motion: Chair Barfknecht moved to approve the agenda as amended. Vice Chair Palmquist 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. Chair Barfknecht asked three times if there were any attendees who would like to make comment. Hearing none, the floor was closed.

Citizen Inquiry

Taci Devasir

Ms. Devasir wants to split 1.5 acres from her 28.25-acre lot. There is a barn that is 200 feet from the house which will be moved next year when the contractor is able to schedule it. The Board informed Ms. Devasir that the minimum lot size is 2 acres, and the barn must meet the 250-foot setback. The Board could consider approving the lot split with an escrow fund in the amount of \$5,000 and a written agreement ensuring that the barn will be moved. The escrow would then be refunded once the barn is relocated.

Road Report – Mark Henry

- Completed a survey of gravel needs for either later this year or next year.
- The Eureka Estates drainage project is near completion.
- Completed major gravel projects.
- Frost boils on Denmark.
- Need 2,000 tons of gravel to patch the roads. It can wait until next year or the Board can get ahead of the game by scheduling it this year. The Board agreed to look at the road budget next meeting to decide whether to wait.
- Dust proofing – with the lack of rain the roads are not getting good residual.
- Need to find alternative contractors for brush mowing and trees.

245th St. road closure

- Vehicles are continuing to drive around the signs and barriers. Perhaps another jersey barrier would help? Supervisor Sauber offered that perhaps we could ask the Sheriff to patrol and ticket drivers.
- Complaints regarding traffic being rerouted to 250th St. The Board agreed to monitor the cost increase to maintain 250th and compare it to the cost to maintain 245th St. Mark Henry suggested the Board consider minimum maintenance for 245th.

Planning Commission Update – Bill Clancy

Summary of the July 5, 2022, Planning Commission meeting

- Had two citizen inquiries that did not attend the meeting. As a matter of policy, should the Planning Commission discuss the inquiries and forward recommendations to the Board so a letter can be sent to the citizens?
- Recommended approval for the Craig Beeler four-season porch and Ernesto Godinez attached garage permits.
- Confirmed with Mark Ryan that if a permit application is received which does not disturb the soil, no VRWJPO determination is required.
- Recommended approval for the Michelle Nicolai lot splits and housing right transfers.
- Commissioners Burkhardt and Eilers are compiling accessory building information for the Board.
- Requested training on housing rights and density. Supervisors Sauber and Fredlund will hold discussions at the next meeting.
- Commissioner Berg submitted his resignation due to personal reasons.

Permit Requests

Craig Beeler, 24450 Iceland Path, 13-24600-10-020 - Four-season porch

Supervisor Sauber indicated that the building inspector will review the plans and may require further support for the porch. If the applicant decides not to move forward with the project he must still pay the plan review fee.

Motion: Supervisor Sauber moved to approve the four-season porch permit for Craig Beeler at 24450 Iceland Path with PID 13-24660-10-020 as it was submitted properly and recommended to be approved by the Planning Commission. Vice Chair Palmquist seconded.
Motion carried 4-0.

Ernesto Godinez, 23738 Cedar Ave, 13-01000-52-011 – Attached garage

Motion: Supervisor Sauber moved to approve the attached garage permit for Ernesto Godinez at 23738 Cedar Ave with PID 13-001000-52-011. Seconded by Chair Barfknecht. *Motion carried 4-0.*

Inspectron issues

Supervisor Sauber reported that the Deputy Clerk/Treasurer is concerned that Inspectron is providing their own generic applications on their website for the Township. In addition, Inspectron is accepting payment for permits and then forwarding them to the Township. Vice Chair Palmquist agreed to speak with Inspectron about these issues.

Land Use Requests

Michelle Nicolai, xxx 255th, 13-02300-76-020 – Lot split

Carol Cooper was present on Zoom to represent the applications.

Motion: Supervisor Sauber moved to approve the lot split for PID 13-02300-76-020 splitting 3.67 acres from the original 39.32 acres. Supervisor Fredlund seconded. *Motion carried 4-0.*

Michelle Nicolai, xxx 255th, 13-02400-51-011

Motion: Supervisor Sauber moved to approve the lot split for PID 13-02400-51-011 splitting parcel B consisting of 2.5 acres, parcel C consisting of 2.5 acres and parcel D consisting of 2.33 acres from the original parcel consisting of 117.89 acres. Seconded by Chair Barfknecht. *Motion carried 4-0.*

Michelle Nicolai, xxx 255th – Housing right transfers

Motion: Chair Barfknecht moved to approve the housing right transfer from the bottom half of parcels 1 and 2 with PIDs 13-02300-76-020 and 13-02300-76-030 to parcel D split from PID 13-02400-51-011 consisting of 2.33 acres. Supervisor Sauber seconded. *Motion carried 4-0.*

Motion: Supervisor Sauber moved to approve the housing right transfer of the native right from the bottom quarter-quarter of parcel C SE quarter-quarter of the SW ¼ of Section 24 to parcel B split from PID 13-02400-51-011. Parcel C has the native right of the NE quarter-quarter of the SW ¼ of Section 24 and the remainder is unbuildable unless a housing right is transferred in. Seconded by Vice Chair Palmquist. *Motion carried 4-0.*

Treasurer's Report

Clerk/Treasurer Solis read the Treasurer's Report As on June 30, 2022: New Market Bank checking account: \$68,010.13; Outstanding checks: \$49,294; General Fund savings account: \$334,656.76; Road & Bridge Fund savings account: \$592,936.10; Petty cash: \$100; Total assets: \$946,308.99; June disbursements: \$68,055.47; June receipts: \$16,353.90.

Motion: Supervisor Sauber moved to approve the Treasurer's Report as presented. Chair Barfknecht seconded. Roll call vote: Lu Barfknecht – Aye; Donovan Palmquist – Aye; Ralph Fredlund – Aye; Nancy Sauber – Aye. *Motion carried 4-0.*

Net Pay and claims

The Clerk presented payroll in the amount of \$2,761.74 for payment.

The following claims in the amount of \$161,387.56 were presented for payment:

IRS	Tax due June	\$2,345.67
Mn Dept of Revenue	2 nd Qtr tax due	\$502.13
PERA	June payroll	\$789.69
Grossman Companies	Road work May/June	\$25,442
Anderson Rock & Lime	Gravel invoices	\$122,959
Safety Signs	Jersey barriers 245 th	\$3,200
Couri & Ruppe	June legal bill	\$2,472.50
Kennedy & Graven	June special counsel	\$777
Inspectron, Inc.	June building inspections	\$1,239.65
ECM Publishers	Clerk/Treasurer job ad	\$460
De Lage Landen	August copier rental	\$95.83
Point North Networks	July IT/email/phone	\$333
Dakota Electric	June electric Town Hall	\$106
Dakota Electric	June electric Storage Shed	\$19.37
DSI/LSI	June garbage bill	\$165.14
Frontier	June phone	\$62.32
T&C Cleaners	July Town Hall cleaning	\$150
Tops, Inc.	June copies	\$50
Driessen Water	Water softener rental	\$37.44
Mark Henry	June road mileage	\$170.82

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

Chair Barfknecht requested the Clerk asked TJ Grossman to break down the amounts to be billed for the JPAs with Lakeville and Farmington.

Receipts and Disbursements

The following receipts in the amount of \$16,353.90 were deposited in June:

Patrick Liesch	Roofing permit	\$101
All Energy Solar	Application fee	\$25
Elise Hagfors	Roofing permit	\$101
State of Minnesota	Reissue payments	\$15,307.29
New Market Bank	Qrtly interest Savings RB	\$324.25
New Market Bank	Qrtly interest Savings GF	\$495.36

The Clerk presented June disbursements in the amount of \$68,055.47.

Remaining reports

The Cash Control Statement, Schedule 1, Interim Financial Report, Investment Activity and Outstanding Checks were reviewed by the Board.

Old Business

Ordinance 2022-03 Fence Ordinance amendment

Motion: Vice Chair Palmquist moved to adopt Ordinance 2022-03 amending the Fence Ordinance as presented. Chair Barfknecht seconded. *Motion carried 3-1*, with Supervisor Fredlund abstaining.

Mining engineer scope of work

Chair Barfknecht requested that the Supervisors forward their recommendations to the Clerk for the next meeting.

Citizen inquiries

- A. Jill Gannon, Director of Operations MAARS, regarding 23686 Highview Ave. Ms. Gannon presented a question to the Planning Commission as to whether she could create a parrot sanctuary at the property. She believes that an exception of being licensed by the state and returning the birds to the wild could apply. The Board directed the Clerk to send a letter to Ms. Gannon stating that the Township Ordinance does not allow exotic animals and the exception cited does not apply.

- B. Austin Riess, 26051 Highview Ave. Mr. Riess presented a question to the Planning Commission as to whether he could turn the existing house into a home office. He has begun to convert the old farmhouse to a non-dwelling. The Board directed the Clerk to send a letter to Mr. Riess stating that there is no housing right left on property. He would either have to decommission the old farmhouse and build a new house, or transfer in a housing right. He cannot have a home office in an accessory building. It must be in the primary residence. Density restrictions are one home/quarter-quarter, not one home/ 40 acres. It appears that he has been performing work without a permit and needs to submit a remodel application.

Planning Commission Chair Bill Clancy requested the Board adopt a policy that all citizen inquiries discussed by the Planning Commission be included in the minutes and forwarded to the Town Board for a determination so that a letter can be sent in response to the inquiry.

New Business

ALAAC report

Supervisor Sauber provided a report of the June 14th ALAAC meeting:

- 33,000 sq. ft. hangar being built for corporate aviation arrivals and departures should be finished in September.
- Flight school is going well. 100 flights a week for schools. Planes available for rent.
- Fuel prices are up significantly.
- Want to have a restaurant on site. (Holmen Field)
- Some Lakeville-based businesses are back to Airlake from other airports.

- Citation 7 is the largest jet allowed on the expanded runway. Many variables such as amount of fuel and number of passengers contribute to the runway length needed for safe takeoffs and landings.
- Slowing demand for hangars.
- A portion of 225th to be paved in conjunction with the runway construction.
- Runway length is 4,850 ft. Asked about expanding further 150 ft. to get to 5,000 ft. Railroad on one end and Cedar Avenue on the other. Huge cost to move Cedar was proposed before. 5,000 ft. recommended minimum length for safe takeoffs and landings for all light corporate jets.
- MAC update – Lake Elmo runway should be done by August.
- Reliever airports meeting in the summer.
- Like to have open house to strengthen airport/community connection.
- Lakeville Lions hosted breakfast there during Pan-O-Prog: 1,800 served and 3,000 attended.
- Need to verify that hangars are used at least 50% for aviation use. (FAA requirement) If not, the lease will not be renewed. Lease renewals are about every five years. Hangar inspections coming up.
- Use MACNOMS as flight tracker.
- To provide private viewing area and picnic table.
- Next meeting is September 8th and is open to the public.

August Town Board meeting date

Motion: Supervisor Sauber moved to change the August Town Board meeting date to Monday, August 8, 2022, at 7:00 p.m. due to a conflict with the Primary Election. Supervisor Fredlund seconded. *Motion carried 4-0.*

Attorney liaison / Town Board approval of money

Supervisor Sauber proposed that the Board continue with what has been done in the past regarding the attorney liaisons. If an item on the upcoming agenda needs clarification, the liaison can reach out to the attorney. Otherwise, the liaison must wait for Town Board authorization before sending items to the attorney. In addition, the liaison should not send communications to citizens on behalf of the Board without the Board seeing it first. Communications should come from the Town attorney.

Consent Agenda – Approval of meeting minutes

- February 17, 2022, Special Town Board/Planning Commission meeting
- April 19, 2022, Special Town Board meeting
- April 26, 2022, Town Board meeting
- May 10, 2022, Special Town Board meeting
- May 10, 2022, Town Board meeting
- May 24, 2022, Town Board meeting
- May 26, 2022, Special Round Table meeting

Motion: Chair Barfknecht moved to approve the consent agenda as presented. Supervisor Sauber seconded. *Motion carried 4-0.*

Adjournment

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

Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Ranee Solis, Town Clerk

Minutes Officially Approved By: _____ on: _____
Town Chair Date