

EUREKA TOWNSHIP

Dakota County, State of Minnesota

TOWN BOARD MEETING

April 9, 2024 – 7:00 P.M.

Call to Order

The Eureka Township Town Board meeting was called to order at 7:16 p.m. by Chair Storlie and the Pledge of Allegiance was given.

Supervisors Present: Lu Barfknecht, Mark Ceminsky, Allen Novacek, Tim Pope, and Pete Storlie.

Others Present: Liz Atwater, Nancy Sauber, Logan Von Ruden, Mike Von Ruden, Randy Wood, Deb Burkhard

Zoom Attendance: Julie Larson, Leah Johnson, and Ralph Fredlund.

Approval of the Agenda

Reorganization

E- Resolution for Attorney

Unfinished Business

F. Schedule a closed meeting with Attorney

New Business

E- Zoom Meetings

F- Closed meeting employee reviews

Reports moved to after Roads

A- ALAAC

B- Dakota County Township Officers Meeting

C- 13-2100-52-023 Devasir Barn

Motion: Supervisor Novacek moved to approve the agenda as amended. Supervisor Pope seconded the motion. *Motion carried 5-0.*

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 Storlie opened the floor for public comment and reminded that if anyone has comment regarding any agenda items, now is your time to speak. Hearing none, the floor was closed.

Planning Commission Report-

Planning Commissioner Melanie Storlie shared items that were discussed at the January Planning Commission meeting. A full summary is provided in the Planning Commission meeting minutes and is available for viewing at the Town Hall and on the website.

Permit Requests

24535 Essex Ave., PIN 13-01400-75-010 – Mark Kirchner

Motion: Vice Chair Ceminsky moved for Mark Kirchner at 24535 Essex Ave for ground mounted solar, that we approve the permit application and move it onto our building official. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

10111 267th ST. W., PIN 13-032000-51-011- Sarah Bridges

Motion: Vice Chair Ceminsky moved for Sarah Bridges at 10111 267th Street W for home addition that we approve that application and pass it onto the building official. Supervisor Pope seconded the motion. *Motion carried 5-0.*

Roads

The Town Board had a discussion with TJ Grossman, regarding current processes and procedures he follows as the road contractor.

2024 Project Invoice

Vice Chair Ceminsky asked why some of the road projects that were done in 2023 were paid in 2024. Supervisor Novacek explained that the Board decided to complete the work in 2023 because the weather allowed for the work to be completed prior to 2024.

Reports

March 23, 2024, Dakota County Township Officers Meeting- written report by Beth Eilers. See pages 8-10 for the full report.

March 14, 2024, ALAAC meeting- written report by Beth Eilers. See page 11 for the full report.

PIN 13-2100-52-023: Barn

Supervisor Barfknecht reported that property 13-2100-52-023, Devasir, had removed the barn per the agreement with the Township.

Complaints

2023-12 Wat Lao

Wat Lao requested an extension from the Board to get the non-operable vehicles removed.

Motion: Supervisor Novacek moved to give Wat Lao Temple until September 1, 2024, to remove the two vehicles on the property. Vice Chair Ceminsky seconded the motion. Supervisor Novacek amended his motion to state four vehicles, Vice Chair Ceminsky agreed to the amendment. *Motion carried 5-0.* Clerk Atwater will send a letter to Wat Lao.

2024-01 5E Properties 10132 235th Street W

The Town Board reviewed and determined that the complaint was not a complete complaint.

Treasurer's Report

Clerk/Treasurer Atwater read the Treasurer's Report as of March 31, 2024: Total of all accounts was: \$1,060,901.14.

Motion: Supervisor Novacek moved to approve the March Treasurer's Report as presented. Chair Storlie seconded. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky – Aye, Lu Barfknecht - Aye. *Motion carried 5-0.*

Net Pay and claims

The Clerk presented payroll in the amount of \$9,161.32 and claims in the amount of \$12,777.16 for payment. See page 7 for a list of claims.

Motion: Chair Storlie moved to approve the net pay and claims as presented. Vice Chair Ceminsky seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky – Aye, Lu Barfknecht - Aye. *Motion carried 5-0.*

Receipts and Disbursements

Clerk/Treasurer Atwater presented the March receipts in the amount of \$123,354.87 and March disbursements in the amount of \$146,355.72.

Other Treasurer Reports

Clerk Atwater reviewed the Cash Control Statement, Schedule 1, PTO balances, and Investments with the Town Board.

CD

Motion: Chair Storlie moved to roll the General Fund \$25,000 CD at Genisys and the Road and Bridge \$30,000 CD at Genisys over into a 7-month CD at 5.15% or best interest rate available. Supervisor Novacek seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky – Aye, Lu Barfknecht - Aye. *Motion carried 5-0.*

Reorganization

Schedule of Regular Board Meeting

The Town Board reviewed two options for a regular meeting schedule. The first schedule was having two meetings per month. The second schedule was having one meeting per month starting in June of 2024.

Motion: Supervisor Novacek moved to approve Resolution 2024-12 setting one meeting a month starting in June. Chair Storlie seconded the motion. *Motion carried 5-0.*

Compensation and Reimbursement Policy for Town Officers and Commissioners

Motion: Chair Storlie moved to approve Resolution 2024-13 Compensation and Reimbursement Policy for Town Officers and Commissioners, for 2.1 and 2.3 to stay at the current rates and other information as presented. Supervisor Pope seconded the motion. *Motion carried 5-0.*

Liaison Assignments

The Town Board discussed the Liaisons, including duties and assignments. The Town Board and staff were tasked to review and bring to the board suggestions for recommendations for changes to the process and assignments. This will also be discussed at the Round Table meeting with the Planning Commission.

Review of Complaint Policy- Ordinance

The Town Board discussed the current Complaint Policy on ordinances. The Clerk will send out the current version and previous versions to the Town Board to review. The Town Board and staff will provide feedback and recommendations.

Designate Township Attorneys

Chair Storlie reported that Couri and Ruppe have been notified of the Township termination of services. Chair Storlie also spoke with Troy Gilchrist of Kennedy and Graven, and he is willing to be the Township's full Attorney, Township General Council.

Motion: Chair Storlie moved to approve to use Troy Gilchrist of Kennedy and Graven, and then to instruct Troy to reach out to Ruppe to get all files turned over to him. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

Unfinished Business

245th Closed Road

Vice Chair Ceminsky reported that there are potholes on the road that need to be filled, graded, and then signs can be removed.

Motion: Vice Chair Ceminsky moved that on 245th between Dodd and the Township line that we accept Safety Signs bid of \$500 to remove the barriers and barricades and the stuff that is down at the end, and the road close sign on Dodd. That is all included in their bid. And to haul gravel and grade the road up to \$6,000, for the gravel and grading. Supervisor Novacek seconded the motion. vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky- Aye; Lu Barfknecht- Nay. *Motion carried 4-1.*

Motion: Chair Storlie moved to approve Resolution 2024-14 reopening 245th Street W. Supervisor Pope seconded the motion. Vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky- Aye; Lu Barfknecht- Nay. *Motion carried 4-1.*

Farmington Fire Contract

Clerk Atwater reported that she is working with Matt Price, Interim Fire Chief, to get a meeting scheduled.

Engine Brake Signs

Supervisor Novacek shared an email from Todd Howard, Assistant County Engineer, that County would not allow Eureka Township to put Engine Brake Signage in the Dakota County right of way.

Additional information can be found at:

www.co.dakota.mn.us/Transportation/HighwayPolicies/Noise. Vice Chair Ceminsky also reported he spoke with Todd Howard, and the County advised the Township they will not allow noise ordinance signage on county road, nor will they enforce this ordinance due to the difficulty for Law Enforcement to witness and document this type of violation to issue tickets.

Motion: Supervisor Novacek moved to rescind the decision to put up noise ordinance signs in Eureka. Jake Braking is the common term, but engine noise braking signs. However, the actual wording is on

the sign, it doesn't matter. I make a motion to rescind the decision to move forward with that. Supervisor Pope seconded the motion. Chair Storlie asked if there was any discussion. When the vote was called for the motion, it was stated the motion was to "rescind the ordinance." Roll Call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky- Aye; Lu Barfknecht- Nay. *Motion carried 4-1.*

Round Table Meeting

The Board decided to change the date of the Round Table meeting with the Planning Commission to Tuesday, May 21, 2024, at 5:00 pm.

Town Board members need to have suggestions for the agenda emailed to the Clerk or bring to the next meeting.

Closed meeting with Attorney

Clerk Atwater will reach out to Troy Gilchrist to coordinate a meeting with the Town Board.

New Business

Closed meeting for Employee Reviews

Reviews will take place on Tuesday, May 14th at 6:00 pm.

Pay frequency for Employees

The Town Board discussed the option of changing the payroll dates for employees to once a month instead of semi-monthly. The Town Board decided to keep the semi-monthly pay, and Supervisors can stop in to sign payroll between meetings.

PC Liaison Ordinance

The Town Board wants this added to the Round Table for discussion.

Squatter Ordinance

Vice Chair Ceminsky recommended the Planning Commission investigate a squatter ordinance. Discuss at the Round Table meeting.

Quote for Trimming Trees

The Town Board agreed to have Vice Chair Ceminsky investigate the work that needs to be completed and bring that information back to the Board.

Zoom Meetings

Motion: Chair Storlie moved that we don't allow zoom meetings for Town Board Supervisors or Planning Commission members. Vice Chair Ceminsky seconded the motion. Vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky- Aye; Lu Barfknecht- Nay. *Motion carried 4-1.*

Adjournment

Motion: Chair Storlie moved to adjourn the meeting. Supervisor Pope seconded the motion. *Motion carried 5-0.*

The meeting adjourned at 9:47pm.

Respectfully submitted,



Liz Atwater, Town Clerk

Minutes Officially Approved By:


Town Chair

on:

May 14, 2024
Date

| <u>Date</u> | <u>Vendor</u> | <u>Check #</u> | <u>Description</u> | <u>Total</u> |
|-------------|---|----------------|---|---------------------|
| 4/09/2024 | Payroll ending 3/31/24 | 11317 | Payroll ending 3/31/24 | \$ 2,014.22 |
| 4/09/2024 | Payroll ending 3/31/24 | 11318 | Payroll ending 3/31/24 | \$ 291.81 |
| 4/09/2024 | Payroll ending 3/31/24 | 11319 | Payroll ending 3/31/24 | \$ 752.25 |
| 4/09/2024 | Payroll ending 3/31/24 | 11320 | Payroll ending 3/31/24 | \$ 1,034.32 |
| 4/09/2024 | Payroll ending 3/31/24 | 11321 | Payroll ending 3/31/24 | \$ 452.51 |
| 4/09/2024 | Payroll ending 3/31/24 | 11322 | Payroll ending 3/31/24 | \$ 87.35 |
| 4/09/2024 | Payroll ending 3/31/24 | 11323 | Payroll ending 3/31/24 | \$ 489.45 |
| 4/09/2024 | Payroll ending 3/31/24 | 11324 | Payroll ending 3/31/24 | \$ 360.16 |
| 4/09/2024 | Payroll ending 3/31/24 | 11325 | Payroll ending 3/31/24 | \$ 738.80 |
| 4/09/2024 | Payroll ending 3/31/24 | 11326 | Payroll ending 3/31/24 | \$ 267.81 |
| 4/09/2024 | Payroll ending 3/31/24 | 11327 | Payroll ending 3/31/24 | \$ 831.15 |
| 4/09/2024 | Payroll ending 3/31/24 | 11328 | Payroll ending 3/31/24 | \$ 821.91 |
| 4/09/2024 | Payroll ending 3/31/24 | 11329 | Payroll ending 3/31/24 | \$ 369.40 |
| 4/09/2024 | Payroll ending 3/31/24 | 11330 | Payroll ending 3/31/24 | \$ 96.08 |
| 4/09/2024 | Payroll ending 3/31/24 | 11331 | Payroll ending 3/31/24 | \$ 554.10 |
| 4/09/2024 | Internal Revenue Service | 11332 | Tax March Payroll | \$ 2,286.75 |
| 4/09/2024 | MN Department of Revenue | 11333 | 1 st Quarter State Income Tax | \$ 663.18 |
| 4/09/2024 | PERA | 11334 | March Payroll | \$ 975.57 |
| 4/09/2024 | Couri & Ruppe | 11335 | March Legal Services | \$ 1,590.00 |
| 4/09/2024 | Dakota County Township Officers Association | 11336 | Dakota County Association of Townships Dues | \$ 225.00 |
| 4/09/2024 | Dakota Electric Association | 11337 | Electric 2/11-3/13/2024 Shed | \$ 17.59 |
| 4/09/2024 | Dakota Electric Association | 11338 | Electric 2/11-3/13/2024 | \$ 204.69 |
| 4/09/2024 | DSI | 11339 | April 2024 Garbage Bill | \$ 163.05 |
| 4/09/2024 | Elizabeth Eilers | 11340 | Mileage- Dakota Township Officers Meeting 3/23/2024 | \$ 12.19 |
| 4/09/2024 | Mark Henry | 11341 | March 2024 Road Mileage | \$ 165.49 |
| 4/09/2024 | Inspectron | 11342 | March 2024 inspections | \$ 1,961.29 |
| 4/09/2024 | Kennedy & Graven | 11343 | February Enforcement | \$ 621.00 |
| 4/09/2024 | MN Department of Labor and Industry | 11344 | State Surcharge Quarter 1, 2024 | \$ 77.00 |
| 4/09/2024 | M & R Signs | 11345 | Speed limit project signs | \$ 3,239.56 |
| 4/09/2024 | Point North Networks | 11346 | April 2024 Billing | \$ 533.00 |
| 4/09/2024 | Visa | 11347 | Adobe- Deputy Clerk, Walmart- Office Supplies | \$ 41.80 |
| | | | | <u>\$ 21,938.48</u> |

MEMORANDUM

TO: Eureka Township Supervisor Board
Eureka Township Planning Commission Board
FROM: Planning Commissioner Eilers
RE: March 2024 Dakota County Township Officer's Meeting

On March 23rd I represented Eureka Township at the Dakota County Township Officer's meeting which was held at the Dakota County Extension office in Farmington. The meeting was well attended by members of townships throughout Dakota County. Also in attendance was Commissioner Slavik, Sheriff Leko, Valerie Neppel and Nikki Stewart of Dakota County Environmental Services, Brian Watson of Dakota County Soil and Water, Todd Howard of Dakota County Transportation, Jeff Kruger of Minnesota Association of Townships, Peggy Johnson of Dakota Electric, Susan Vento, and Patrick Boylan of the Met Council. Wendy Wulff was unable to attend the meeting.

Commissioner Slavik reported that the county board has decided not to redistribute costs to the townships for the Sheriff's Office. Instead, the county board decided to approve the hiring of 3 additional patrol Deputies and to include the costs in the county wide levy. In other words, they are continuing in status quo. That said per capita Dakota County continues to have the lowest tax cost in the state. He also reported that Dakota County is changing their mission to more closely follow the Carver County model. This means the county will change from pro-business development to economic development, affordable housing, and transportation for health care. Commissioner Slavik reported a meeting was held in January, which included townships, to discuss the change in focus. Commissioner Slavik stated that property values established by the county are not expected to increase in 2024, which follows a 2023 increase in ag property by 4.4%, followed by an increase of 4.8 % for commercial property. He reported that the 1% sales tax increase in Dakota County will be dispersed to housing and transportation.

Commissioner Slavik discussed the current zoning bills proposed in Minnesota, Senate bill #3964 and House bill 4009. The bills as proposed would effectively put zoning control in the hands of the state and remove local control from the cities and some townships. It is important to first note that Commissioner Slavik reported that this bill doesn't directly affect small townships because their population is under 10,000 and the 1 per 40 housing requirements. The bill is believed to be developer driven. He did say that cities under 10,000 population would be allowed to have two (plex) single family homes per city lot and cities over 10,000 would be allowed four (plex) single family homes per city lot. This is the same model that Minneapolis is currently using. He said Dakota, Scott and Carver County have formally opposed this bill. Commissioner Slavik reported that how this bill will affect townships is by annexation from neighboring cities. It was recommended that townships obtain or extend their annexation agreements with the cities that surround them.

Commissioner Slavik reported that no additional new funding is available for rural or metro areas. All funding was committed to the northern part of the state.

Sheriff Leko reported that the hiring process for the 3 additional patrol deputies is underway. He said the patrol division is still down 8 deputies but the jail is down only 3 correctional deputies. He reported that the Sheriff's office is slated to receive funding from the state and will be used to purchase 3 mobile speed trailers, a robot for underwater recovery and squad assigned thermograph FLIRS. He also reported that on April 11th,

County Road 68 is being renamed as Deputy Luther Klug Highway. Deputy Klug was on patrol in Dakota County when he was struck and killed by a drunk driver in 1996.

Sheriff Leko reported that there has been an increase in reports of street racers in the county. He requested that residents who see a gathering of vehicles in lots, such as at Dakota County Technical College, call 9-1-1 to report it so that deputies can hopefully interrupt the planned activity. He reported that Hampton has been experiencing an increase of vehicle break ins.

Sheriff Leko advised that the speed trailer hasn't arrived yet, however he directed townships to send requests to him for use of the speed trailer. He reported that the trailer will record all speeds recorded to help with the analysis of the speeds of the roadway.

Jeff Kruger of MAT reported that they have been touring the state holding spring short course training. They are also in the process of cleaning up the grammatical errors in the bylaws, not changing the bylaws intent. There is a planned vote at the training in Arlington on these changes.

Jeff reported that in 2022 Green Isle township had a major internet scam as a result of spoofed email that was responded to by an employee. This resulted in \$800,000 being transferred to a location that was not the township bank. This case is in the hands of the FBI currently. Caution is strongly urged when any contact, phone or email, is received from someone claiming to represent a financial institution. The best response is to independently contact the financial institution.

Dave Nicolai of Castle Rock Township, board member of the Dakota County Township Association, held a discussion about the idea offering small cities to the township association. This would include cities such as Empire, Lilydale, and Mendota. They have to privately contract for public services such as fire and police, with little funding to pull from, in a similar fashion as the townships. This would potentially increase the township voice by increased numbers as well. It was decided to extend the offer to determine if they are interested before proceeding with any amendments to the association bylaws.

Environmental Services advised that there is \$3500 in funding available for townships to hold a rural solid waste recycle day event. Contact Valerie Nepple or Nikki Stewart for more information about this. They reported that 2,000 private wells have been tested. Results showed increase in nitrates and Manganese in the south and southeast areas of the county. Eureka Township wells were higher in manganese. Manganese is a naturally occurring product that is associated with neurological issues. Eureka wells were lower in arsenic; however, no amount of arsenic is safe so it should be removed. They also reported that PFSA, forever chemicals, including chloride have been detected in Eureka Township. Results in Dakota County in general have shown the presence of cyanazine, a pesticide/herbicide. They reported that carbon filters and/or reverse osmosis systems are the best means for removing contaminants from well water.

Todd Howard, Dakota County Assistant Engineer, reported that work on the railroad trussell in Castle Rock is underway. County road 86 remains closed in that area. He reported that Highway 52 will have additional maintenance this summer from Hampton to County Road 86. Ramps to from Highway 52 to northbound CR 86 will be closed. County Road 46 and 85 (Goodwin Avenue) will be detoured to allow for the installation of a round-about at that location.

I asked Mr. Howard if the county had plans to pave 225th Street from Cedar Ave to the west in Eureka Township, he stated that he was not aware of this on the project list. He was also unaware of any plans to widen Cedar Avenue to a four-lane roadway south of Lakeville.

Brian Watson reported that he is retiring in June 2024.

The met council did not have anything significant to report.

The date of the next township association meeting was not set.

The meeting adjourned.

MEMORANDUM

TO: Eureka Township Supervisor Board
Eureka Township Planning Commission Board
FROM: Planning Commissioner Eilers
RE: March 2024 ALAAC Meeting

On March 14, 2024 I represented Eureka Township as the newly appointed ALAAC Liaison. The meeting was held at Lakeville City Hall. Tom Fitzhenry was elected as the Chair and John Bermel as the Co-Chair. They noted that mission of this group is to maintain a neighborly and compatible relationship with communities that surround the airport.

The airport has a new manager, Sam Seafeldt. Sam is not new to Airlake Airport, but he is new to airport manager position. Airlake Airport is 1 of 6 reliever airports and receives 11% of the aircraft traffic. Sam advised that the airport runway extension is on hold as they await the results of the environmental study. Mitigation regarding the underground utilities in the area is ongoing as well. Sam was asked about Dakota County's plan to expand Cedar Avenue to a four-lane road and how that would affect the extension of the runway. Sam stated that he was unaware of any planned expansion of Cedar Avenue. He also stated that he did not have any update regarding the paving of 225th Street from Cedar Avenue to the new FBO on the south side of the airport.

Sam reported that the maintenance building will have maintenance work done this year to mitigate drainage problems.

Operations at the airport, meaning a landing or a takeoff, increased in 2023. Daytime operations, 6AM to 10PM, increased by 905 to 9,561 and nighttime operations increased by 9 to 44. There were no complaints regarding airport operations or aircraft received in 2023

Adam Forsberg, owner of ALOFT aviation, the new hanger located on the south side of the airport was also present at the meeting. He advised that he plans to open a high end restaurant similar to a Porterhouse type restaurant in his hanger. He said the opening of this restaurant is dependent on Dakota County paving 225th Street, and that he hopes to have his restaurant opening in 5 to 6 months. He also had no update on Dakota County's plan to pave 225th Street from Cedar Avenue to the ALOFT Hanger.

Two events of note are taking place at Airlake airport, the first is on June 16th, Father's Day fly in breakfast hosted by the Experimental Aircraft Association, chapter 25. The second is on July 7th, Pan-O-Prag fly in breakfast, hosted by the Lakeville Lions Club. Both events will be located at the ALOFT hanger.

The meeting adjourned.