

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

**TOWN BOARD MEETING**  
**August 14, 2024 – 7:00 P.M.**

**Call to Order**

The Eureka Township Town Board meeting was called to order at 7:00 p.m. by Chair Pete Storlie and the Pledge of Allegiance was given.

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

Others Present: Liz Atwater, Chris Juliar, Nancy Sauber, Randy Wood, David King, Shannon Cox,

Zoom Attendance: Georgie Molitor, Jeff Otto, Julie Larson, Deb Burkhardt, Jim Sauber, Mike Ricart.

**Approval of the Agenda**

Chair Storlie added:

New Business: J. Orderly Annexation discussion

*Motion:* Chair Storlie moved to approve the agenda as amended. Vice Chair Ceminsky seconded the motion. *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 Pete Storlie opened the floor for public comment and reminded that if anyone has comment regarding any agenda items, now is your time to speak.

Nancy Sauber- 9445 225<sup>th</sup> St. W

See page 8 for written public comment.

Chair Pete Storlie closed the floor for public comment.

**Reports**

NCRWMO- Melanie Storlie

See page 9-10 for the written report.

**Citizen Inquiry**

Soil Recycling Solutions- Chris Juliar and Deanna Sheely

The Town Board discussed the existing reclamation plan, and any new owners who purchase the property would need to assume that responsibility for the work. It was discussed that a bond would be required. A new plan would require Public Hearings. The Town Board needs to approve the property transfer and a compliance agreement so that the new owner meets the reclamation requirements. Legal counsel is needed to review transferring the IUP and bond. The Town's goal is to have the property reclaimed.

### Applewood Orchard- David King and Shannon Cox

The town discussed the recent acquisition of the Applewood orchard by David King. The orchard, which boasts 16 varieties of apples, aims to offer pre-picked and pick-your-own apples, as well as other food items. The family-run operation is currently seeking approval from the Department of Agriculture to establish a store. The orchard is set to open in late August and will remain operational until the apples spoil, potentially until Halloween or early October. The Town Board discussed with the new owners that many of the activities the previous owners were doing were against the ordinance, and they would need to apply for an IUP to be in compliance.

### **Consent Agenda**

*Motion:* Vice Chair Ceminsky moved to approve the consent agenda as listed: 6.11.2024 Town Board minutes, 6.20.2024 Special Town Board minutes, 6.27.2024 Special Town Board minutes, and 7.9.2024 Town Board minutes. Supervisor Novacek seconded the motion. *Motion carried 4-0.*

### **Roads**

#### Road Report

Vice Chair Ceminsky reported that the gravel for the year has been completed. He has submitted to Dakota County estimated cost for repairs to the roads caused by the flooding. FEMA is currently reviewing all damages and hopes to get an answer if the Township will be awarded funds. The Road Committee has reviewed all the street signs that are covered by brushes and Vice Chair Ceminsky is compiling a list of work to be completed. The Township has had numerous trees that have fallen into and blocking the roadways, requiring work emergency tree removal.

Supervisor Pope stated, "I am abstaining from discussion and voting because I have a vested financial interest." Supervisor Pope left his seat to sit in the audience.

*Motion:* Vice Chair Ceminsky moved to approve Resolution 2024-19 authorizing contract with interested officer. Supervisor Novacek seconded the motion. *Motion carried 3-0.*

Supervisor Pope returned to his seat after the vote.

### **Treasurer's Report**

Clerk/Treasurer Atwater read the Treasurer's Report as of July 31, 2024: Total of all accounts was: \$1,107,251.76.

*Motion:* Vice Chair Ceminsky moved to accept the Treasurer's Report as presented. Supervisor Pope seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky – Aye. *Motion carried 4-0.*

#### Net Pay and claims

The Clerk presented payroll in the amount of \$3,338.99 and claims in the amount of \$72,444.84 for payment. See page 7 for a list of claims.

*Motion:* Vice Chair Ceminsky moved to approve the net pay and claims as presented. Supervisor Novacek seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky – Aye. *Motion carried 4-0.*

### Receipts and Disbursements

Clerk/Treasurer Atwater presented the July receipts in the amount of \$443,697.09 and July disbursements in the amount of \$299,283.42.

### Other Treasurer Reports

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

### Upcoming CDs Maturing

Clerk/Treasurer Atwater recommended the to let the CD that is maturing at Genisys on September 2 to roll into the Township's saving and discuss CD options at the next Town Board Meeting.

Clerk/Treasurer Atwater recommend renewing the Road and Bridge CD at Fransen maturing on 9.3.2024 at the best rate available.

*Motion:* Vice Chair Ceminsky moved to roll the CD over at Frandsen for the best rate possible at that time. Supervisor Novacek seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky – Aye. *Motion carried 4-0.*

### 2024 Budget vs Actual review.

Clerk/Treasurer Atwater review the Year-to-date actuals vs budget year to date. Clerk/Treasurer Atwater recommended transferring at minimum \$60,000 from the General Fund cash to the Road and Bridge cash. The Town Board will discuss during New Business.

### **Unfinished Business**

#### Quotes for Tree removal at the Town Hall

Supervisor Pope stated, "I am abstaining from discussion and voting because I have a vested financial interest." Supervisor Pope left his seat to sit in the audience.

The Town Board reviewed the quotes from Carr Tree Service for \$1,200.00 and from Pope Enterprises for \$920.00 for removing 2 ash trees, 2 arborvitaes and 2 bushes.

Supervisor Novacek asked for the record. "Does anyone have a complaint against Pope Enterprises at present for the work he has been doing?" None were stated.

*Motion:* Supervisor Novacek moved to select Pope Enterprises since he has a lesser amount for the work. Chair Storlie seconded the motion. *Motion carried 3-0.*

*Motion:* Vice Chair Ceminsky moved to approve Resolution 2024-20 Authorizing Contract with Interested Officer. Supervisor Novacek seconded the motion. *Motion carried 3-0.*

Supervisor Pope returned to his seat after the vote.

#### Quotes for Concrete Repair at the Town Hall

The Town Board reviewed the quotes from Burnsville Cement Construction for \$2,700 and from Pat's Concrete & Bobcat for \$1,800.

*Motion:* Chair Storlie moved to proceed with Pat's Concrete & Bobcat at a price of \$1,800 for the concrete work at the Town Hall. Supervisor Pope seconded the motion. *Motion carried 4-0.*

### 911 Emergency Signs

Clerk Atwater reported that 9 people have signed up thus far, and just need one more to get to the 10 required for the order.

### Ordinance 57-2: Hearing; Notices

The Town Board reviewed the proposed amendments to Ordinance 57-2 and agrees to hold a Public Hearing on Tuesday, September 10, 2024, at 6:30 pm.

### **New Business**

#### Planning Commission Resignation

Planning Commissioner, Beth Eilers, submitted her resignation on July 10<sup>th</sup>, 2024.

*Motion:* Chair Storlie moved to accept the resignation of former Planning Commission member, Beth Eilers. Supervisor Novacek seconded the motion. *Motion carried 4-0.*

#### Planning Commission Vacancy

The Town Board agreed and directed the Clerk to post the open position and send out an email notification to residents.

#### Meeting with Mayor of Credit River

Vice Chair Ceminsky reported he met with the Mayor of Credit River to discuss and learn their history on becoming a city. The Mayor discussed the biggest benefit Credit River experienced from becoming a city was protecting their borders from Annexation. The Mayor recommended getting agreements with the surrounding cities that would support incorporating and allowing hook up to water and sewer. The process took about 2 years to complete, and they budgeted \$100,000.

Chair Storlie stated the Town Board is gathering information and data from other Townships who have experienced the process of incorporation and their reasonings for their actions. He explained this is an early discussion phase, but change is coming. He urged the Board to take a serious look to see what the best path is to protect Eureka Township. This process includes citizen input, conducting research, hiring a planner, and an attorney. This is not just a Board discussion.

*Motion:* Vice Chair Ceminsky moved that we continue to meet with cities to get information, Pete, and I, to present to the rest of the Board to figure out if this is some we want to proceed with or work towards. That way we can start addressing the pros and cons and then present them to the Board. Supervisor Pope seconded the motion. *Motion carried 4-0.*

#### Road Signs and Brush Removal

Vice Chair Ceminsky explained there is about \$80,000 work to clear the right of ways and signage throughout the Township.

*Motion:* Vice Chair Ceminsky moved to move \$75,000 cash out of the general fund into Road and Bridge to bring us to where we are even and have a little extra money to do this type of work we need

to do. Supervisor Novacek seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky – Aye. *Motion carried 4-0.*

*Motion:* Vice Chair Ceminsky moved to send \$15,000 with Otte Excavating for them to grind and clear signs which equals approx. 40 hours' worth of work. Chair Storlie seconded the motion. Roll call vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky – Aye. *Motion carried 4-0.*

Chair Storlie requested a list of sites to be clear be sent to the Board prior to work being started. Vice Chair Ceminsky will get a list of locations to the Clerk and the Clerk will send it out to the Board.

#### Lakeville Comprehensive Plan Amendment

The Town Board agreed the Comprehensive Plan Amendment is not anticipated to impact this jurisdiction.

#### Garage Organization

Vice Chair Ceminsky stated there are lights in the garage that hang down, which prevent the garage doors from opening all the way. The Town Board directed the Clerk to obtain quotes to change the lighting to canned lighting.

Vice Chair Ceminsky stated the garage door and frames need painting. The Town Board directed the Clerk to obtain quotes for the painting and repairs.

Clerk Atwater reported to the Board the items in the garage that could be sold or donated. The Town Board directed the Clerk to ask Safety Signs about options to do with signs the Township can't use.

#### Sign Bids

The Town Board reviewed the quotes from EFA (Safety Signs) and M R Signs.

*Motion:* Vice Chair Ceminsky moved to accept the bid from EFA for signs of \$1,325.05. Supervisor Novacek seconded the motion. Vice Chair Ceminsky amended the motion that the street signs get verified that they are double sided and up to the \$1,325.05. Supervisor Novacek seconded the amendment. *Motion carried 4-0.*

Vice Chair Ceminsky reported that speed limit signs that were approved and put up by the previous Board, on 267<sup>th</sup> Street W, were removed by the County. This road is a county road.

#### Resolution 2024-21

*Motion:* Chair Storlie moved to approve Resolution 2024-21. A resolution adopting the 2025 budget and property tax levy. Vice Chair Ceminsky seconded the amendment. *Motion carried 4-0.*

#### Orderly Annexation

*Motion:* Chair Storlie moved to engage the attorney to start the discussion process of orderly annexation agreements with Farmington and Lakeville. Vice Chair Ceminsky seconded the amendment.

Chair Storlie moved to call the question. Vice Chair Ceminsky seconded the motion. *Motion carried 3-1, with Supervisor Novacek voting Nay.*

*Motion above carried 4-0.*

**Adjournment**

*Motion:* Chair Storlie moved to adjourn the meeting. Supervisor Pope seconded the motion. *Motion carried 4-0.*

The meeting was adjourned at 9:03pm.

Respectfully submitted,



Liz Atwater, Town Clerk

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

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Total</u>
8/14/2024	Payroll ending 7/31/24	11444	Payroll ending 7/31/24	\$ 2,014.22
8/14/2024	Payroll ending 7/31/24	11445	Payroll ending 7/31/24	\$ 512.09
8/14/2024	Payroll ending 7/31/24	11446	Payroll ending 7/31/24	\$ 812.68
8/14/2024	Anderson Rock and Lime	11447	Gravel	\$ 31,801.21
8/14/2024	ECM Publishers	11448	Ordinance 2024-03 and 2024-02	\$ 152.00
8/14/2024	Grossman Companies	11449	Grading and Water Truck	\$ 20,410.50
8/14/2024	Grossman Companies	11450	Shared Roads	\$ 2,691.00
8/14/2024	Inspectron	11451	August inspections	\$ 4,158.90
8/14/2024	JTN	11452	Internet	\$ 199.00
8/14/2024	Kennedy & Graven	11453	May and June enforcement	\$ 1,279.50
8/14/2024	Elizabeth Atwater	11454	Mileage and supplies	\$ 40.84
8/14/2024	Metro Sales	11455	Copier and staples for copier	\$ 177.93
8/14/2024	Mark Ceminsky	11456	Mileage June and July	\$ 184.92
8/14/2024	Ottomatic Lawn Care	11457	June and July	\$ 2,175.00
8/14/2024	Pope Premium	11458	Emergency Tree Removal	\$ 600.00
8/14/2024	T&C Cleaning	11459	July and August Cleaning	\$ 300.00
8/14/2024	Town Lawn Center	11460	June and July	\$ 1,633.00
8/14/2024	Victor Lundeen	11461	Checks	\$ 433.12
8/14/2024	Internal Revenue Service	20240815 ACH	July Tax Payroll	\$ 3,852.42
8/14/2024	PERA	20240815 ACH1	July Payroll	\$ 1,107.61
8/14/2024	Dakota Electric	20240815 ACH2	Electric	\$ 257.06
8/14/2024	DSI	20240815 ACH3	Garbage Bill	\$ 163.05
8/14/2024	Point North	20240815 ACH4	July Billing	\$ 523.00
8/14/2024	Visa	20240815 ACH5	Supplies and Annual Fee	\$ 304.78
				<b>\$ 75,783.83</b>

Nancy Sauber, 9445 225th St W, Lakeville

Town Boards have a duty and a responsibility to maintain settlement agreements in place when they assume office.

These settlement agreements often follow litigation and involve considerable time and resources by Township attorneys and officials at taxpayers' expense.

These agreements are compromises reached by both sides, hopefully to the benefit of the public. To not uphold such agreements is to let your public down.

In April of this year, Chair Pete Storlie declared that certain unfinished items kept on the agenda as a reminder until taken care of were to be removed immediately. As a Board Supervisor, he should know that among all the business conducted, certain items can fall through the cracks and not be followed up on.

In April I explained that the settlement agreement with Country Stone that goes with property to Scotts Miracle-Gro includes the replacement of any screening trees that are dead, dying, or diseased. This spring would have been an ideal time for replacement. There are currently a goodly number of trees at this site that need such replacement.

Pete Storlie's answer at the time to my input? "I'd have to see that agreement." That was months ago, Mr. Chair. Has the clerk shown you that agreement? Have you even asked to see it? Or are you content to let this "fall through the cracks?"

It is now August. Fall is another favorable planting season. Please act on your obligation as the current Chair and Board to get these trees replaced. There is a landscaping plan specified in the agreement map. Trees are to be replaced by the same specimens as noted there. September is fast approaching.

Thank you.



## MEMORANDUM

TO: Eureka Township Supervisor Board  
Eureka Township Planning Commission Board

FROM: Planning Commissioner Melain Storlie

RE: July 17, 2024, North Carron River Watershed Management Organization Meeting

Annual Tour: 6:00pm at the Southwest Chub Creek Water Monitoring location at Dixie Ave, in Randolph, MN.

- The tour was led by Lindsey Albright and Ashley Gallagher from the Dakota County SWCD. Lindsey led us through a description of her testing process, locations and tools used.
- See the attached 2023 Water Monitoring Report. Lindsey explained that the State is behind in entering the data, so this is the most current report that they have.

We then drove to the Hampton Townhall to start the meeting at 7:00pm.

The meeting was led by Chair Jeff Reed from Douglas Township, and Treasurer Frank Wergin from Waterford Township. Minutes taken by: Ashley Gallagher from the Dakota County Soil & Water Conservation District.

The Following members of the NCRWMO and other concerned residents were in attendance:

**NCRWMO Managers Present:**

Jeff Reed	Douglas Township
Frank Wergin	Waterford Township
Wayne Peterson	Greenvale Township
Dan Peine	Hampton Township
Heather Mavencamp	Castle Rock Township
Todd Carlock	City of Randolph
Tom Krauter	Randolph Township
Melanie Storlie	Eureka Township
Jill Trescott	Sciota Township

**Others Present:**

Ashley Gallagher, Dakota County SWCD Staff  
Sandy Weber, Castle Rock Resident  
Greg Langer, Greenvale Resident  
Tom Wirtzfeld, Greenvale Resident  
Brett Stadler, Waterford Township  
Anne Sawyer, Board of Water & Soil Resources

The meeting was called to order by Chair Jeff Reed at 7pm.

The agenda was approved and then he moved on to audience comments.

Audience comments:

Sandy Weber addressed the group on behalf of the group Environmental Coalition of Farmington MN regarding the issue with Data Centers coming to Farmington, Rosemount and Northfield on land annexed from Greenvale Township. The concern is the millions of gallons of water used by these facilities for cooling that could have significant impact on the Jordan Aquifer and the wells of the residents who rely on it.

## MEMORANDUM

Chair Jeff Reed – Suggested that this might be an issue that should be taken to the Dakota County Township Officers Meeting.

### The meeting moved on to the New Business:

#### 2023 Water Monitoring Report

- Ashley Gallagher from Dakota County Soil & Water went through the attached report.
- The Dakota County SWCD is evaluating Dutch Creek and thinks that it should be classified as a wetland rather than a creek. But more monitoring is being done in the area.

#### Cannon River Watershed Flooding Discussion:

- Waterville is part of a Cannon River flood study by the Dakota County SWCD.
- They are looking at culvert's sizes, need for replacing and cleaning.
- They are in the process of doing a 3-year study on holding water in the upper part of the watershed longer to prevent flooding downstream.
- Ashley reported that Byllesby is in good shape with no flooding in the area.
- Discussed that there is state funding for Townships that have had damage due to flooding of roads.

#### Waterford Quarry Proposal Update:

- Quarry owners want permit to de-water to mine below the aquifer waterline. They purchased additional land to pump the water onto and potentially mine in the future.
- Sandy Weber updated the group and handed out a brochure regarding the issues. She advised that the Quarry owners have hired two lawyers and are waiting for the environmental studies to come back.
- Another audience member added that a moratorium is in place on quarries in Waterford.
- It mentioned that the quarry owners have purchased land in Sciota Township, which is across the road from the current quarry, but they have not applied for a permit to mine on the land.
- Ms. Weber noted that the owners are looking for land in other areas also.
- Everyone is waiting for more information on the EIS process to know what the next steps should be.

Meeting adjourned.

Next Meeting Will be held at the Douglas Township Hall in November 2024.