

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

**TOWN BOARD MEETING**  
**May 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 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, Bill Roske, Pat and Daniel Tutewohl, Dan Heyda, Matt Wolf, Matt Belanger, Jeff and Kaye Mortimer, Jaren Fitzke, Melanie Storlie, and Mike Slavik.

Zoom Attendance: Julie Larson, Carol Cooper, Deb Burkhardt, Wayne Bishop, Chris Fuller, Donovan Palmquist, Gloria Beltzer, and Randy Wood.

**Approval of the Agenda**

*Motion:* Chair Storlie moved to approve the agenda. Supervisor Novacek 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.

Matt Miller- 9995 250<sup>th</sup> Street N

Mr. Miller asked if the signage for the engine breaking ordinance would be going up. He expressed concern about noises from vehicles on roads. Vice Chair Ceminsky reported that he spoke with Todd Howard from Dakota County, and Mr. Howard stated they would not allow Eureka to put up the signs in the right of ways on county roads. It was recommended that Mr. Miller contact Commissioner Slavik and Mr. Howard directly with further questions.

**Planning Commission Report**

Planning Commissioner Brian Storlie shared items that were discussed at the May 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.

**Permits**

Mortimer, Jeff & Kaye, xxx 280<sup>th</sup> Street., PIN 13-03100-77-018 \*New Construction

*Motion:* Vice Chair Ceminsky moved to approve the building permit for Jeff and Kaye Mortimer, PIN 13-03100-77-018 for new construction home pending approval of the building official. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

## **Citizen Inquiry**

### 25805 Fairgreen Ave

Pat and Janie Tutewohl told the Board they intend to build a new home on their property but requested to live in their current home during the construction, then tear down the original house once the new home is completed. Clerk Atwater stated that in the past, other type of agreements have been drawn up by the Township Attorney.

*Motion:* Chair Storlie moved to proceed getting a letter drafted with the Attorney. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

### Applewood Orchard

Matthew Wolf, representing Endurance Farm Partners, is the potential buyer of the Applewood Orchard. Mr. Wolf gave a presentation on the history of Applewood Orchard, provided an overview of agritourism, and shared ideas for Applewood and how they can work with the community.

The Town Board advised Mr. Wolf that agritourism is not currently allowed under the Township's ordinances. The Town Board suggested they look at the Ordinances and research the process and how to request for a text amendment.

The Town Board will check with the Attorney to see if he has language that could be incorporated or a draft ordinance available.

## **Dakota County**

Matthew Belanger from Dakota County gave a presentation on the Community Focused Sampling Results on groundwater contaminants in Eureka Township.

## **Carr Tree Service**

Jim Corrow discussed the services that Carr Tree Service offers.

## **Commissioner Slavik**

Commissioner Slavik discussed the engine breaking signs and enforcement. He explained that one of the major reasons is that there is not enough police enforcement available. Dakota County only has one commercial vehicle inspector, who has the equipment in their vehicle to monitor and ticket for engine breaking violations. The Town Board requested to be put on the list for this inspector to be in Eureka Township. Commissioner Slavik reported work is starting on the railroad bridge after a 3-4-week delay. Three new Sheriff Deputies have been hired for the County and there will also be extra summer patrols.

## **Roads**

### Road Report

Vice Chair Ceminsky reported all roads have been dust coated except for those waiting to get gravel. He also reported he is working on a tracking report that will be handed over to the Clerks for tracking. Denmark is getting gravel, then the County is going to dust proof the road.

### Road Committee

The Town Board reviewed proposed Eureka Township Road Advisory Committee documents. The Town Board made the following change: Members may not serve on any other Township appointed committee ~~or commission~~.

*Motion:* Chair Storlie moved to approve the Eureka Township Road Advisory Committee as amended. Supervisor Barfknecht seconded the motion. *Motion carried 4-0.*

### 2024 Additional Road Projects

Vice Chair Ceminsky recommended additional roads projects to be completed for the year.

- Fairgreen (265-255<sup>th</sup>) 1,470 tons
- Fairgreen (235<sup>th</sup> South) 650 tons
- Ipava (267<sup>th</sup> South) 585 tons
- Highview (267<sup>th</sup> South) 585 tons
- Jamaica (CO Road 86 North) 520 tons
- 257<sup>th</sup> (East of Dodd Blvd) 975 tons

At the last Town Board meeting, concern was expressed about the statutory limits on receiving quotes and bids. Clerk Atwater report she spoke with Attorney Gilchrist and read the following statement “I understand the prior Board went through a process to identify the roads it wanted to place gravel on, sought quotes to gravel those roads, and then let the contract. As that work is progressing, the new Board has identified additional roads it would like to apply gravel to this year. I agree that as the current project is nearing completion, if the Board determines it has sufficient funds on hand to gravel the additional roads, it could undertake a new process to seek quotes and let a contract to gravel the additional roads.”

*Motion:* Chair Storlie moved to go out and get bids for Class 5 limestone for additional road projects. Supervisor Barfknecht seconded the motion. *Motion carried 5-0.*

### RFQ- Ditch Mowing

*Motion:* Chair Storlie moved to approve sending out the request for quotes for ditch mowing services. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

### RFQ- Tree Trimming

*Motion:* Chair Storlie moved to approve sending out the request for quotes for tree removal services. Supervisor Novacek seconded the motion. *Motion carried 5-0.*

### Culvert at 265<sup>th</sup> and Fairgreen

Vice Chair Ceminsky reported there is a culvert at 265<sup>th</sup> and Fairgreen that needs replacing. A quote was received from Grossman for \$9,800, which would replace culvert, regrade ditches, blanket and seed ditch bottoms, no bedding for trench bottom.

*Motion:* Vice Chair Ceminsky moved to approve the \$9,800 to replace the culvert on 265<sup>th</sup> and Fairgreen with further discussions with TJ on the cost. Chair Storlie seconded the motion. *Motion carried 5-0.*

### **Consent Agenda**

*Motion:* Vice Chair Ceminsky moved to approve the items on the consent agenda. Chair Storlie seconded the motion. *Motion carried 4-0 with Supervisor Novacek Abstaining.*

- A. 4.9.2024 Town Board Meeting Minutes
- B. 4.18.2024 Special Town Board Meeting Minutes
- C. 4.23.2024 Town Board Meeting Minutes

### **Treasurer's Report**

Clerk/Treasurer Atwater read the Treasurer's Report as of April 30, 2024: Total of all accounts was: \$1,086,624.56.

*Motion:* Chair Storlie moved to approve the March Treasurer's Report as presented. Vice Chair Ceminsky 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 \$2,822.24 and claims in the amount of \$59,695.89 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 April receipts in the amount of \$137,116.14 and April disbursements in the amount of \$113,826.67.

### Other Treasurer Reports

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

### CD

Clerk Atwater explained the General Fund CD at Fransen was maturing on 5/16/2024. She recommended the Board rollover the CD at Fransen to a 6-month CD at 5.06%.

*Motion:* Vice Chair Ceminsky moved to roll over into a 6-month CD at 5.06%. Supervisor Pope 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.*

### **Unfinished Business**

#### Liaison Assignments

Clerk Atwater report that the Clerks cannot represent the Township on the NCRWO. The Town Board will discuss this at the Round Table with the Planning Commission.

#### Citizen Complaint Policy

The Town Board reviewed the redline version of the complaint policy.

*Motion:* Vice Chair Ceminsky moved to accept the redline version but remove number 4- Enforcement Actions as part of the new complaint policy. Chair Storlie 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.*

### Round Table Agenda

Town Board Supervisors reviewed and finalized the agenda.

### Engine Braking Signs

Supervisor Novacek clarified his motion intent was to not purchase signs, but to keep the ordinance.

### Policy on Recordings

Clerk Atwater presented the Town Board with a Policy on Recordings based on the motion made at the last meeting.

*Motion:* Vice Chair Ceminsky moved to approve the Eureka Township Policy on Meeting Recordings. Chair Storlie seconded the motion. Vote: Allen Novacek – Aye; Tim Pope – Aye; Pete Storlie – Aye; Mark Ceminsky – Aye, Lu Barfknecht - Nay. *Motion carried 4-1.*

## **New Business**

### Mining Superintendent and Mining Fees

Supervisor Novacek stated concerns about the mines having to pay for the Mining Supervisor's time to review the mines as stated in the Ordinance. He stated that Ms. Jennings is very thorough and very good at what she does, and it is not her that is the problem. Supervisor Novacek would like the mines to not have to pay for the Township inspections.

The Town Board discussed the Mining Supervisor position and determined the Town Board members need to research on the position and the needs of the Township and mines. This topic was requested to be on the next Town Board agenda.

### Website

Clerk Atwater explained the website needs updating, as the template we use is no longer supported for updating. Clerk Atwater presented a proposal from Marketing Clarity for a redesign of the website.

*Motion:* Vice Chair Ceminsky moved to spend up to \$800.00 for redesign of eurekatownship-mn.us website through Marketing Clarity. Supervisor Pope seconded the motion. *Motion carried 5-0.*

## **Clerk Matters**

### Business Cards

Clerk Atwater requested the Clerks have business cards. The Town Board agreed for the Clerks to get business cards.

### Adobe for Clerk

Clerk Atwater requested to have the program Adobe.

Motion: Vice Chair Ceminsky moved to allow the Clerk to get Adobe. Chair Storlie seconded the motion. Motion carried 5-0.

**Adjournment**

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

The meeting was adjourned at 9:46pm.

Respectfully submitted,

Liz Atwater, Town Clerk

Minutes Officially Approved By: ASA on: 7-9-24  
Town Chair Date

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Total</u>
5/14/2024	Payroll ending 4/30/24	11357	Payroll ending 4/30/24	\$ 2,014.22
5/14/2024	Payroll ending 4/30/24	11358	Payroll ending 4/30/24	\$ 808.02
5/14/2024	Internal Revenue Service	11359	Tax April Payroll	\$ 2,682.31
5/14/2024	PERA	11360	April Payroll	\$ 1,034.58
5/14/2024	Anderson Rock and Lime	11361	Gravel	\$ 1,834.14
5/14/2024	Dakota Electric	11362	Electric	\$ 17.35
5/14/2024	Dakota Electric	11363	Electric	\$ 178.57
5/14/2024	DSI	11364	May Garbage	\$ 163.05
5/14/2024	Envirotech	11365	Dust Control	\$ 2,271.30
5/14/2024	Genisys Credit Union	11366	General Fund CD	\$ 30,000.00
5/14/2024	Grossman	11367	Snow Removal All roads	\$ 3,036.00
5/14/2024	Grossman	11368	Garbage Removal and disposal	\$ 1,330.00
5/14/2024	Grossman	11369	Shared Roads	\$ 1,345.50
5/14/2024	Grossman	11370	Grading April 2024	\$ 14,352.00
5/14/2024	Inspectron	11371	April 2024 Inspections	\$ 1,100.00
5/14/2024	Metro Alarm & Lock	11372	Quarterly Billing	\$ 90.00
5/14/2024	Visa	11373	Supplies	\$ 261.06
				<u>\$ 62,518.13</u>