

EUREKA TOWNSHIP

**DAKOTA COUNTY
STATE OF MINNESOTA**

TOWN BOARD MEETING OF AUGUST 24, 2020

Due to the Peacetime Emergency and social distancing guidelines, the Town Board Chair has determined it is not practical or prudent to conduct an in-person meeting. Accordingly, under Minnesota Statute section 13D.021, the following meetings shall be conducted entirely through teleconferencing or other electronic means.

Call to Order

The Eureka Township Town Board meeting was called to order, via Zoom Meetings, at 7:01 p.m. by Chair Donovan Palmquist and the Pledge of Allegiance was given.

Supervisors Present: Donovan Palmquist, Tim Murphy, Lu Barfknecht, Ralph Fredlund and Mark Ceminsky.

Others Present: Ranee Solis (Town Clerk), Dan Adelman, Char Adelman, Alex Turner, Faye Ames, Randy Wood, Nancy Sauber, Julie Larson, Mark Henry, Bryce Otte, Brian Ahern, Jody Arman-Jones and Georgie Molitor.

Approval of the Agenda

The following changes were made to the agenda:

1. Add item B. Alex Turner to Citizen Inquiry.
2. Add item F. Freedom of Information form to New Business.
3. Add item F. Building rights update to Old Business.

Motion: Chair Palmquist moved to approve the agenda as amended, seconded by Supervisor Fredlund. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Lu Barfknecht – Aye; Ralph Fredlund – Aye; Mark Ceminsky - Aye. *Motion carried 5-0.*

Citizen Inquiry

Dan & Char Adelman – PIDs 13-00900-50-013, 13-00900-25-013, 13-00900-60-020

Dan and Char Adelman inquired as to the number of building rights available on their parcels. The parcels were created after 1982, they moved a building right to parcel 3-00900-50-013 about 4 years ago and are asking if a building right can be purchased and moved to the northern parcel. The Board noted that more research is required regarding building rights. The Adelman's inquired about the possibility of converting part of their agricultural building into a residence. The Board informed them that would need to apply for a building permit and present it to the Planning Commission at their October meeting. The Adelman's asked about the procedure to re-open Char's salon, which is a grandfathered business.

Alex Turner – 240th Street dust control and speed limit signage

Alex Turner asked the Board for an update on previous discussions pertaining to the following:

1. Placing reduced speed limit signs on 240th St.: Mark Henry indicated that in order for reduced speed limits to be enforceable, the DOT must complete a speed study. The Board agreed to research the issue further and present the findings at their September meeting.
2. Additional dust control and gravel for 240th St.: Mark Henry acknowledged that this is on the radar and will be addressed with the Board once the current gravel work is completed.
3. Child at play sign: The Board had previously requested that Otte Excavating move the child at play sign to the other end of 240th St.

Permit Requests

Faye & Al Ames, 24485 Cedar Ave., PID 13-01600-75-021 – Swimming pool

Faye Ames was in attendance to represent the pool permit.

Motion: Supervisor Ceminsky moved to approve the pool permit for Faye and Al Ames at 24485 Cedar Avenue with PID 13-01600-75-021, seconded by Supervisor Barfknecht. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Lu Barfknecht – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

Net Pay and Claims

The Clerk/Treasurer presented claims in the amount of \$7,636.98 and net pay for staff and election judges in the amount of \$3,456.46.

Motion: Vice Chair Murphy moved to approve the net pay and claims as presented, seconded by Chair Palmquist. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Lu Barfknecht – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

Road Report

Road Superintendent (Mark Henry)

- Signage – the Township is in need of 4 Road Closed signs.
- Gravel placement has been completed for Denmark Ave and Essex Ave.
- Scheduled to begin gravel placement on 247th St. tomorrow.
- Looking into the costs to add gravel to 240th St.
- Looking into the drainage issue on Cedar.

Motion: Supervisor Fredlund moved to authorize the Clerk and Road Superintendent to purchase four Road Closed signs, seconded by Chair Palmquist. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Lu Barfknecht – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

Road Contractor (Bryce Otte)

- 2 additional Road Closed signs are need for the gates at Chub Lake, and recommend that the signs are purchased from Safety Signs.

Motion: Supervisor Ceminsky moved to order two additional Road Closed signs for Grenada, seconded by Supervisor Fredlund. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Lu Barfknecht – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

New Business

Road Superintendent job description

Item tabled until the September meeting to allow time for the road liaisons to meet and agree on the job description.

2020 JPA with North Cannon River Watershed Management Organization

Motion: Chair Palmquist moved to accept the JPA with North Cannon River WMO, seconded by Vice Chair Murphy. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Lu Barfknecht – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

Resolution 2020-10 CARES Act agreement with Dakota County

The Clerk indicated that the agreement from Dakota County was not complete, the Board agreed to table the item until the September meeting.

Resolution 2020-11 Adopting the 2021 Budget and Levy / Levy Certification form

Motion: Chair Palmquist moved to approve the resolution adopting the 2021 Budget and Levy as presented, seconded by Supervisor Fredlund. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Lu Barfknecht – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

Complaint against Mn Paving & Materials – operating on Saturday

Vice Chair Murphy was assigned to research the original agreement regarding hours of operation.

Freedom of Information request

Motion: Supervisor Ceminsky moved for the Clerk to respond to the freedom of information request, stating that the Township does not keep the records requested, seconded by Vice Chair Murphy. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Lu Barfknecht – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

Old Business

Building code changes and fees

Vice Chair Murphy recommended that the Board retain the current building fee schedule as it is consistent with the surrounding communities.

Motion: Supervisor Ceminsky moved to retain the current building fee schedule, seconded by Chair Palmquist. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Lu Barfknecht – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

Town Board Code of Conduct draft review

Motion: Chair Palmquist moved to accept the draft Code of Conduct, seconded by Supervisor Barfknecht for discussion.

Commissioner Sauber requested for the Planning Commission to be allowed to review the document, as it pertains to them as well. The Board agreed that the Planning Commission should review the Code of Conduct and forward any revisions to the Clerk for the September meeting.

Motion withdrawn.

Follow up on complaint at 24404 Iceland Path – Running a business without a CUP

Vice Chair Murphy explained that the complaint regarding the rock pile and dumpster in the street were there because Mr. Langlais was performing landscaping at his home. There have been no further violations at the property and it appears that the complaint has been resolved.

Follow up on complaint at 10132 235th St. W. – Outdoor assembly

Chair Palmquist informed the Board that a hearing has been scheduled for September 3rd via Zoom, and all events that have taken place are being rolled under the same complaint.

Over the Counter Permits

Motion: Chair Palmquist moved to approve the list of Over the Counter permits as presented, seconded by Supervisor Fredlund. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Lu Barfknecht – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

Building Rights update

Supervisor Fredlund provided an update to the Board that Jeff Otto met with Attorney Lemmons today and will be submitting a summary of the questions and responses to the Board after Attorney Lemmons has reviewed and approved the content.

Approval of Meeting Minutes

August 10, 2020, Town Board meeting minutes

Motion: Chair Palmquist moved to approve the minutes of the August 10, 2020 Town Board meeting as presented, seconded by Supervisor Fredlund. A roll call vote was taken: Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Lu Barfknecht – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

Round Table discussion

The Town Board and Planning Commission reviewed and discussed the General Code Editorial and Legal Analysis document through question 53-003. A Round Table discussion will continue directly following the September 14th Town Board meeting, beginning with question 57-001.

Adjournment

Motion: Chair Palmquist moved to adjourn the meeting, seconded by Supervisor Ceminsky. A roll call vote was taken: Lu Barfknecht – Aye; Donovan Palmquist – Aye; Tim Murphy – Aye; Ralph Fredlund – Aye; Mark Ceminsky – Aye. *Motion carried 5-0.*

Meeting adjourned at 10:03 p.m.

Respectfully submitted,

Ranee Solis, Town Clerk

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

DRAFT