

**CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS MEETING
September 28, 1999**

The regular BI-monthly meeting of the Board of Supervisors of Castle Rock Township was convened at the town hall at 7:00 p.m. Present were, Norbert Kuhn Jr., Vice-Chair, Jim Ozmun, Bill Neil and Ken Betzold, Supervisors, Michelle Nicolai, Clerk. Also present were Shirley Dubbels, Gerry Drewry and Dave Nicolai, Ray Ackerman, Joe Auge, Mark Peltier, Terry Thrain, Colin Garvey, Tracy Bauer, Gary and Cathy Johnson, Terry Donahoe. Chairman Angus excused due to hip pain, Treasurer Randall not present.

The meeting was called to order at 7:00 p.m. by Norbert Kuhn Jr., Vice-Chairman, the pledge of allegiance was recited.

Approve Minutes

The meeting minutes of September 14, 1999 were reviewed. A motion was made by Jim Ozmun, seconded by Ken Betzold to approve minutes. Motion carried. 4 ayes.

Brian Crombie, Polytex.

They have had workers outside for the last 3 springs. They would like to put up a 60 x 200 ft structure. They would like to use a floating slab. The board advised him to have Mr. Murphy review plans. He is in Commercial Zoning so he does not need a Conditional Use Permit.

Rays Auto Sales.

The Zoning has changed to Commercial, he is wondering if he can change his Conditional Use Permit to have more than 20 cars on his lot. The township has had complaints of loud music and staying open after hours. Mr. Neil, he feels we should seek legal advice because the Zoning has changed to Commercial. He feels he has room for more cars. The board will contact legal.

Joe Auge Farmers mill and Elevator, Bunker site.

He is concerned about the setback. It is not a building and it is not a temporary building. It is temporary storage. He feels it will be there for a year or year and a half. It will hold a half million bushels. It is Zoned Commercial. Setbacks, Page 30. Can't exceed 50 ft in height and road setbacks are 50 ft. A motion was made by Bill Neil, seconded by Jim Ozmun to approve the bunker site. Motion carried. 4 Ayes.

Cathy Johnson Dog Ordinances

They are concerned with the dog ordinances. Two rottweilers attacked her dogs and they run on the golf course. They are working with the Dakota County Sheriffs office. The ordinance says if you live in a plotted section they have to kennel or leash or restrain their animals. Is it possible to strengthen our Ordinance. She feels we need to attach a fine or a penalty. Our ordinance says it is a misdemeanor but what is the punishment? She needs a copy in our Ordinances that shows how much a property owner has to the center of the road. 33ft.. We will mail the information to her. The board will contact

legal about implementing a process and contact resource strategy about other township enforcement.

Terry Donahoe

He has a house that needs to be moved by Otting. He is here to ask for an extension of 60 more days. Bill Neil made a motion, seconded by Jim Ozmun to approve a 60-day extension. Motion carried. 4 Ayes. Discussion, 60 days may be too long. If it is not moved the township will keep his \$5,000 performance bond. Our understanding is that you have contacted Otting movers and they are not being cooperative about the deadline, but that is not the township responsibility. Staff will send a letter to Terry Donahoe telling him that he is past his deadline.

Peltier Properties/ Dave Nicolai, Industrial Park Road.

They received a letter from RCM on September 21, 1999.

Mr. Nicolai answered questions about the signing of the deed from property owners. Mr. Heikes did not own the property yet so he did not sign the deed.

The road is only 60 ft because everything was measured in rods years ago.

The road is 24 ft wide. The board agreed that they would like to see gravel shoulders 2 ft wide to keep the shoulders of the road from breaking off. The road has ended up costing a great deal more because of township expectations and requirements that were not clearly stated. County road 50 is a 9 ton road and Highway 3 is a 7 ton road. The Industrial park road is a 10 ton road. The road is already 4 inches thick. Chairman Angus and Mark Henry inspected the road and thought it would be about \$500 dollars worth of material and they did not know how much labor. If Mr. Nicolai /Peltier pays for the materials the township will pay for it to be laid down. Colin Garvey brought up the fact that it is waste of money it will not stay in place the incline is too steep and it will wash out and stuff up the culverts. The board will accept the road after inspection. A motion was made by Ken Betzold, seconded by Jim Ozmun to approve accepting the road the way it is or after inspection if it needs to be graveled Dave Nicolai will pay \$500 for the material and the township will pay for the application. Motion carried. 4 Ayes

Russ and Dolly Newberg

They have been sent the Ordinance by laws for Conditional Uses, Page 23,24 and 25. A Conditional Use should be issued. Sowieja has one and Adelmanns have one. Other businesses have Conditional Use Permits and are not allowed to have debris laying about. They are operating in a fashion similar to a landscaping business because the property is being used for his business. The rocks are being used for resale and the brush is being hauled onto the property. If they won't get a Conditional Use Permit there can be no rocks and no storing of the brush, only storing equipment inside. The staff will send them a letter asking them to attend a meeting to discuss the option of them applying for a Conditional Use permit.

The staff was instructed to contact legal and ask about the Conditional Use Permit on a property that has been changed to Commercial in the Zoning and the State Highway Department about the cars being parked on the road right of ways. Contact Resource

Strategies about the dog ordinances for dogs and the issue of penalizing and how do we collect and enforce them.

Roads

Sheriff's Department contacted Supervisor Kuhn about trash dumped out on the road on 240th by the railroad tracks. Mattresses and such. Mr. Henry removed the garbage. The lack of rain is making it hard to maintain it. 275th and Biscayne the county cleaned out the ditch. On the West Side of Biscayne 270th it is plugged up. We need to fix this in the fall or next spring so water is not running across the road.

Association of Townships Wednesday.

October 6, 1999 7:30 p.m. At Dakota County Extension about having Dakota County handling the records on septic systems.

Vermillion River Watershed

September 30th, 1999. Joint powers agreement. 7:30 p.m., at The Dakota County Extension office.

Limestone Quarry Issues

Sandy Weber went to the Waterford meeting and gave the Township the information. The biggest concern is the wells drying up.

Spectra Site communications

Ken Betzold made a motion seconded by Bill Neil to approve the tower with the following conditions: The property line has to be surveyed and the structure itself must be at least 125-ft. from the West Property line from the center of the tower. The access road has to be at least 50-ft. from the center of the road to the property line. If the property is ever sold, 165-ft. of road frontage stays with the lease property. Motion carried. 4 Ayes.

Adjourn

Bill Neil made a motion, seconded by Ken Betzold to adjourn at 9:00 p.m. Motion carried. 4 Ayes

Respectfully submitted,

Michelle Nicolai, Clerk
Attest:

Alyn Angus, Chairman