

**SPECIAL JOINT MEETING
CASTLE ROCK TOWNSHIP WITH CITY OF FARMINGTON
AT THE DAKOTA COUNTY EXTENSION OFFICE
July 20, 1999**

Present were Joel Jamnik, City Attorney, Lee Mann, City Engineer, John Erar, City Administrator, Steve Strahan, Council Member, Kevan Soderberg, Council Member, Gerry Ristow, Mayor, LaCelle Cordes, Council Member, Jim Ozmun, Supervisor, Norbert Kuhn Jr., Vice-chair, Ken Betzold, Supervisor, Bill Neil, Supervisor, Alyn Angus, Chairman, Michelle Nicolai, Clerk

Agenda

A motion was made by Kevan Soderberg, seconded by LaCelle Cordes to approve the Agenda. Motion carried.

A motion was made by Bill Neil, seconded by Ken Betzold to approve the agenda. Motion carried. 5 Ayes

June 21, 1999 letter sent out from Administrator Erar.

- 1.) CASTLE ROCK TOWNSHIP feels we must resolve the issue of “20 year commitment of no forcible annexation” before we spend money on a feasibility study. The township wants it in writing. CASTLE ROCK TOWNSHIP agrees not to contest any petition to become part of Farmington. Farmington agrees to 10 years because Mayor Ristow feels he must be consistent with other recent annexations such as Empire. CASTLE ROCK TOWNSHIP suggested 10 years up to 225th and another 10 years up to 245th. Farmington suggested a separate document sequencing it verbally placed in the joint powers agreement that will say (*see attached).
- 2.) “A fair and equitable tax policy on voluntary or “hook-up” annexations. CASTLE ROCK TOWNSHIP wants Farmington to turn over a full ten years of taxes. Farmington will not deviate from the State guideline of a 5 year slide because they have not for 30 years. If an annexation takes place after August 1st of a current year, the next year will be 100% tax then 90%, 70%, 30% and 10% gradual reduction. A motion was made by Norbert Kuhn Jr., seconded by Bill Neil to approve the city of Farmingtons State accordance 5 year slide tax policy. Motion carried. 5 Ayes
- 3.) “Maximum assessments and/or hook-up charges that Farmington agrees will not be exceeded under any circumstances.” Farmington cannot assess CASTLE ROCK TOWNSHIP property. City Administrator explained that the city needs to recover the cost to supply water and sewer. They are sending a bill for services rendered. This is a joint project and the trunk line is necessary to provide this service to the residents. If the service needs to be oversized, Farmington will credit that cost to the residents and only charge them for the 8” lateral pipe line that is standard. 10 foot depth is standard depth. Commissioner Joe Harris asked about Farmingtons request of residents to sign an agreement to pay cost hook-up. Administrator Erar replied that 429 public improvement cannot be issued upon non-municipal residents. Essentially they are agreeing to city water and septic. The properties in the project area, within 2 years public health will force them to connect because of failing septic systems. Once we complete the feasibility study jointly, and we will know the cost, we can’t charge more than that. “Fair and Reasonable” tied to the actual cost.

Administrator Erar asked if the cost exceeds the services, who will pay the difference? Approving the joint powers agreement just starts the feasibility study, it does not approve the project.

- 4.) The issue associated with jurisdictional cost-sharing for the feasibility study in the event that the project does not go forward . CASTLE ROCK TOWNSHIP proposes to commit \$2,500 to the city for feasibility study costs over and above their 50/50 split in the event CASTLE ROCK TOWNSHIP does not approve the project. CASTLE ROCK TOWNSHIP feels there is considerably more work to be done by Farmingtons engineer and therefore the township should pay less. \$15,000 and the city \$25,000. Commissioner Harris advised that it will take him at least 2 years to get the road overlay project back on the County's CIP program if the township and the city come to an agreement. Both CASTLE ROCK TOWNSHIP and Farmington agree that the joint powers agreement needs to be signed. CASTLE ROCK TOWNSHIP agrees that if either party terminates, they will pay their own engineer plus \$2,500 towards the city engineering cost and Farmington will pay their own engineer, only if the project does not go through.

Farmington will send the joint powers agreement to CASTLE ROCK TOWNSHIP to us before out August 10, 1999 meeting for review.

A motion was made by LaCelle Cordes, seconded by Steve Strahan to adjourn at 9:05 p.m. Motion carried.

A motion was made by Bill Neil, seconded by Ken Betzold to adjourn. Motion carried.
5 Ayes

Commissioner Harris thanked the two councils for their commitment to move forward and both councils recognized every ones commitment.

Questions

How far East will the trunk line go. To Fountain Valley Golf Course.