

**CASTLE ROCK TOWNSHIP
PLANNING COMMISSION PUBLIC HEARING
July 17, 2006 – 7:30 p.m.**

The Planning Commission of Castle Rock Township held a public hearing on Monday, July 17, 2006 at the Town Hall for the purpose to consider amending the Castle Rock Township Mineral Ordinance #99-1 and adopting a new ordinance. Present were Bob Dubbels Chair, Dave Nicolai Vice-Chair, Dave Kammueler, Orren Lucht Commissioners, and Maralee Rother Secretary. Also present were Shirley Dubbels, Richard Dubbels, Patrick Tinsley, Gary Pipho, Mary Ellen T. Smith, Arlyn Lamb, Mike Rademacher, Paul Irrthum, and Russell Zellmer

Chair Bob Dubbels called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Chair Bob Dubbels will read through each section and take comments as we proceed through each section.

Section 1 – Title

1.01 – OK – no changes

Section 2 – Purpose

2.01 – OK – no changes

Section 3 – Definitions

3.01 – OK – no changes

Section 4 – Permit Required

4.01 – OK – no changes

4.02 – Should read – Mineral extraction shall only be allowed in Section One and Two as identified in the Castle Rock Comprehensive Plan.

4.02 A. Add – See Map Exhibit A, page 14 Mineral Extraction Map-Dakota County Map
Maralee Rother made a motion and Dave Nicolai seconded. Motion carried 5 ayes.

4.03 – Exceptions: delete in B, conducted solely within permanent easement areas or rights-of-ways. **Dave Nicolai made a motion and Dave Kammueler seconded. Motion carried 5 ayes.**

Add G. Sod Harvesting. **Dave Kammueler made a motion and Orren Lucht seconded. Motion carried 5 ayes.**

Section 5 – Mineral Extraction Permit Application Requirements

5.01 – H – take out the word – estimated

5.02 – G – should read two feet instead of ten feet **Orren Lucht made a motion and Dave Nicolai seconded. Motion carried 5 ayes.**

J - typo – should read if not it **Maralee Rother made a motion and Dave Kammueler seconded. Motion carried 5 ayes.**

Section 6 – Permitting Procedure

6.01 – Add “in mineral extraction district” on line one- Mineral extraction permits in Mineral Extraction District only shall be considered and processed by the Township as interim use permits. **Maralee Rother made a motion and Dave Kammueler seconded. Motion carried 5 ayes.**

6.01 A – Line should read - Applicants are encouraged to attend a regular Planning Commission or Board of Supervisors meeting to obtain administrative interpretation of the compatibility of the proposed mineral extraction activity with the Comprehensive Plan and Zoning Ordinance. **Dave Kammuller made a motion and Dave Nicolai seconded. Motion carried 5 ayes.**

Section 7 – Mineral Extraction Performance Standards

7.01 A – delete from- A mineral extraction.....extracted minerals. **Maralee Rother made a motion and Dave Nicolai seconded. Motion carried 5 ayes.**

7.01 A. 1.) delete- all **Orren Lucht made a motion and Bob Dubbels seconded. Motion carried 5 ayes.**

7.01 A. 2.) delete-Other. Capitalize Exceptions and #2 becomes #1 **Maralee Rother made a motion and Dave Nicolai seconded. Motion carried 5 ayes.**

7.01 C **Motion made to rescind motion of June 26, 2006 to remove the word “paved”. Therefore to leave in the word “paved” in 7.01 C and 7.01 D.**

7.01 D. Delete from-Haul routes notthe Township’s discretion. **Dave Kammuller made a motion and Dave Nicolai seconded. Motion carried 5 ayes.**

7.01 Q. typo stat should read state.

Section 8 – Termination

8.01 – need to simplify

Section 9 – Seasonal Extraction Permit

9.01 – OK – no changes

Section 10 – Enforcement

10.01 – add after extraction –and seasonal **Dave Nicolai made a motion and Dave Kammuller seconded. Motion carried 5 ayes.**

10.05 – Add-Violations not remedied according to the terms of this agreement shall/may result in fines suspension or revocation of the mining permit or the bringing of criminal charges as defined in Section 15 of this ordinance. **Maralee Rother made a motion and Orren Lucht seconded. Motion carried 5 ayes.**

Section 11 – Fees

Rescind motion of June 26, 2006 meeting regarding Section 11, Fees 11.03 because State Statute requires they must be stated in ordinance rather than by resolution. **Dave Nicolai made a motion and Dave Kammuller seconded. Motion carried 5 ayes.**

Section 12 – Financial Guarantee

12.01 – delete the word “two” after Thousand

Section 13 – Liability Insurance

13.01 – Five hundred thousand dollars becomes one million dollars. One million dollars becomes two million dollars and two hundred thousand dollars becomes one million dollars.

Dave Nicolai made a motion and Bob Dubbels seconded. Motion carried 5 ayes.

Dave Nicolai made a motion and Orren Lucht seconded to ask Dean Johnson if the liability insurance prices increase is permitted and if escrow money can be kept at \$5,000.00.

Motion carried 5 ayes.

Section 14 – Validity

14.01 – OK – no changes

Section 15 – Violations and Penalties

15.01 – Check with Dean Johnson about Federal Violations. **Orren Lucht made a motion and Maralee Rother seconded. Motion carried 5 ayes.**

Dean Johnson will be present at the July 31, 2006 meeting.

Dave Kammuller made a motion and Orren Lucht seconded to recess and reconvene July 31, 2006 at 7:00 p.m. Motion carried 5 ayes.

Meeting recessed at 10:20 p.m.

Respectfully submitted,
Maralee Rother Secretary