

**CASTLE ROCK TOWNSHIP  
BOARD OF SUPERVISORS REGULAR MEETING  
August 8, 2006**

The regular monthly meeting of the Board of Supervisors of Castle Rock Township was convened at the Town Hall on Tuesday, August 8, 2006, at 7:00 p.m. Present were Russell Zellmer Chair, Gary Piphon, Paul Irrthum, Mike Rademacher Supervisors, Roger Randall Treasurer, Maralee Rother Clerk, and Jane Bistodeau Deputy Clerk. Also present were Larry Wasmund, Pearl Shirley, Kris Akin, Shirley Dubbels, David Olson, Bryce Olson, Tony Faust, Tamme Kuehn, Collin McBrady, Amanda McBrady, Bob Dubbels, Pat Tinsley, William Mulvihill, Todd Will, Keith Espersen, Deanna Espersen, Mike Kiefer, and Mark Henry.

Chair Russell Zellmer called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

**APPROVED MINUTES**

**Paul Irrthum made a motion and Mike Rademacher seconded to approve the minutes of the Board of Supervisors regular meeting of July 11, 2006 with the following change:**

- **On page 2 under John Hofacker it should read: The Board of Supervisors took no action on the building permit until ...**

**Motion carried 4 ayes.**

**Gary Piphon made a motion and Paul Irrthum seconded to approve the minutes of the Board of Supervisors special meeting of July 24, 2006 with the following change:**

- **On page 1 it should read: all annexations are property owner initiated.**

**Motion carried 4 ayes.**

**CITY OF FARMINGTON LETTER RE: NEWLAND COMMUNITIES-FAIRHILL**

**Gary Piphon made a motion and Mike Rademacher seconded to send back letter stating "there would be no impact on jurisdiction." Motion carried 4 ayes.**

**BUILDING PERMITS**

**B & B Transformer, 2850 220<sup>th</sup> Street, Farmington, MN 55024. Paul Irrthum made a motion and Mike Rademacher seconded to approve building permit for office building repair due to fire loss. Motion carried 4 ayes.**

David Olson, 22004 Blaine Avenue, Hampton, MN 55031. Mr. Olson showed a letter to the Board of Supervisors from a neighbor allowing him to use adjacent land to bring pasture area to 2+ acres for lean-to building application. **Gary Piphon made a motion and Mike Rademacher seconded to deny the permit due to non-compliance of ordinance 7.17 which is lack of acreage. Motion carried 4 ayes.**

**Viking Auto, 26548 Chippendale Avenue, Northfield, MN 55057. Paul Irrthum made a motion and Mike Rademacher seconded to approve the building permit for 32x60 building addition and 172x60 interior finish of existing building. Motion carried 4 ayes.**

**Greg & Helen Cook, 23065 Chippendale Avenue, Farmington, MN 55024. Gary Pipho made a motion and Paul Irrthum seconded to approve the building permit for a 3 season porch and rear porch roof. Motion carried 4 ayes.**

**Tamme Kuehn, 3628 255<sup>th</sup> Street, Farmington, MN 55024. Mike Rademacher made a motion and Paul Irrthum seconded to approve the re-issuance of the building permit for the house with additional changes. A new permit needs to be issued in Tamme Kuehn's name and monies need to be transferred to new permit from original expired permit. Motion carried 4 ayes.**

**Pearl Shirley, 24402 Denmark Avenue, Farmington, MN 55024. Paul Irrthum made a motion and Gary Pipho seconded to approve the building permit for new single family dwelling. Septic system and well are in compliance. Motion carried 4 ayes.**

**John Hofacker, 24438 Chippendale Avenue, Farmington, MN 55024. Mike Rademacher made a motion and Gary Pipho seconded to approve the building permit for building a used pole barn with the correct trusses spacing. Motion carried 4 ayes.**

**John & Barbara Wilson, 2820 245<sup>th</sup> Street E., Hampton, MN 55031. Gary Pipho made a motion and Paul Irrthum seconded to approve the building permit for the addition on the agricultural building. Motion carried 4 ayes.**

**Paul Wagner, 23545 Chippendale Avenue, Farmington, MN 55024. Mike Rademacher made a motion and Paul Irrthum seconded to approve the permit for an addition and kitchen remodel to single family dwelling. Motion carried 4 ayes.**

Arlyn Lamb arrived at the meeting at 7:45 p.m.

**PEARL SHIRLEY LETTER**

A letter read from the Township's attorney in regard to Pearl Shirley's request for a letter from the Town Board regarding buildable lots on farmland and wetland. Pearl Shirley requested copies of the letter to and from the attorney.

**MARK SUKOW**

Inspectron has returned all paperwork back to Mark Sukow because the permits that were issued in April of 2005 have expired.

**ALBATROSS CIRCLE**

Mike Kiefer, 22320 Albatross Circle, Farmington, MN 55024. Discussed new information regarding Haven Chemical Health Systems and submitted a copy of a letter of support submitted to Dakota County from Haven Chemical Health Systems.

Todd Will, 22315 Albatross Circle, Farmington, MN 55024, has submitted a letter requesting a one year moratorium for the study and possible modification of Castle Rock ordinances and zoning as they pertain to: 1) permitted uses of single family homes for state licensed facilities for drug addiction rehabilitation. 2) any state licensed facilities in Castle Rock Township dealing

with drug addiction rehabilitation. 3) conditional use permits for state licensed facilities dealing with drug addiction rehabilitation. **Arlyn Lamb made a motion and Gary Pipho seconded to accept the letter for a moratorium request from Todd Will to have a meeting with the Board of Supervisors as soon as possible before the next Planning Commission meeting on August 28, 2006 and turn it over to the attorney for review for proper procedure. Motion carried 5 ayes.**

**Gary Pipho made a motion and Mike Rademacher seconded to send a letter to Dakota County Commissioners requesting a delay of action toward Haven's letter of support upon approval of the letter by the Township's attorney. Motion carried 5 ayes.**

The Township received a copy of the letter sent to Travis Overbye by the Dakota County Pollution Control Agency regarding an official investigation into a possible toxic dump from the 1970-1990's on the Overbye and adjacent Haven properties.

The Clerk is to contact Joe Harris regarding the date, time and place for an informational meeting between the citizens, Castle Rock Township, and the Dakota County Commissioners.

#### **MINERAL EXTRACTION ORDINANCE**

**Gary Pipho made a motion and Arlyn Lamb seconded to adopt the 2006-ME Ordinance with the change in 10.05 of the word "agreement" to "ordinance" per Terry Merritt's advisement. Motion carried 5 ayes.**

#### **MINERAL EXTRACTION 2006-ME SUMMARY**

**Paul Irrthum made a motion and Mike Rademacher seconded to approve the 2006-ME Summary for publication. Motion carried 5 ayes.**

#### **ORDINANCE 2006-ZO#1**

**Gary Pipho made a motion and Paul Irrthum seconded to accept the ordinance regarding fees for rezoning applications with the following changes:**

- 1. add Chairman next to Russell Zellmer's name under signature line.**
- 2. add a period to the end of sentence of Section 1.**
- 3. change minimum escrow amount to \$5000.00 from \$3000.00.**

**Motion carried 5 ayes.**

#### **CASTLE ROCK CHRONICLE**

The Clerk was advised to make the change under the Planning Commission section that the Board of Supervisors adopted the Mineral Extraction Ordinance at the Board of Supervisor's August 8, 2006 regular meeting and to add the date, time and place of the Albatross Circle informational meeting if possible.

#### **ORDERLY ANNEXATION AGREEMENT**

Discussion was held regarding the City of Farmington's concerns on the 7.5% to 15% administrative expense and audit fees.

**ROAD REPORT**

No one attended the railroad sign inspection on 240<sup>th</sup> street.

**JOE MILLER ACCOUNTS RECEIVABLE**

Arlyn Lamb made a motion and Gary Piphio seconded to have Roger Randall make a counter offer to Joe Miller's attorney, Jim Yarosh and deduct the line item of \$2251.00 and to request payment be made in 30 days. The Board advised the Clerk to contact Terry Merritt regarding options of collecting bill from Joe Miller. Motion carried 5 ayes.

**TREASURER'S REPORT**

Mike Rademacher made a motion and Gary Piphio seconded to approve the treasurer's report for July 2006. Motion carried 5 ayes.

**CLAIMS**

Gary Piphio made a motion and Arlyn Lamb seconded to approve the claims 5314-5335, excluding void check 5323 in the amount of \$59,465.28. Motion carried 5 ayes.

**RECESS MEETING**

Paul Irrthum made a motion and Arlyn Lamb seconded to recess meeting and reconvene this meeting on Monday, August 21, 2006 at 5:30 p.m. at the Castle Rock Town Hall to discuss the Orderly Annexation Agreement. Motion carried 5 ayes.

Meeting recessed at 10:55 p.m.

Respectfully submitted,  
Maralee Rother Clerk

Attest:  
Russell Zellmer