

**CASTLE ROCK TOWNSHIP  
BOARD OF SUPERVISORS REGULAR MEETING  
May 13, 2008**

The regular monthly meeting of the Board of Supervisors of Castle Rock Township was convened at the Castle Rock Town Hall on Tuesday, May 13, 2008 at 7:00 p.m. Present were Gary Piphon Chair, Michael Kiefer Vice-chair, Pete Schaffer, Arlyn Lamb and Russell Zellmer Supervisors, Colette Mumm treasurer and Maralee Rother clerk. Also present were Jeff MacDonald, Andrew Folz, Mary Haan, Arvilla Neff, Jana Kutnink, Donald Haan, Robin Garlick, Dan Kutnink, Sandy Weber, Bill Toninato, Theresa Petersdorf, Ronald Petersdorf, Shirley MacDonald, John MacDonald, Janice Ehenes, Scott Qualle, Randy Becker, Kyle DeUrres, Paul Irrthum, Norbert Kuhn, Scott DeVeves, Andrea Bengen, Sheila Sumner, Darryl Bonk, Lee Farley-Moe, Bob Koles, Mark Wagenknecht, Eric Ruud, Jim Bullard, Sgt. B. Johnson, Jane Bistodeau, Anthon Trew, Mike Rademacher, Gary Smith, Bev Topp, Christopher Morrill, Deb Sargent, Magie Thoson and Mark Henry.

Chairman Gary Piphon called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

**APPROVE AGENDA**

It was asked to add under additions: Patrick Parrott contract; Prairie Creek School; Farmington Comp Plan; Dakota County Ag Society and Crest Exteriors. **Arlyn Lamb made a motion and Pete Schaffer seconded to approve the agenda as amended. Motion carried 5 ayes.**

**APPROVE MINUTES**

**Russell Zellmer made a motion and Arlyn Lamb seconded to approve the minutes of the special meeting of April 15, 2008 at 6:00 p.m. as written. Motion carried 5 ayes.**

**Pete Schaffer made a motion and Russell Zellmer seconded to approve the special meeting of April 15, 2008 at 6:30 p.m. meeting minutes as written. Motion carried 5 ayes.**

**Arlyn Lamb made a motion and Pete Schaffer seconded to approve the regular monthly meeting minutes of April 15, 2008 at 7:00 p.m. as written. Motion carried 5 ayes.**

**MALT BEVERAGE LICENSE**

**Russell Zellmer made a motion and Pete Schaffer seconded to approve the application for a malt beverage license for the Mopar Car Show to be held at the Dakota County Fairgrounds on May 31 and June 1, 2008. Motion carried 5 ayes.**

**PLANNING COMMISSION MEMBER**

**Arlyn Lamb made a motion and Pete Schaffer seconded to accept the recommendation of the Planning Commission and appointed Todd Sjostrand to fill out the term of David Kammuller. Motion carried 5 ayes.**

**PARCEL SPLIT**

Discussion was held regarding the parcel split of Charles Hutton and Darrel Bonk at 27355 Biscayne Avenue Randolph MN 55065. It was decided that a letter of approval from Charles Hutton is necessary to approve the parcel split. It will be tabled until the next meeting.

**WATERFORD WARRIORS GAMBLING LICENSE**

**Russell Zellmer made a motion and Arlyn Lamb seconded to adopt the resolution to allow lawful gambling of the Waterford Warriors Club at Castle Rock and Roll Café 27998 Chippendale Avenue Northfield, MN 55057. Motion carried 5 ayes.**

**CONDITION USE PERMIT VIOLATION**

Discussion was held regarding a possible violation of an existing conditional use permit at 1120 west 220<sup>th</sup> street. The records show no violation of the permit.

**BIKE FEST ON 250<sup>TH</sup> STREET**

The minutes of the special meeting of the Planning Commission on May 5, 2008 were read. Jana Kutnink gave a talk telling of the conditions of the Biker Fest. Comments from the neighboring residents were: it wasn't the correct area to be held; it is on a dead end road; the possibility of unsafe traffic at the intersection of Hwy 3 and 250<sup>th</sup> street; the fairgrounds are a better place to hold this event; the noise would be a problem and it was generally felt it was not a good place to hold this sort of event. Some of the Board members expressed that the fairgrounds would be a better site and this one is not the proper place to hold this event. The agriculture district ordinance #6.04 on page 22 of the ordinance book spells out the permitted uses, therefore the interim use permit would not apply because that is only allowed for mining and the conditional use permit is a long term permit.

**Russell Zellmer made a motion and Pete Schaffer seconded to deny the conditional permit based on the nature of the permit and the ordinance. Motion carried 5 ayes.**

**Michael Kiefer made a motion and Arlyn Lamb seconded to deny the interim use permit as it is not allowed in this district. Motion carried 5 ayes**

**Russell Zellmer made a motion and Michael Kiefer seconded to send a letter to Dakota County informing them that the Township did not approve the conditional use permit or interim use permit according to Ordinance #6.04. Also send the pages of the ordinance and the entire Planning Commission special meeting of May 5, 2008. Also send a copy of the letter and ordinance to Jana Kutnink. Motion carried 5 ayes.**

## **BUILDING PERMITS**

Daniel Kutnink 3591 250<sup>th</sup> Street West Farmington MN 55024 - - new single family dwelling. **Pete Schaffer made a motion and Russell Zellmer seconded to approve the building permit for a new single family dwelling. Motion carried 5 ayes.**

Travis Overby 22345 Albatross Circle Farmington MN 55024 - - extending front porch. **Arlyn Lamb made a motion and Pete Schaffer seconded to approve the building permit for the front porch extension. Motion carried 5 ayes.**

Dakota County Historical Society on Dakota County Fairgrounds - - handicap ramp at millenery building (an Eagle Scout project) **Arlyn Lamb made a motion and Russell Zellmer seconded to approve the project of a handicap ramp. Motion carried 5 ayes.**

Bob Koles 3936 240<sup>th</sup> Street West Farmington MN 5024 - - pole barn. **Russell Zellmer made a motion and Pete Schaffer seconded to approve the permit for a pole barn. Motion carried 5 ayes.**

Richard Nielsen 24380 Chippendale Avenue Farmington MN 55024 - - grain bin next to Donahoe property at 3184 255<sup>th</sup> Street. **Arlyn Lamb made a motion and Russell Zellmer to approve the permit for a grain bin. Motion carried 5 ayes.**

Bob Hart 3902 275<sup>th</sup> Street West, Northfield MN 55057. Demolition of two buildings – a garage and a warehouse. **Russell Zellmer made a motion and Pete Schaffer seconded to approve the demolition permit. Motion carried 5 ayes.**

Ron Wasmund explained the situation at 22125 Albatross Circle in regard to a privacy fence being built. A notice was completed and left in the front door. A follow up letter has been sent.

Ron Wasmund also explained the situation at 22240 Albatross Circle regarding single car garage. Information from the owner was that the garage was there when the property was purchased three years ago.

Ron Wasmund explained the situation at 22345 Albatross Circle and when replacing kitchen cabinets, no permit is needed. Other work to be done was in the process of getting permits issued.

The Clerk was instructed to put the resolution regarding complaints into the Board members next packet.

## **CAPX2020**

Bev Topp gave a presentation of the Citizens Energy Task Force concerning the CAP-X 2020 high voltage transmission line being planned through Minnesota.

## **ROAD REPORT**

The Board reviewed lime rock quotes. **Michael Kiefer made a motion and Arlyn Lamb seconded to accept the quotes for the road projects which are:**  
**Project I 270th street west Biscayne Ave to Cambodia \$8.35 Castle Rock Materials**  
**Project II Biscayne Ave 240<sup>th</sup> street to 230<sup>th</sup> street \$8.35 Castle Rock Materials**  
**Project III 232<sup>nd</sup> street east of Blaine Ave to town line \$8.70 Solberg**  
**Project IV Spot gravel on Denmark Ave; 240<sup>th</sup> Street West, 225<sup>th</sup> street west and 250<sup>th</sup> street east and Annette Ave \$8.30 Castle Rock Materials.**  
**Motion carried 5 ayes.**

The Akron Bridge is on the agenda to be repaired in 2009.  
Discussion was held regarding the possibility of lowering the speed limit on 225<sup>th</sup> street east of Highway 3 to the end of the road. **Arlyn Lamb made a motion and Russell Zellmer seconded to send a letter to MDot and request that they review the possibility of lowering the speed limit on 225<sup>th</sup> street east of Highway 3 and to send a copy of the letter to the City of Farmington. Motion carried 5 ayes.**

## **ROAD INSPECTION**

**Arlyn Lamb made a motion and Russell Zellmer seconded to have the annual road inspection on May 24, 2008 and meet at the Town Hall at 8:00 a.m. Motion carried 5 ayes.**

## **MINNCAN**

**Russell Zellmer made a motion and Arlyn Lamb seconded to send a letter to Tom Jones giving permission for horizontal drilling and no other activities and to get written approval from David Nicolai regarding drilling near their property. Motion carried 5 ayes.**

## **DAKOTA ELECTRIC LINES REPLACEMENT**

**Russell Zellmer made a motion and Michael Kiefer seconded to send a letter to Dakota Electric in regard to their moving electric lines on 240<sup>th</sup> Street from overhead to underground and also send a permit form to be returned to the Township with the fee which is required for that procedure. Motion carried 5 ayes.**

## **MARK HENRY'S CONTRACT**

It was noted that Mark Henry's contract is coming due and it should be reviewed.

## **BUILDING INSPECTORS' RFP**

Inspectors present were Ron Wasmund of Inspectron Inc. and Scott Qualle of Waldron. Marek Kopec sent a letter explaining he could not attend. Discussion was held regarding the performances of the present inspector and the point made was of that the fees were too high. Discussion regarding Waldron was the distance from the Township and the possible inconvenience for the Township's residents for service. **Michael Kiefer made a motion and Pete Schaffer seconded to hire Waldron as the Township's inspector. Motion failed with 2 ayes and 3 nays. Russell Zellmer made a motion and Arlyn Lamb seconded to hire Inspectron Inc. with their current offer as inspector for the**

Township. The vote was 3 ayes and 2 nays. Michael Kiefer asked for a written vote and a roll call vote was taken with the voting as: Pete Schaffer nay; Russell Zellmer aye; Gary Piphon aye; Arlyn Lamb aye and Michael Kiefer nay. The motion carried 3 ayes and 2 nays.

*Michael Kiefer left the meeting at 10:40 p.m.*

#### **TREASURER'S REPORT**

Russell Zellmer made a motion and Pete Schaffer seconded to void claim #5964 of \$2694.20. Motion carried 4 ayes. Arlyn Lamb made a motion and Pete Schaffer seconded to approve the Treasurer's report. A new claim will be issued for the amount of \$1,821.72 for 8hrs at \$109.06. Motion carried 4 ayes.

#### **APPROVAL OF CONTACT TO VENDORS**

Discussion was held regarding of supervisor(s) utilizing services at the Township's expense without board approval. **Russell Zellmer made a motion and Pete Schaffer seconded that all contact with the Township's lawyer, planner or engineer must be directed by the Board Chair or the Clerk with the approval of the Board Chair or Board of Supervisors. Motion carried 4 ayes.** A letter will be sent to the Township's lawyer, planner and engineer informing them of the ruling.

#### **CLAIMS**

Arlyn Lamb made a motion and Russell Zellmer seconded to approve the claims and payroll claims \$13,684.44 and payroll \$1425.14 with a total of \$15,109.58. Motion carried 4 ayes.

#### **PRAIRIE CREEK SCHOOL BOND**

The Township does not have any interest in the school bond issue of Prairie Creek School

#### **FARMINGTON COMP PLAN**

Arlyn Lamb made a motion and Pete Schaffer seconded the Planning Commission should study and review the Farmington Comp Plan that needs approval by September 12, 2008. Motion carried 4 ayes.

#### **HISTORY DISPLAY OF TOWNSHIP**

Russell Zellmer made a motion and Arlyn Lamb made a motion to direct the Clerk to ask Marlys Guildner to take over making up a display of the Township's history at the 150<sup>th</sup> year of the Dakota County Fair. Motion carried 4 ayes.

#### **BURNING COMPLAINT**

Discussion was held regarding a complaint received about an outdoor burner and if it is compliance with the Township's ordinances. The issue is located in the Farmington Fire Department area. **Russell Zellmer made a motion and Pete Schaffer seconded to send a letter to the Farmington Fire Marshall and have the complaint checked. Motion carried 4 ayes.**

**PARROTT CONTRACT**

**Arlyn Lamb made a motion and Pete Schaffer seconded to direct the Clerk to change the dates of the existing contract of Parrott's and have Janis and Patrick Parrott sign the contract. Motion carried 4 ayes.**

**COMP PLANS FOR THE TOWNSHIP**

The Planning Commission will be holding a public hearing on June 2, 2008 to discuss and review the comp plans for the Township.

**CHANGE OF DATE FOR JUNE MEETING**

**Russell Zellmer made a motion and Arlyn Lamb seconded to change the date of the June meeting to June 17 because there would not be a quorum for June 10. Motion carried 4 ayes.**

**CLERK RESIGNATION**

The Board of Supervisors had held a closed meeting at 6:00 p.m. on May 13, 2008 and reviewed the Clerk's performance. Chairman Piphio announced that the Clerk received a favorable review. He then read the resignation of the Clerk effective July 9<sup>th</sup>, 2008. **Pete Schaffer made a motion and Arlyn Lamb seconded to accept the resignation. Motion carried 3 ayes and 1 nay.**

**ADJOURN**

**Russell Zellmer made a motion and Arlyn Lamb seconded to adjourn. Motion carried 4 ayes.**

Meeting adjourned 12:08 a.m.

Respectfully submitted  
Maralee Rother Clerk

Attest  
Gary Piphio Chair