

CASTLE ROCK TOWNSHIP Approved
BOARD OF SUPERVISORS REGULAR MEETING
December 14th, 2010 7:00 P.M.

The regular monthly meeting of the Board of Supervisors of Castle Rock Township was convened at the Castle Rock Town Hall on Tuesday, December 14th, 2010 at 7:00 p.m. Present were Russ Zellmer Chair, Drea Doffing Vice-Chair, Mark Molitor, Pete Schaffer, Dave Nicolai Supervisors, Jane Bistodeau Clerk, Colette Mumm Treasurer and Bob Bauer Township Attorney. Also present Pat Higgins, Sr., Russ Zellmer II, Gary Johnson, Mark Doffing, Norb Kuhn, Paul Irrthum, Eric Ruud, Dick Ozment, Arlyn Lamb, Mark Wagenknecht, Barbara Johnson, Gerald Larson, Mark Pearson, Julie Mellum, Dennis Betz, Jim Heiman, Armando Lissarrugue, Kenneth Betzold, Jeff Andresen, Sandy Weber and Mark Henry.

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

APPROVE AGENDA

Drea Doffing made a motion and Mark Molitor seconded to approve the agenda as written. Motion carried 5 ayes.

CONSENT AGENDA

Drea Doffing made a motion and Dave Nicolai seconded to approve the consent agenda. Motion carried 5 ayes.

1. November 9th, 2010 Board of Supervisors Regular meeting minutes
2. Castle Rock Bar & Grill, Inc. liquor license renewal

REVIEW/APPROVE

Randolph Hampton Fire Department 2011-2013 Fire Contract-

Russ Zellmer questioned qualifications of Randolph Hampton rescue squad for a concerned resident. Jim Heiman explained that all members are 1st responder trained, certified and trained fire fighter 1 & 2. The Randolph Hampton Fire Department oversaw the evacuation of the town of Randolph as well as the school evacuation because of the anhydrous spill. The Board of Supervisors requested the Clerk to add the new updated fire response zone map to the web site. **Dave Nicolai made a motion and Drea Doffing seconded to approve the Randolph Hampton Fire Contract 2011-2013 at \$24, 554.00/year. Motion carried 5 ayes.**

Ken Betzold-1950 220th Street E, Farmington, MN - Parcel Split

Drea Doffing made a motion and Mark Molitor seconded to approve the parcel split for Ken Betzold. Motion carried 5 ayes.

Dick Ozment-2420 220th Street E, Farmington, MN – Parcel Split

Drea Doffing made a motion and Dave Nicolai seconded to approve the parcel split for Dick Ozment. Motion carried 5 ayes.

PLANNING COMMISSION UPDATE

Arlyn Lamb reviewed the November 23rd, 2010 Planning Commission minutes.

Mark Wagenknecht questioned when the setback went from 110' to 130' on collector and arterial roads. The Clerk was directed to check when and where the changes occurred in the Ordinance book.

NEW BUSINESS

Complaint-snow being pushed across 225th Street. The resident who made complaint explained it is no longer happening, no action required.

UNFINISHED BUSINESS

Empey Property

Bob Bauer explained the complaint has been filed with Dakota County District Court and probable cause has been determined by the judge. The first hearing date is set for December 29, 2010.

Outdoor Burners/Boilers

Discussion was held about the Eagan Ordinance (that was reviewed from the last BOS meeting) and that it doesn't fit into an agricultural district.

Pat Higgins thinks the Inver Grove Heights Ordinance was to be reviewed from the last meeting not the Eagan Ordinance.

Arlyn Lamb feels the Castle Rock Ordinance has more than enough tools to enforce the Ordinance and doesn't feel another needs to be added.

BUILDING PERMITS

None

PUBLIC COMMENT

Pat Higgins, 24338 Audrey Avenue, Farmington

Pat showed photos of smoke taken from his property, cited Nuisance Ordinance 7.12 and requests a cease and desist order to shut down the outdoor boilers.

Julie Mellum, Minneapolis

Read a letter out loud regarding wood smoke, presented more pictures of Pat Higgins property and urged the Board of Supervisors to uphold the Nuisance Ordinance.

Barbara Johnson, Burnsville

Read a letter out loud regarding backyard burning and wood smoke.

Jeff Andresen, Apple Valley

Talked about chemical trespass and cited other towns with ordinances banning wood boilers.

Mark Wagenknecht, Farmington

Feels homeowners are being choked in their own homes.

Bob Bauer, Township Attorney, explained code enforcement and that 3rd party pictures are not admissible as evidence, it would need to be independent evidence. Residents with issues can file their own private claim. The outdoor boilers issue is a policy matter for the Board to consider.

Armando Lissarrugue, Inver Grove Heights

Talked about smoke and handed out information from off the internet.

The Board feels they don't want to add another layer of enforcement. The township is 90% agricultural and the township doesn't have the personnel or funds to enforce smoke complaints. **Mark Molitor made a motion and Drea Doffing seconded to leave the Ordinance the same. Motion carried 5 ayes.**

Gary Johnson, 22280 Berring Avenue, Farmington

Demands that the Board of Supervisors writes up an ordinance enforcement procedure and read a letter out loud explaining demands and concerns. The Clerk was directed to contact neighboring Townships and inquire into their code enforcement. Bob Bauer to check whether Board members can witness or investigate complaints.

Gerald Larson, 22355 Berring Avenue, Farmington

Feels the procedures are fine and doesn't want to increase spending on enforcement procedures.

ROAD REPORT

Russ and Drea to discuss complaint received about Denmark Avenue by Prairie Creek School with Eureka Township.

TOWNSHIP ATTORNEY

Drea Doffing made a motion and Dave Nicolai seconded to have Bob Bauer continue to come to meetings, the motion will be reevaluated every 6 months. Motion carried 5 ayes

TREASURER'S REPORT

Receipts \$125,536.88
Cash Control \$12,171.52
Investments \$316,797.06
Budget Comparison Expenditures \$355,488.29 YTD

Drea Doffing made a motion and Mark Molitor seconded to approve the Treasurer's Report. Motion carried 5 ayes.

PAYROLL AND CLAIMS

Payroll \$ 1,268.90 Check/Claim #6882
Claims \$ 9,023.03 Check/Claim #6883-6902
Total \$10,291.93

Check #6888 was voided and reissued under #6902 because of adjustment to billing. Claims above reflect change.
Drea Doffing made a motion and Mark Molitor seconded to approve payroll and claims. Motion carried 5 ayes.

CLERKS REPORT

- **Drea Doffing made a motion and Russ Zellmer seconded to have the Clerk work with Buds and Bytes for website updating. Motion carried 5 ayes.**
- Tack sale, ReAnna Stables-The Clerk was directed to send a letter to ReAnna Stables stating their IUP does not include retail sales.
- Discussion was held about the Budget and Audit meeting. Date to be set at the January board meeting.
-

ADJOURN

Drea Doffing made a motion and Mark Molitor seconded to adjourn the meeting. Motion carried 5 ayes.

Meeting recessed at 9:15 p.m.

Respectfully Submitted
Jane Bistodeau, Clerk

Attest:
Russell Zellmer, Chairman of Board of Supervisors