

CASTLE ROCK TOWNSHIP Approved
BOARD OF SUPERVISORS REGULAR MEETING
August 9th, 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 Monday, August 9th, 2010 at 7:00 p.m. Present were Russ Zellmer Chair, Drea Doffing Vice-Chair, Mark Molitor, Dave Nicolai, Pete Schaffer Supervisors, Colette Mumm Treasurer, Jane Bistodeau Clerk. Also present were Dale Fritz, Delma Jennrich, Arthur Jennrich, David Sodergren, Mike Kiefer, Janthra Jones, Jean Lemke, Eric Ruud, Ken Betzold, Niel Peterson, Tracey Friedges, Mark Beltz, Randy Becker, Sandy Weber, William Neil, Edward Siegfried, Monique Berg, John Day, Joe May, Tammy May, Mark Wagenknecht, Bernie May, Mike Beltz, Janet Zimmer, Dennis Kuhn, Tom Thibodeau, Pat Higgins Sr, and Susan Carmichael.

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

APPROVE AGENDA

- Pete Schaffer add park update under New Business
- Dave Nicolai add clustering under Unfinished Business
- Ken Betzold add to Public Comment
- Mike Kiefer add to Public Comment
- Monique Berg add to Public Comment
- David Sodergren add to Public Comment
- Eric Ruud add to Public Comment
- Sandy Weber add to Public Comment

Dave Nicolai made a motion and Drea Doffing seconded to approve as amended. Motion carried 5 ayes.

REVIEW/APPROVE

July 13, 2010 Board of Supervisors Regular meeting minutes

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

July 13, 2010 Board of Supervisors Building Inspector Review Special Meeting

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

July 13, 2010 Board of Supervisors Road Maintenance Review Special Meeting

Drea Doffing made a motion and Dave Nicolai seconded to approve as written. Motion carried 5 ayes.

August 3, 2010 Board of Supervisors Reconvened meeting minutes

Drea Doffing made a motion and Pete Schaffer seconded to approve as written. Motion carried 4 ayes, 1 abstain Mark Molitor.

Mark Beltz-Beltz, Kes, Darling & Assoc.-Variance

Mark Beltz explained the hardship on the property because the building was originally residential and converted into a commercial building. A new parcel was presented from Dakota County proving that the 3 parcels were combined into one parcel as requested by the Planning Commission. **Drea Doffing made a motion and Dave Nicolai seconded to approve the combining of parcels 1, 2, and 3. Motion carried 5 ayes.**

Mark Molitor made a motion and Drea Doffing seconded to approve the setback on the north at 15' and the setback on the west at 109'8". Motion carried 5 ayes.

Dale Fritz-Conditional Use Permit 6 month review

Dale Fritz is not present at the meeting. Discussion about extending the conditional use review as it is apparent he is working on the conditions. **Drea Doffing made a motion and Mark Molitor seconded to extend the conditional use permit review for 6 months till February Board of Supervisors regular meeting. Motion carried 5 ayes.**

Fee Schedule Review

Clerk gave overview and changes made to fee schedule. Dave Nicolai feels the filing fee should be increased to \$50.00 to be consistent with surrounding communities and to generate income and offset expense and the demolition permit minimum should be raised to \$250.00. **Dave Nicolai made a motion and Drea Doffing seconded to approve the fee schedule with \$25.00 filing fee increase and change demolition permit to \$250.00. Motion carried 5 ayes.**

PLANNING COMMISSION UPDATE

Sandy Weber asked if there were any questions regarding the last Planning Commission minutes. No action taken on clustering at last meeting, will be discussed under "Unfinished Business".

UNFINISHED BUSINESS

Mike Kiefer-wants action on his complaints regarding Jason Maras, Silverado Landscaping. The Board feels the complaints have been addressed. Jason asked that his personal name be used in minutes instead of business name.

Clustering-Dave Nicolai frustrated with lack of action as directed by the Board of Supervisors to the Planning Commission. The Planning Commission would like it put on the ballot in March and to ask public opinion. **Dave Nicolai made a motion to adopt clustering as written last year. Motion failed, no second.** The Clerk explained that the correct procedure is for the Planning Commission to review clustering and hold a Public Hearing and make a recommendation to the Board of Supervisors. **Dave Nicolai made a motion and Mark Molitor seconded to set the Public Hearing for September 7, 2010 at 7:00 p.m. to review clustering. Motion carried 5 ayes.** **Dave Nicolai made a motion and Drea Doffing seconded to request that Dean Johnson, Planner and Bob Bauer, Attorney attend the September 7, 2010 Public Hearing for clustering. Motion carried 5 ayes.**

BUILDING PERMITS

Dakota City Heritage Village, 4008 220th Street W, Farmington, MN-replace door in blacksmith shop. **Drea Doffing made a motion and Mark Molitor seconded to approve permit. Motion carried 5 ayes.**

Castle Rock and Roll, 27998 Chippendale Ave, Northfield, MN-cut in door for patio, build 14' gazebo. **Drea Doffing made a motion and Mark Molitor seconded to approve permit. Motion carried 5 ayes.**

Dakota County Ag Society, 4008 220th Street W, Farmington, MN-install two egress windows. **Drea Doffing made a motion and Mark Molitor seconded to approve permit. Motion carried 5 ayes.**

NEW BUSINESS

Tom Thibodeau-Waterford Warriors Snowmobile Club donated \$2000.00 to Castle Rock Township. Tom explained that the gambling permit allowing sale of pull tabs at Castle Rock and Roll is now a perpetual permit. The Board of Supervisors thanked Tom and the Waterford Warriors for their continued support and the donation.

Noise complaint-the Clerk was directed to send letter to property owner regarding noise complaints at the corner of Biscayne and 225th Street and ask for a response before the next BOS meeting on September 14, 2010.

Park Update-Mark Molitor explained infield not started because of excess rain.

ROAD REPORT

LTAP Sign Workshop-September 21, 2010 8:30 am-3:30 pm

Drea Doffing made a motion and Mark Molitor seconded for two people to attend workshop in Lakeville. Motion carried 5 ayes.

Dustproof-

Denmark Avenue, 225th Street and 240th Street will get 2nd application late summer, 232nd will get additional application if money available in budget. \$3900.00 left in budget.

ROW mowing-

Russ Zellmer, Drea Doffing and Mark Henry are meeting with mower on August 10, 2010 to possibly start mowing later in week. A resident requested that the reclaimed ROW be mowed up to crops.

PUBLIC COMMENT

Don Webb-addressing burning at 2255 225th Street. Claims there is no garbage service, catalytic convertor did not help smoke situation. Clerk directed to give the Board copies of file on past complaints for next meeting.

Ken Betzold-Board members take an oath as Supervisor once elected and Ken feels Pete Schaffer should step down because of accusations made and heard. Dave Nicolai explained he had been approached by somebody stating that residents wanted Dave and other Board members to vote to remove Pete Schaffer from the Board of Supervisors.

Mike Kiefer-feels the Board are making all the Albatross Circle complaints only his. Mike read two other residents complaints out loud to the Board.

Monique Berg-received a yellow flyer on her mailbox requesting Pete Schaffer's resignation. Monique feels the person responsible for the flyer should step up, state name and position on bottom of flyer. Monique feels the litigation process should proceed before people assume that anyone is guilty. Not guilty till proven guilty in court.

David Sodergren-claims there are violations of home occupation at Pete Schaffer's home.

Eric Ruud-thanked the Board of Supervisors for the thankless job of being a Supervisor.

Sandy Weber-says that only certain areas of the township were targeted with the flyer. Sandy did not receive a flyer on her mailbox.

Dave Nicolai stated he witnessed Mike Kiefer putting flyers into mailboxes and attaching flyers to mailboxes. Other residents in the audience stated receiving flyers in and on their mailboxes. Dave Nicolai feels the postmaster should be made aware by the residents that flyers are being put into their mailboxes illegally.

TREASURER'S REPORT

Receipts \$23,263.74

Cash Control \$2,245.27

Investments \$378,213.17

Budget Comparison \$291,577.29 YTD

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

PAYROLL AND CLAIMS

Payroll \$ 1,316.06

Check/Claim #6770

Claims \$22,572.16

Check/Claim #6771-6794 void checks 6790, 6792 & 6773

Total \$23,234.32

The Board directed the Treasurer to withhold 10% of the Eureka Sand and Gravel invoice. Need to void check/claim 6773 in the amount of \$6539.04 and replace with check/claim 6794 in the amount of \$5885.14.

Dave Nicolai made a motion and Drea Doffing seconded to approve payroll and claims with the correction to claim 6773 and to holdback 10%. Motion carried 5 ayes.

CLERKS REPORT

- MAT Short Course Update-Clerks now need to use a notary stamp. Jane directed to order stamp.
- MN Energy Ordinance-Clerk to send email informing Mn Energy of Castle Rock's Public Utility Ordinance.
- Peter Herlofsky fire contract letter. **Dave Nicolai made a motion and Drea Doffing seconded to have the Clerk resend the letter with David Nicolai, Castle Rock Township Supervisor, Fire Department Committee Representative title and signature at bottom. Motion carried 5 ayes.**
- Posting of Special meeting and Public Hearing notices to website. **Drea Doffing made a motion and Mark Molitor seconded to add meeting notices to website. Motion carried 5 ayes.**

Pete Schaffer stated he had received calls complaining about flyers in their mailboxes. Mark Wagenknecht wanted it stated for the record, he was not a part of the flyer distribution.

Randy Becker asked about the tire clean up this fall. Colette said it is a County Tire Cleanup being hosted at Eureka Township and there is no date set yet.

Mark Wagenknecht would like to see the Board of Supervisor meeting rules and the Planning Commission meeting rules laminated and posted at the sign in table and a copy at the head table.

Drea Doffing requests that Bob Bauer, Township Attorney start attending Board of Supervisors meetings. Colette went over Professional Fees spent YTD.

Bill Neil thinks having the lawyer at meetings is a good idea. Russ Zellmer agrees with comments. Tammy May thinks audio taping the minutes would be a good idea. Discussion was held about the pros and cons of taping minutes. **Drea Doffing made a motion and Mark Molitor seconded to have Bob Bauer, Township Attorney, present at the Board of Supervisors regular meetings for the next 4 months and will readdress then. Motion carried 4 ayes, 1 nay Dave Nicolai.**

Add "Thank You" to Waterford Warriors for the \$2000.00 donation in the Castle Rock Chronicle.

ADJOURN

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

Meeting recessed at 9:20 p.m.

Respectfully Submitted

Jane Bistodeau, Clerk

Attest:

Russell Zellmer, Chairman of Board of Supervisors