

**CASTLE ROCK TOWNSHIP  
BOARD OF SUPERVISORS REGULAR MEETING  
May 14, 2013 @ 7:00 P.M.**

**Approved**

The regular monthly meeting of the Board of Supervisors of Castle Rock Township was convened at the Castle Rock Town Hall on Tuesday, May 14, 2013 at 7:00 p.m. Present were Drea Doffing Chair, Mike Rademacher, Dave Nicolai and Sandy Weber Supervisors, Colette Mumm Treasurer, and Judy Solinger. Also present were Jeff Partington, Orin Legare, Randy Becker, William Neil, Garry Neil, Cindy Novak, Anita May, Joe May, Jim May, Commissioner Mike Slavik, Deputy Mike Vikesland, and Mark Henry.

Drea Doffing called the meeting to order at 7:00 P.M. and the Pledge of Allegiance was recited.

**APPROVE AGENDA**

Amendments requested:

Drea Doffing requested adding Empire Rockets planting to New Business.

Drea Doffing requested to move #5- Authorize Execution of Quit Claim Deeds for Road Turnbacks to Dakota County to Review/Approve.

Drea Doffing requested adding Bill Neil to discussion of Akin Bridge.

Drea Doffing requested moving discussion of County Road 79/May's property to the top of the Road Report.

Drea Doffing requested adding park weed control to Review/Approve.

Drea Doffing requested moving CapX2020 Updates to bottom of Road Report.

**Mike Rademacher made a motion and Sandy Weber seconded to approve the agenda as amended. Motion carried 4 ayes.**

**CONSENT AGENDA**

1. April 9, 2013 Re-Organizational Meeting Minutes

2. April 9, 2013 Board of Supervisors Minutes

3. Authorization to issue Request for Quotes for Year Round Grading, Plowing, and Road Maintenance (current contract expires June 30, 2013.)

4. Exempt Gambling Permit (Raffle) – Rotary Club of Farmington, September 21, 2013.

**Sandy Weber made a motion and Dave Nicolai seconded to approve the consent agenda. Motion carried 4 ayes.**

**PLANNING COMMISSION UPDATE**

Because no Planning Commission members were present, Colette Mumm Treasurer read the following update:

- Paperwork and procedures supplied to Dennis Olson for possible parcel split at 24380 Chippendale Ave. Waiting for appropriate forms and fees before this proceeds.
- Verification of Ag vs Commercial for building permit request for the Neil farm at 27536 Chippendale Ave. Scott Qualle from MNSPECT believes it should be permitted as Ag.
- Recommendation to the BOS to appoint Jeff Partington to fill the remainder of Jane Gough's term on the planning commission.

**REVIEW/APPROVE**

Ag Building Permit for the Neil Farm at 27536 Chippendale - The property is zoned commercial but the use is ag, so should be exempt from commercial permit per Scott Qualle from MNSPECT. Land will remain zoned commercial.

**Dave Nicolai made a motion and Mike Rademacher seconded to approve the ag building permit. Motion carried 4 ayes.**

Appoint Jeff Partington to fill the remainder of Jane Gough's term on the Planning Commission. (through 2015).  
Jeff Partington has submitted a letter of interest.

**Dave Nicolai made a motion and Mike Rademacher seconded to appoint Jeff Partington to the Planning Commission for the remainder of Jane Gough's term. Motion carried 4 ayes.**

Release Letter of Credit to Stage Five Holdings LLC for demo permit - Permit completed and closed out by MNSPECT - Dave Nicolai requested this matter be put on hold until the driveway issue is resolved. (Also see item under Unfinished Business)

Park Weed Control - Discussion was held regarding fertilizing and weed control for Countryside Park. Mumm family will be doing the mowing. An estimate of \$145.00 was received from Hedlund for fertilizing and weed control, spring and fall. It was decided to proceed with broadleaf weed control only, at Countryside Park and at the Town Hall.

**Mike Rademacher made a motion and Dave Nicolai seconded to have Hedlund apply broadleaf weed control to Countryside Park and around the building at the Town Hall. Motion carried 4 ayes.**

Authorize execution of Quit Claim Deeds for Road Turnbacks to Dakota County - Township attorney recommends making a resolution to turnback roads to Dakota County for Right of Way purposes.

**Sandy Weber made a motion and Dave Nicolai seconded to approve the turnback of roads to the County. Motion carried 4 ayes.**

Drea Doffing proposed Resolution #2013-2, to authorize the turnback for Right of Way purposes. **Dave Nicolai made a motion and Mike Rademacher seconded to approve Resolution #2013-2. Motion carried 4 ayes.**

#### **PUBLIC COMMENT**

Deputy Mike Vikesland from the Dakota County Sheriff's office discussed fire danger due to dry conditions and warned residents to beware of having substandard work done, such as asphalt or roofing, by unknown contractors soliciting work. Drea Doffing asked if the sheriff's department would assist the Township in keeping construction vehicles from obstructing Township roads, which creates hazards. For instance, there should be no staging on the roads of CapX2020 vehicles. Deputy Vikesland said the Department would address the problem on a case by case basis if proper signage and warnings are not used, causing hazardous situations. The Township does have stipulations for using Township roads that can be enforced.

County Commissioner Mike Slavik was present to touch base on local issues. He asked that the Township email him to keep him informed of issues he should be aware of, ie; CapX, road issues, etc. He also mentioned that residents would be receiving nitrate test kits in the mail, and he requested that they be completed and returned to Dakota County. These tests are partially funded by a grant from the federal government to test private wells in Dakota County, as there have been significant issues with nitrates in the ground water. Commissioner Slavik also talked about CDA money available for Townships to fund any expenses associated with comp plans, ordinance review, or other government planning. By law 50% of the CDA money allotted by grant must go to Townships, but Townships rarely apply, so he wanted to make the Board aware that that money is available.

#### **UNFINISHED BUSINESS**

Countryside Park – Jonathan Zakoski from Boy Scout Troop 119 was not present, no discussion was held.

Condition of Akron Bridge, post construction – Bill Neil and Dave Nicolai presented photos to the Board showing damage and indicating that water has gone over the road. Dave Nicolai read out loud a letter that he had sent to Tom Anton at Dakota County regarding the bridge, and Tom Anton's response. Anton had Josh Peterson/Soil and Water review the project design, and he concluded that due to low traffic volume and no homes at risk, that the bridge was properly designed. Discussion was held about the water level and that it is preventing tile from working and also causing secondary ditches to form in fields, with gravel washing into the fields. Concern was expressed that the road would be impassable at times, impacting not only residents but emergency vehicles and school busses. Because the

bridge construction was a County project, the County will need to make any changes if necessary, not the Township. Drea Doffing offered to contact the County to review the original contract, and discuss what can be done to remedy any issues, since the permit is still open. Mark Henry offered to contact the DNR to get their input. The Board will look at the bridge and assess at the Annual Road Inspection.

Update on re-shingling at Castle Rock Town Hall – An insurance check may be received for roof replacement. Dave Nicolai discussed repairing rather than replacing the roof. No permit would be required. He has inspected the roof and had shingles delivered to the Town Hall. Dave Nicolai offered to do the repair, and Mike Rademacher offered to help.

Discussion regarding driveway requirements contained in Resolution #2012-02 – Gill/Soweija - There are proposals pending which will resolve the driveway issue and square up the property lines. This should be done by August per Dave Nicolai.

### **NEW BUSINESS**

Colette Mumm discussed the Empire Rockets 4-H Club planting shrubs/planters in front of the Town Hall. The committee is requesting feedback from the Board on plant varieties and if flower planters should be installed near the front door. Plants can be purchased at wholesale cost. The budget for this project is \$200.00, with the goal to have the installation done this summer.

### **ROAD REPORT**

County Road 79 May property – A representative from the company dealing with the road work being done on County Road 79 was present, and he stated that there has been progress in the road work after a slow start. Plans have changed in that less cubic yards of fill will be going into the May property. There will be about two more weeks of hauling to the south end of the pond, holding pond will stay as is, leaving May a couple more acres for farming.

The May family inquired if there is any documentation on who is responsible for the culvert on their property that extends past the easement.

Schedule measurement of turnback roads – Mark Henry and Drea Doffing tentatively set Friday 5-17-13 to measure. Randy Becker offered to help do the measurements.

Schedule Annual Road Inspection date: Tentative date of Tuesday May 28 at 5:30 p.m. was set, pending conflict in schedules of Board members.

Overlay in Castle Rock Village – see enclosed Joint Powers Agreement with Dakota County for approval. Construction contract was awarded to McNamara. Amount is over budget but in acceptable range.

**Sandy Weber made a motion and Mike Rademacher seconded to sign the JPA. Motion carried 4 ayes.**

Biosolids application postponed until fall. Met council has requested that the Township hold escrow funds and amend the application dates once a new time has been established.

CapX2020 – Discussion was held about the Township and Township residents being served condemnation papers by CapX2020 for Right of Way, 150' wide along the path parallel to the lines, taking both Township roads and private property. Discussion followed regarding the CapX2020 project. It was recommended that the Township hire a firm specializing in Condemnation matters.

**Dave Nicolai made a motion and Sandy Weber seconded to hire the law firm of Malkerson Gunn Martin LLP, Rod Krass Attorney, to assist the Township in opposing condemnation procedures by CapX2020. Motion carried 4 ayes.**

**TREASURER’S REPORT**

A new savings account has been opened for the road turnback money from Dakota County. A separate account was opened at Castle Rock Bank, with a deposit of \$240,000.00.

Discuss propane contract for 2013-2014 heating season -Discussion was held regarding whether or not to sign a prepaid agreement for propane. Right now the rate is \$1.37 off the truck, or \$1.48 pre-paid. Last year the Township paid \$1.61 off the truck. It was agreed that indications are the rate will be increasing, and it is safer to have a pre-paid agreement and that is the Board’s recommendation.

Receipts \$68,810.35  
Cash Control \$2,824.78  
Current Investments \$792,437.10

**Dave Nicolai made a motion and Mike Rademacher seconded to approve Treasurer’s Report. Motion carried 4 ayes.**

**PAYROLL AND CLAIMS**

Payroll \$ 1,260.07 Claim #7669-7670  
Claims \$ 7,599.82 Claim # 7671-7689  
Claims: \$24,554.00 Claim # 7690  
**Total: \$33,413.89**

**Dave Nicolai made a motion and Sandy Weber seconded to approve Payroll and Claims. Motion carried 4 ayes.**

**CLERKS REPORT**

Read by Colette Mumm in Clerk’s absence: Website software has been purchased, hoping to install this week and begin training our new person,

**ADJOURN**

**Dave Nicolai made a motion and Mike Rademacher seconded to adjourn the meeting. Motion carried 4 ayes.**  
Meeting adjourned at 9:55 pm.

Respectfully Submitted  
Judy Solinger

Attest:  
Drea Doffing, Chair of Board of Supervisors