

**CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS REGULAR MEETING
August 13, 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, August 13, 2013 at 7:00 p.m. Present were Drea Doffing, Chair; Russ Zellmer, Vice-Chair; Mike Rademacher, David Nicolai and Sandy Weber, Supervisors; Colette Mumm, Treasurer; and Barbara Lang, Clerk. Also present were Orin Legare, Mitchell Page, Monique Berg, Mark Wagenknecht, Dennis Olson, Ken Betzold, William Neil, Gary Neil, Steven Neil, Clyde Thompson, Jeanie Foster, Jim Lentsch, Anita May, Joe May, David Mumm, Mark Henry, Ray Henry, and Delores Henry.

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

APPROVE AGENDA

Russ Zellmer requested that spelling for the name “Stahnke” be corrected.

Sandy Weber requested that we add Foreclosures to New Business.

Drea Doffing requested that we add CapX2020 questions after Akron Bridge discussions, and add Empey Property to Unfinished Business.

Dave Nicolai made a motion and Sandy Weber seconded to accept the amended agenda. Motion carried 5 ayes.

CONSENT AGENDA

1. July 9, 2013 Board of Supervisors Meeting Minutes
2. July 11, 2013 Reconvened Closed Meeting Minutes
3. July 19, 2013 Emergency Closed Meeting Minutes
4. Temporary On-Sale Liquor License – Rotary Club of Farmington Ramble Jam, Sept 20&21, 2013
5. Large Assembly Permit – Rotary Club of Farmington Ramble Jam, Sept 20&21, 2013
6. Large Assembly Permit – Valek Auction at Dakota County Fairgrounds, Sep 28, 2013
7. Parcel Split Resolution 2013-04 – Castle Rock Bank property 225th St W

Russ Zellmer requested correcting the size of the pole shed listed in the Item 1 to read 50’ x 60’.

Russ Zellmer made a motion and Mike Rademacher seconded to approve the consent agenda including the above correction. Motion carried 4 ayes, 1 abstain, Dave Nicolai, on Items 2, 3 & 7.

PLANNING COMMISSION UPDATE

- Monique Berg indicated that the Planning Commission recommends approval of the building permit for an agricultural pole shed by Clyde Thompson at 1285 280th St; demo permit for Dennis and Anne Olson at 4204 240th St W; and new residential construction permit for Dennis and Anne Olson at 4204 240th St W.
- The suggestion was also made that the Planning Commission should have all permit forms available at their meetings in order to expedite requests from residents.

REVIEW/APPROVE

Building Permit for 28’ x 40’ pole shed, Clyde Thompson, 1285 280th St

Dave Nicolai made a motion and Sandy Weber seconded to approve the ag building permit. Motion carried 5 ayes.

Demo Permit for Dennis & Anne Olson, 4204 240th St W

Sandy Weber made a motion and Dave Nicolai seconded to approve the demo permit. Motion carried 5 ayes.

New Residential Construction Permit for Dennis & Anne Olson, 4204 240th St W

Mike Rademacher made a motion and Russ Zellmer seconded to approve the New Residence Building Permit. Motion carried 5 ayes.

UNFINISHED BUSINESS

Countryside Park – Drea Doffing gave brief updates on the Eagle Scout Project for the gazebo. Jonathan Zakoski from Boy Scout Troop 116 is at the Scout Board hoping to get his final approval of the project this evening. He will keep us informed. Drea also gave an update that the Farmington Youth Baseball group has gotten an estimate to have the backstop replaced and will be making arrangements for that.

Akron Bridge – Drea Doffing gave an overview of the problem. Owners of the neighboring land brought photos showing the erosion problems being experienced since the new bridge was built by Dakota County. The County Engineer has done some work to correct the drainage problem, but the erosion continues. It has been suggested that a driveway with a culvert be installed to the south to deflect some of the water flow. Todd Howard and Tom Anton with Dakota County have been working with the owners of the surrounding land on a design that will work. Mark Wagenknecht offered to cover the cost of materials to make this happen. A driveway permit will be required.

Sandy Weber moved and Russ Zellmer seconded that at the Akron Bridge site on the east side of the right of way, work will proceed with the culvert to be provided by the County and guidance for placement of the driveway and culvert will be provided by Dakota County personnel and the DNR. Cost of this project will be the landowners' responsibility. Motion carried 5 ayes.

Business reverted back to Countryside Park briefly. Drea Doffing recommended that Castle Rock Township make donations of \$1,000 each to the Eagle Scout project and Farmington Youth Baseball for the expected work to be done at the Park out of the budgeted Park funds.

Mike Rademacher made a motion and Russ Zellmer seconded that Castle Rock Township will donate \$1,000 to the Eagle Scout project. Motion carried 5 ayes.

Russ Zellmer made a motion and Sandy Weber seconded that Castle Rock Township will donate \$1,000 to Farmington Youth Baseball for the backstop replacement. Motion carried 5 ayes.

CapX2020 Q&A – Drea Doffing started the discussions with the following overview: “They (Great River Energy) have not been forthcoming with this Township. They’ve had no tolerance for our local government, the authorities or our Ordinances. They only communicate through their attorneys, and their attorneys make threats and belittle our attorneys. They have made threats with TRO’s and HRO’s on a continued basis to the Chair of the Board, which is towards the Board and the citizens of this community. In one word, this is a ‘ruthless’ group of people.” Drea went on to summarize the status of litigation for the right of way permit and litigation for the Condemnation Action. We now have surveys showing the easements for the CapX 2020 route. Final ruling has been made that GRE is authorized to proceed with the project through our Township. Mark Henry has been appointed as the township’s representative working with GRE on the road maintenance to prepare for the project, as well as monitoring the work in wetlands areas to make sure they comply with the guidelines established by Soil and Water Conservation Services and the DNR.

Discussion and comments were opened to the residents in attendance. Colette Mumm asked if we will be getting clarification of the actual ownership of the road (specifically 230th Street), since the condemnation easement basically encompasses that whole area. We will look into that clarification, and will also make every attempt to update information on the progress of the project through our Township on the website as it becomes available. Monique Berg asked what protection our elected officials and appointed representatives will have if they are served during the course of this project. We will be checking with MAT attorneys to get more clarification. There were many comments made by area residents who will be affected by the route of this project. The general recommendation was made that our citizens remain vigilant during construction, make contacts with the Public Utilities Commission, contact the Dakota County Sheriff’s office if there is a specific violation that is seen, and possible contact the Minnesota Attorney General to voice concerns. Several residents thanked Drea and the entire Board of Supervisors for continuing to fight for the residents of the township.

Stahnke drainage problem update – Mike Rademacher met with Grant Jacobsen, the Township Engineer, and the owners. Mr. Jacobson recommends installing a 5’ tall standpipe to improve drainage. Size and quantity of holes TBD, pending Mr. Jacobson’s further review. Joe May spoke to give an overview on the problems on his nearby land. Since he wasn’t on tonight’s agenda it was recommended that his issues be added to next month’s agenda and discussed at that time so the Supervisors will have an opportunity to review that information. Mike Rademacher will assist with resolving those issues and discuss with our Engineer.

Insurance Claim update on Town Hall roof – Dave Nicolai explained that there is little likelihood that insurance or warranty will cover the problems experienced with the shingles. A bundle of shingles has been purchased to repair the bad areas and the work will be done sometime this fall. Dave will contact the Township’s insurance representative to verify if we should take any further action on a claim.

Dakota County CDA Program – Barbara Lang, Clerk, explained that the agreements that had been sent to the Township for approval were updating verbage for the HUD program that is administered through Dakota County, and each Township needs to sign the updates and return to the County. Each Township has a percentage of funding available if there are any qualifying applicants and if the funds are not used within specific fiscal years, no action is taken. It was agreed by general consensus that the updated agreements would be signed and returned to Dakota County CDA.

Empey property – Dave Nicolai brought documentation about new scrap metal legislation that became effective on August 1, 2013. Board members are to review to verify if any of the Township Ordinances need to be updated to reflect the legislation changes. No new activity at the property that the Township should be involved in.

NEW BUSINESS

City of Farmington Fire Agreement – Discussion will be postponed until the September BOS meeting. Dave Nicolai will contact the Fire Chief to get updated information for the new contract.

Empire Rockets 4-H Club Display - Colette Mumm explained that the 4-H Club would like to display the banner and scrapbook that they created for this year’s Dakota County Fair and won Champion prize on. It was agreed by general consensus that these items can be displayed in the Town Hall.

Foreclosures – Sandy Weber wanted to know if there is a way to track foreclosures on property in our Township. Russ Zellmer recommended checking the County website which has listings of this information.

ROAD REPORT

Alverno Avenue blacktop repair - Mark Henry will clarify if the quote we received includes repair on 277th Street.

Dave Nicolai made a motion and Mike Rademacher seconded that we proceed with the repairs, and if the 277th St area isn’t included in the quote for \$4,950.00 an additional \$200 is authorized to complete the repairs at 277th Street. Motion carried 4 ayes, 1 abstain by Russ Zellmer.

CapX2020 Updates – Mark Henry is our wetlands representative for the project and met with Brian Watson from SWC. Soil borings and mats must be removed from the wetland areas once the work is done in those areas.

Road gravel bids have been received from Castle Rock Materials and Solberg Aggregates for the work that will be needed for the designated haul routes.

Russ Zellmer made a motion and Mike Rademacher seconded to accept the Solberg quote. Motion carried 5 ayes.

GRE Haul Routes/Road Construction Signage – Mark Henry obtained quotes for construction signage for the haul route roads, totaling \$5,368.09. A request was made last week to GRE to use escrow funds to purchase the signage and it was denied. Barbara Lang commented that the approved right of way permit specifies that GRE is responsible to provide signage according to the standards under Minnesota statutes. Dave Nicolai would like us to look into the township’s liability is proper signage is not in place.

Sandy Weber made a motion and Russ Zellmer seconded that Drea Doffing, Barbara Lang and the township attorneys are authorized to take reasonable steps to secure compliance with the right of way permit. Motion carried 5 ayes.

Mr. Henry also obtained a quote from Envirotech for additional dustproofing treatment on the haul route roads. It was decided that we would use the calcium chloride treatment that has been used in the past since we are familiar with it at a cost of \$43,860.00.

Russ Zellmer made a motion and Mike Rademacher seconded that we proceed with the calcium chloride dustproofing treatment. Motion carried 5 ayes.

Mr. Henry will send e-mail updates to the Town Hall before proceeding with any of the work.

County State Aid Highway 80 Culvert Replacements – Reviewed correspondence from Dakota County regarding repairs to the washed out culvert areas at County Road 80 and Denmark Ave. Work is expected to be completed this fall.

County Road 79 (Blaine Ave) project – Work is progressing. Grant Jacobsen has been out to look at the work and is OK with how the work has been done for the drainage areas. Dave Nicolai will contact Brian Watson at SWC to have him prepare a letter stating he does not have authority regarding the engineering of the drainage.

TREASURER’S REPORT

Receipts \$ 3,427.78
Cash Control \$ 37,864.27
Current Investments \$ 888,982.30

Dave Nicolai made a motion and Sandy Weber seconded to approve Treasurer’s Report. Motion carried 5 ayes.

PAYROLL AND CLAIMS

Payroll: \$ 892.73 Claim # 7754
Claims: \$ 67,975.49 Claim # 7755-7772
Total: \$36,416.01

Russ Zellmer made a motion and Mike Rademacher seconded to accept Payroll and Claims. Motion carried 5 ayes.

CLERKS REPORT

Barbara Lang, Clerk, reported that she has been doing the website maintenance. The Clerk is working on preparing a Fall issue of The Chronicle. The Clerk explained that the township computer had crashed in mid-July. We were able to get it repaired, but should be planning to budget for a new computer in 2014. An external hard drive was purchased and is now being used for back-up. The exterior doors will be painted sometime in September when the weather is cooler.

The Clerk will be on vacation from August 30 through September 8. The office will be closed beginning Labor Day and that whole week. E-mail will continue to be monitored and anything that requires attention will be forwarded to Drea Doffing for action. Preliminary agenda and packets for the September BOS meeting will be delivered to everyone on Thursday, August 29. Drea will advise the other Supervisors if there are additional agenda items that come up.

Russ Zellmer made a motion and Mike Rademacher seconded to adjourn the meeting. Motion carried 5 ayes.

Meeting adjourned at 10:17 pm.

Respectfully Submitted
Barbara Lang, Clerk

Attest:
Drea Doffing, Chair of Board of Supervisors