

CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS REGULAR MEETING
October 14, 2014 @ 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, October 14, 2014 at 7:00 p.m. Present were Drea Doffing, Chair; Russ Zellmer, Vice-Chair; Jeff Partington, Dave Nicolai, and Sandy Weber, Supervisors; Dianne Lamb, Acting Clerk. Barbara Lang, Clerk, was absent. Also present were Colette Mumm, Treasurer, Scott Qualle, Building Inspector; Delma and Arthur Jennrich, Joe and Paul Auge, Laurie and James Steurbaut, Mark Emerson, and Mark Henry.

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

APPROVE AGENDA

Drea Doffing asked to add Scott Qualle to Unfinished Business.

Drea Doffing asked to add Countryside Park to New Business.

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

CONSENT AGENDA REVIEW/APPROVE

1. September 9, 2014 Board of Supervisors Meeting Minutes
2. Building Permit application for Addition and Deck, James & Laurie Steurbaut, 3422 225th St.
3. Building Permit application for Addition to residence, Mark Emerson, 1872 270th St. W.
4. Appointment of election judges for the November 4, 2014 State General Election

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

DAKOTA COUNTY SHERIFF UPDATE – A Dakota County Deputy Sheriff was present, and other than about three reports of deer collisions a week, the township has been problem free.

PUBLIC COMMENT

- Joe Auge – Expressed concerns about obtaining a building permit in the township. Mr. Auge presented each board member with a prepared packet outlining his points, which will be reviewed by the Supervisors.
- Delma & Arthur Jennrich – Expressed concerns about the amount of drainage that would be generated by the project in Rocky Hills correcting drainage problems in the development.

PLANNING COMMISSION UPDATE

At the September 22, 2014 Planning Commission meeting, the following building permits were recommended:

- Recommend Building Permit application for Addition and Deck, James & Laurie Steurbaut, 3422 225th St.
- Recommend Building Permit application for Addition to residence Mark Emerson, 1872 270th St. W

The Planning Commission will hold a Re-organization Meeting in October to elect a new Chair, Vice-Chair, and Secretary.

REVIEW / APPROVE

1. Approve response to Minnesota Pollution Control Agency for continued compliance of the Subsurface Sewage Treatment (SSTS) program in Castle Rock Township.

The Board of Supervisors authorized the Clerk to proceed with sending the response letter previously prepared to the Minnesota Pollution Control Agency.

UNFINISHED BUSINESS

- Scott Qualle, Building Inspector

Mr. Qualle responded to Joe Auge's concerns for the permit for Farmers Mill and Elevator. It was agreed that clearer details regarding definitions and calculations need to be established.

He also elaborated on methods for the calculation of fees in regard to the Wikstrom project. Russ Zellmer indicated he had reviewed the actual building permit application for the Wikstroms, and noted that the permit indicates the walls and ceiling will be sheetrocked, and had doubts that an actual Ag building would have finished walls. Drea Doffing also had reviewed the original permit paperwork and noted that they plan to heat the building, which again is not usually done in an Ag building. Mr. Zellmer recommended that the Supervisors take the time to review the original permit paperwork again, as well as the handout everyone received with an explanation of the agricultural building exemption in the state building code, and recommends that this be reviewed again at the next meeting so everyone has time to do more research and investigation. The Board of Supervisors gave direction to our Building Inspector to send a letter to the Wikstroms giving them notice of what Ag structures and Accessory structures are. In addition, the letter prepared by the Building Inspector will be included as part of the meeting minutes.

Dave Nicolai made a motion and Sandy Weber seconded to change the Wikstrom building permit classification to be an Ag Building. 3 ayes, Dave Nicolai, Sandy Weber and Jeff Partington; 2 nays, Drea Doffing and Russ Zellmer. Motion carried.

- Update on Recycle Center on Chippendale Ave.
Jeff Partington reported that the Recycle Center has limited the types of items that can be brought in and that the area looks good.
- Land Use Issues - Ordinance Update discussions
Drea Doffing led a discussion about the suggestions for Zoning Ordinance updates provided by Dean Johnson and Troy Gilchrist, and will be having Mr. Gilchrist prepare an Amendment to the existing Zoning Ordinance #2013-01 for a review at the next meeting.

NEW BUSINESS

- Countryside Park – Discussion about weed control
The decision was made to spray for weeds in the township's two parks and the town hall lawn. Also, it was decided that the parking lot and the ball diamond at Countryside would have an application of Round-Up for total weed and grasses eradication.

ROAD REPORT

- Drainage Project in Rocky Hills
Discussion of progress made to this point - the consensus of the Board of Supervisors is to pave and finish the project.
- Tree/brush removal
Trees need to be removed to finish the ditch project. Mark Henry obtained two quotes for tree removal, including the cottonwoods on 232rd.

Russ Zellmer made a motion and Sandy Weber seconded to accept the \$3,400 estimate for tree removal. 5 ayes. Motion carried.

- Denmark Avenue road maintenance
Collette Mumm, Treasurer, has been directed to look back 5 years to determine what has been spent for maintenance on Denmark Avenue.
- Fall biosolids application update.
Patricia Oates from Met Council has contacted the township about making arrangements for a fall biosolids application at the Empey farm, depending on when the crops are harvested and weather conditions are right. Permit paperwork is in place, and Met Council has requested verification of the haul route to be used. Clerk Barbara Lang has been directed to send Patricia Oates an email outlining the township's preferred route for the biosolids application. That route

will be: Hwy. 50 to Annette, west on 230th to the dump site and the exit route should be Biscayne to 225th to Hwy 3. Mark Henry and Mike Weber from Met Council will coordinate an inspection of the road conditions prior to the start date. Ms. Oates will keep the township updated.

- Set date for annual Roads Committee Budget meeting
The Clerk has been directed to contact the Roads Committee members to determine the best date for the budget meeting. The choices are November 19 or November 20.
- Viking Auto drainage basins
The Clerk has been directed to send an email to Buford and Tony Faust to find out when the existing basins will be fixed in accordance with the direction of the Township Engineer.
- 2014 Mileage Certification
Russ Zellmer made a motion and Drea Doffing seconded to approve the Mileage Certification form with 37.85 miles, and send back to the Dakota County Transportation Department. 5 ayes. Motion carried.

TREASURERS REPORT

Receipts	\$ 13,995.81
Cash Control	\$ 1,613.78
Current Investments	\$766,549.33

Sandy Weber made a motion and Russ Zellmer seconded to approve the Treasurer's Report. 5 ayes. Motion carried.

REVIEW PAYROLL AND CLAIMS

Payroll:	\$ 3,000.46	Claim #8127-8138
Claims:	<u>\$26,101.64</u>	Claim #8139-8158
Total:	\$29,102.10	

Dave Nicolai made a motion and Jeff Partington seconded to approve the Payroll and Claims Review. 5 ayes. Motion carried.

CLERKS REPORT

- Dianne Lamb was thanked for filling in again tonight to record the minutes of the meeting. With the schedule changes, Barbara Lang, the Township Clerk, will be able to attend the rest of the BOS meetings for this term.
- The Clerk and Treasurer are both registered to attend the CTAS training on October 23 for the new updates.
- Reminder that Supervisor D, currently held by Drea Doffing, and Supervisor C, currently held by Sandy Weber, are up for election in March. Filings for those open positions will be accepted between December 30, 2014 and January 13, 2015.
- Clerk has received an e-mail from Dakota County that their process for Liquor License Renewals is changing. Liquor License Renewals will now occur at the end of the year, rather than on anniversary dates of when the paperwork was originally filed. Castle Rock Township only has one on file for the Castle Rock Bar and Grill. We should be receiving the updated forms to be approved at the November BOS meeting.
- Please contact Clerk if you see any updates to be made on the Website.

Russ Zellmer made a motion and Sandy Weber seconded to adjourn. 5 ayes. Motion carried.

Meeting adjourned at 9:20 p.m.

Respectfully Submitted,
Dianne Lamb

Attachment

Attest: Barbara M. Lang, Clerk
Drea Doffing, Chair of Board of Supervisors

**CASTLE ROCK TOWNSHIP
2537 240TH STREET WEST
FARMINGTON, MN 55024
PHONE 651-460-2221 - - FAX 651-463-3569**

October 16, 2014

Roger and Elaine Wikstrom
3175 232nd Street E
Hampton, MN 55031

Re: Accessory Structure at 3175 232nd Street E, Castle Rock Township

Dear Mr. and Mrs. Wikstrom:

At the October 14, 2014 Town Board meeting, the Town Board reviewed your October 10, 2014, concern/complaint letter.

In response to item 1 and 3 of your concerns:

The Building Code cannot anticipate all possible future construction materials, methods, or techniques. As a result, it includes historical standard construction methods for light frame, steel frame, and masonry construction.

Post frame construction or “pole buildings” have dynamic loading requirements for wind and other external forces that change based on number of openings, location and size of each opening, post/rafter/truss spacing, and other factors – moving a door two feet could have an impact on design.

Because of the infinite number of configurations, there is no “code” for the structural aspects of post frame construction (pole buildings), and engineering is required to help ensure that your structure meets the minimum requirements of the MN State Building Code for wind, snow, live, dead, and other structural load factors. In addition, plan review from our department is required to verify compliance with all other aspects of the code.

This being said, the Town Board has agreed to consider the structure as agricultural under the condition that you sign the attached statement that confirms that your use will be used for agricultural purposes.

It is important for you to be aware that by constructing this building as agricultural exempt, and therefore not having the required inspections to verify that the building was constructed in accordance to the approved plans, a new building permit would need to be applied for and issued, and it would be your responsibility to provide proof that the building was built according to the then current code should you choose to change the occupancy of this building in the future.

Thank you in advance for your cooperation with the details of this letter. Following these restrictions and the requirements of MN law and rules will allow you to maintain your agricultural exemption for the use of your new building.

Sincerely,

Scott Qualle,
Building Official

Encl.

cc: Municipal property file
Town Board

By signing this letter, you acknowledge that you have read and understand the restrictions enumerated in this letter, will abide by them, and if they are violated, you understand that you will be subject to any and all permit requirements and penalties allowed by law.

I acknowledge that:

1. The building will not be used for any purpose other than Agricultural Purposes, as defined by MN Statute 326B.103 (Designed, constructed, and used to house farm implements, livestock, or agricultural products as defined in MN Statute 273.13 subd. 23.)
2. The public is not allowed to enter, occupy, or otherwise inhabit the building. The building may not contain or provide any type of living space within the building.
3. The building may not contain or provide any type of living space within the building
4. If a change of use is intended, the building will be required to: A) comply, in every aspect, with the then current building code, and will require building permits with all appropriate permit fees paid, B) have architectural plans with structural engineering supplied, C) have all covered structural components available and potentially visible and exposed for inspection (the cost of which will be borne exclusively by the property owner, D) allow and successfully pass all required building inspections mandated by the MN State Building Code and Building Official, E) receive a validly issued Certificate of Occupancy.
5. If it is discovered that a change of use has occurred in the building without first completing item #7 above, the building will be posted with a "DO NOT OCCUPY" order, the requirements of item #8 above must be completed, a special investigation fee equal to the amount of the permit fee will be assessed, in addition to possible criminal prosecution for violations of the MN State Building Code.
6. By signing this document, I grant permission to the township (Board Member or Building Official) to enter the property to verify compliance with the above requirements. Such inspection shall be at reasonable times, but may be without prior notice.

I have read the above 8 requirements and acknowledge that use of the building is subject to the items listed in this letter.

Signed this ____ day of October, 2014

Roger Wikstrom

B. Elaine Wikstrom