

CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS REGULAR MEETING
November 10, 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 Monday, November 10, 2014 at 7:00 p.m. Present were Drea Doffing, Chair; Russ Zellmer, Vice-Chair; Jeff Partington, Dave Nicolai, Supervisors. Sandy Weber, Supervisor, was not present. Also in attendance were Barbara Lang, Clerk; Colette Mumm, Treasurer; Scott Qualle, Building Inspector; Ray and Lorinda Harstad, Joe and Paul Auge, Eric Ruud, and Mark Henry

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

APPROVE AGENDA

Jeff Partington made a motion and Russ Zellmer seconded to accept the agenda. 4 ayes. Motion carried.

CONSENT AGENDA REVIEW/APPROVE

1. October 14, 2014 Board of Supervisors Meeting Minutes

Drea Doffing requested that the following sentence be added to the first item under “Unfinished Business:” 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 sent by the Building Inspector will be included as part of the meeting minutes. Also, under “Unfinished Business” Land Use Issues, Clerk was directed to strike the wording pertaining to a Public Hearing being set, as the final document is not ready for review yet.

2. Building Permit application for new residence, Stein Bruch, 26520 Akron Ave
3. Ag Building Permit application, Leroy Jacobson, 3000 245th St E
4. Liquor License renewal for Castle Rock Bar & Grill

Russ Zellmer made a motion and Jeff Partington seconded to approve the consent agenda with the corrections to Item 1 as listed above. 4 ayes. Motion carried.

DAKOTA COUNTY SHERIFF UPDATE – None

PUBLIC COMMENT - None

PLANNING COMMISSION UPDATE

At the October 27, 2014 Planning Commission meeting, the following building permits were recommended:

1. Building Permit application for new residence, Stein Bruch, 26520 Akron Ave
2. Ag Building Permit application, Leroy Jacobson, 3000 245th St E

In addition, there was discussion about the requirements that will need to be met for a house and garage to be moved to 1941 225th St W by Ray and Lorinda Harstad. They will complete a Conditional Use Permit application to be reviewed at the November PC meeting. They will also be required to provide copies of the permits to the Township for the roads to be used for the haul route when the buildings are moved. Scott Qualle has also given some guidance regarding permits and fees. A \$10,000 letter of credit will be required along with the Demo application to insure that the old farmhouse is removed once the new house is in place.

The Planning Commission also held a Re-organization Meeting following the regular meeting. Jon Juenke was elected Chair, Gerald Larson was elected Vice-Chair, and Barbara Lang was elected Secretary.

REVIEW / APPROVE - None

UNFINISHED BUSINESS

- Land Use Issues – Ordinance Update discussions

Supervisors reviewed the draft prepared by the Township attorney for amended language. Russ Zellmer requested further clarification regarding zoning. Drea Doffing will consult with the attorney to review, and the Board will revisit the Ordinance Amendment at the December meeting and set a Public Hearing date, if required.

- Address Joe Auge issues for Farmers Mill building project

Scott Qualle, MNSPECT, the Castle Rock Township Building Official was in attendance to respond to questions and concerns Mr. Auge had submitted at the October meeting. Mr. Qualle explained that permits fee calculations are based on valuation, which is not necessarily the actual cost of the work being done. He went on to explain that inspections are done as necessary for any particular project, and the size and classification of a building affects the number of inspections that are required. Mr. Auge had submitted several questions that Mr. Qualle responded to:

1. Will our independent inspections group, Itco Allied Engineering Co be accepted for the footings and soil inspections? Yes, but Farmer's Mill needs to provide a copy of their inspection report for the records.
2. Can the values on the permits be changed to agree with the actual cost on the building contract? Yes, the values are calculated separately from actual cost of building the project as described previously.
3. Does the Township have an exclusivity agreement with MNSPECT? Yes
4. What options or process do property owners have to use other inspection agencies? The Building Official contracted by the Township is the only authorized inspector.
5. What formula is used for calculating permit fees? Mr. Qualle had a copy of the fee schedule from the current MN Building Code Fee Schedule Base (1997), which shows that the permit fee is adjusted according to the total valuation of the project. In addition Mr. Qualle explained that the Plan Review Fee is calculated at 65% of the Permit Fee for Residential and Commercial Projects. The State Surcharge Fee is determined by the State of Minnesota and is billed directly to the Township.
6. Why is there a need for a fire wall? Because of the size and classification of the building, a Firewall is mandated by State Building Codes.
7. Can the \$1,939.85 fine be forgiven since all information was provided in a timely manner? Mr. Qualle is entitled to charge the penalty as the work started prior to the Building Permit being issued.

Mr. Auge still feels that this building should be considered an Ag Building, since it supports agricultural business. Drea Doffing read from the State Building Code Statute what requirements need to be met in order to qualify as an Ag Building. The project is located within land zoned as Commercial/Industrial, so does not qualify as an Ag Building according to the state statutes.

Paul Auge commented that Farmers Mill and Elevator are only trying to do business in as economical way as they could in order to build the new warehouse facility. They feel they have complied with the process required by the Township, other than the independent footings inspection that was done so they could progress with the project while the weather was still favorable.

There was further discussion regarding the Building Official's request for data sheets on the materials that will be stored in the new facility. Joe Auge stated that the paperwork is prohibitive to provide a complete copy. Mr. Qualle reminded everyone that information needs to be reviewed for safety purposed. If the building fails, or improper precautions are taken into consideration, neither the Township Building Official nor the Township would be held responsible for the cost of repairing the building, it would be the business owner's responsibility.

Paul Auge stated that at least half of the warehouse will be used for the storage of bagged seed, and still feels this would qualify the building to be considered an Ag Building. Drea Doffing, Chair, state

that she will contact the township attorney for further guidance if the building should be reconsidered to be an Ag Building. Joe Auge brought up that they had built a new grain bin several years ago and only paid fees for an Ag Building at that time.

Barbara Lang, Clerk reminded everyone that the current contract with MNSPECT allows for 15 business days for review of commercial building plans. The plans were not received until August 20, and the foundation permit was issued on September 12, which was only a couple days past the 15 business day review time.

Russ Zellmer reminded everyone that Castle Rock Township is within the seven-county metro area, which makes a big difference in requirements for compliance of State Building Codes.

Jeff Partington asked when the property was zoned commercial. That designation was made in the late 1990's.

Drea reiterated that we need to enforce the township ordinances and fees.

NEW BUSINESS - None

ROAD REPORT

- Drainage Project in Rocky Hills – work is almost complete, still need to finish the end of the ditch. Blacktop might not be completed this fall.
- Tree/brush removal – trees and stumps on 232nds Street are gone.
- Fall biosolids application update – work for this fall is complete. All went smoothly.
- Roads Committee Budget meeting will be held on November 19th.
- Mark Henry reported that someone had dumped a large TV in a township ditch recently. He happened to drive up as the vehicle was pulling away and recorded the license plate number, called the Sheriff, and the person was caught.
- Viking Auto drainage basins – Drea, Russ, Mark, and Grant Jacobson, the Township Engineer, will inspect the work on Friday, 11/14 at 1 pm.
- Jeff Partington asked about Denmark Avenue. There was discussion about the County CIP and the timing of that project.

TREASURERS REPORT

Receipts	\$ 27,246.12
Cash Control	\$ 6,985.05
Current Investments	\$751,740.01

Jeff Partington made a motion and Russ Zellmer seconded to approve the Treasurer's Report. 4 ayes. Motion carried.

REVIEW PAYROLL AND CLAIMS

Payroll:	\$ 1,629.64	Claim #8159-8160
Claims:	<u>\$ 35,659.95</u>	Claim #8161-8190
Total:	\$37,289.59	

Dave Nicolai made a motion and Russ Zellmer seconded to approve the Payroll and Claims Review. 4 ayes. Motion carried.

CLERKS REPORT

- The Clerk and Treasurer both attended CTAS training on October 23 for the new updates. It was a very good training session and the new features will be very helpful, as well as saving time with many reports.
- The Town Hall was vandalized sometime Monday afternoon, October 27th. One of the windows above the front door was shot at and broken. There is damage to the fascia, soffit, siding and some trim in addition to the window. The Dakota County Sheriff was called and Deputy Matthew Lomann responded and opened an official case to investigate. A claim has also been made under

the township's insurance through MAT. Tom's Pro Glass has been contacted and is in the process of getting the window repaired. Crest Exteriors has given an estimate to repair the front of the entrance. Waiting for paperwork from the insurance adjustor before proceeding.

- During the State General Elections, several people asked about getting a railing installed from the east exit door out to the parking lot, since we use that area for voters to exit the building after voting. Crest Exteriors will provide an estimate, and the Township will include this work in next year's proposed budget.
- Clerk Barbara Lang asked for further clarification on how to proceed with Wikstrom paperwork and processing a refund to them based on the Board's decision at the October meeting. A disclaimer letter was sent to them by MNSPECT on October 20, as directed by the BOS. There has been no response to MNSPECT or the Township office as of November 3. Clerk was instructed to make sure MNSPECT has been paid for the work they had done as processed on the original permit application, and all but the \$150 fee to the Township for the Ag Building fee should be refunded. MNSPECT's invoice was included in the claims that were approved this evening, and the refund will be included with the December claims.
- 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.
- Please let me know if you see any updates to be made on the Website.

Russ Zellmer made a motion and Jeff Partington seconded to adjourn. 4 ayes. Motion carried.

Meeting adjourned at 9:13 p.m.

Respectfully Submitted,
Barbara Lang, Clerk

Attest: Drea Doffing, Chair of Board of Supervisors