

**CASTLE ROCK TOWNSHIP  
BOARD OF SUPERVISORS REGULAR MEETING  
December 12, 2016 @ 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, December 12, 2016 at 7:00 p.m. Present were Sandy Weber, Chair; Jeff Partington, Dave Nicolai, and Kelly Elvestad, Supervisors; and Barbara Lang, Clerk. Jon Juenke, Vice-Chair and Rhonda Rademacher, Treasurer, were not present. Also in attendance were Roger and Elaine Wikstrom, Kevin Whitson, Dan Lee, Erik and Shannon Nielsen, Pete Schaffer, and late arrivals Mike Slavik and Mark Henry. Kevin Whitson and Dan Lee were also present, representing the Randolph-Hampton Fire Department. Sandy Weber called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

**APPROVE AGENDA**

Sandy Weber requested that we add the Randolph-Hampton Fire Department Contract to “Review/Approve” and add discussion of the insurance claim for the town hall roof to “Unfinished Business.”

**Kelly Elvestad made a motion and Jeff Partington seconded to accept the amended agenda. 4 ayes. Motion carried.**

**CONSENT AGENDA**

1. November 14, 2016 Board of Supervisors Regular Meeting Minutes

Chair Sandy Weber pointed out a correction under “New Business” on the third line, should read “an interim use permit.”

**Dave Nicolai made a motion and Kelly Elvestad seconded to approve the corrected minutes. 4 ayes. Motion carried.**

**PUBLIC COMMENT** - None

**PLANNING COMMISSION UPDATE**

A Public Hearing was held on November 28, 2106 to review an Ordinance Amending Zoning Ordinance 2013-01, updating language in sections pertaining to retail solar energy systems.

At the November 28, 2016 meeting, the following action item was reviewed:

- Review 50’ x 56’ Ag Zoning Building Application, Erik Nielsen, 24513 Chippendale Ave W Applications was reviewed for appropriate zoning, setbacks, and the locations of wells and septic. It is recommended to the Board of Supervisors for approval.

In addition, there was discussion about points that were discussed during the Public Hearing. The following recommendation is being made to the Board of Supervisors:

That the items presented in the draft Ordinance Amendment be adopted, with the additional changes of modifying Section 7.21 D to describe Ag Zoning requirements, adding a new Section 7.21 E to describe Commercial/Industrial Zoning requirements, and renumbering the sections following the new section.

**REVIEW / APPROVE**

- Review Fire Service Agreement between Castle Rock Township and the Randolph-Hampton Fire Department.

Kevin Whitson, representing the fire department, explained that the contract rate has been frozen for the past six years. The increase reflected in the new three-year contract is based on the updated mill rate. Contract presented has 5% increases for 2018 and 2019. Supervisor Kelly Elvestad inquired if their fire department charges extra for fire calls made that involve people who don’t reside in the area. Dave Nicolai and Sandy Weber explained some additional background information on this topic based on the information the Farmington Fire Chief had previously presented to the Board of Supervisors. Mr. Whitson responded that the Randolph-Hampton Fire Department does not do this type of billing at this time.

**Dave Nicolai made a motion and Jeff Partington seconded to approve the contract submitted by the Randolph/Hampton Fire Department. 4 ayes. Motion carried.**

- Review Fire Service Agreement between Castle Rock Township and the City of Farmington  
**Dave Nicolai made a motion and Jeff Partington seconded to approve the contract submitted by the City of Farmington Fire Department. 4 ayes. Motion carried.**
- Review 50' x 56' Ag Zoning Building Application, Erik Nielsen, 24513 Chippendale Ave W  
**Dave Nicolai made a motion and Kelly Elvestad seconded to approve this application. 4 ayes. Motion carried.**

- Review Revised Draft Zoning Ordinance Amendment 2016-C regarding retail solar energy systems  
(Note: This version includes the updates recommended by the Planning Commission and has been reviewed by Dean Johnson, town planner, and Troy Gilchrist, town attorney)

Jeff Partington inquired about MNSPECT checking with the State about any additional requirements as discussed at the Public Hearing. Clerk Barbara Lang responded that she had another conversation with Scott Qualle, our Building Official, and he is fine with the township's interpretation of the updated Ordinance Amendment which states that "retail solar electric systems are allowed in all zoning districts through the building permit application process," which means that we cannot require a building permit for an ag building, so this type of system being installed on an ag building also will not require a building permit. Since there are other inspections required for electric, and by the power company prior to any retail system going into operation, the township is satisfied that this is adequate.

**Dave Nicolai made a motion and Jeff Partington seconded to approve the Ordinance Amendment. 4 ayes. Motion carried.**

- Review Resolution 2016-10, Resolution Approving Summary Language for Publication of an Ordinance Amending the Castle Rock Township Zoning Ordinance

**Kelly Elvestad made a motion and Jeff Partington seconded to approve this Resolution. 4 ayes. Motion carried.**

**DAKOTA COUNTY SHERIFF UPDATE** – Deputy Schmidt was present briefly. He reported that there has been some mail theft in the Hampton area. Some cars were also gone through. He reminded everyone to always lock cars, and be mindful of putting outgoing mail in your box and picking your mail up as soon as possible after it has been delivered. Mark Henry brought up recent incidents of tires being dumped in township ditches, as well as other surrounding townships and informed the Deputy that the County is aware of the problem and has been checking into the situation.

### **COMMITTEE REPORTS**

- Vermillion River Watershed Joint Powers Organization (VRWJPO)  
Chair Sandy Weber read an e-mail dated 11/17/2016 from Mark Ryan, Water Resources Engineer asking for township contact information. There was discussion that our township refers stormwater issues to the Dakota County Soil and Water Conservation office and/or the township engineer, Grant Jacobson, depending on the issue. As Mark Henry is already a member of the Watershed Planning Commission, he agreed to be the township representative for any issues that may come up for the VRWJPO. Clerk was directed to reply to the e-mail with these updates.

### **UNFINISHED BUSINESS**

- Discussion regarding creation of a new Ordinance establishing fees for Emergency Response Services in Castle Rock Township (follow-up to Chief Larsen's suggestion in November)

Supervisor Elvestad has issues with the Farmington Fire Department billing for motor vehicle emergency responses for vehicles owned by someone who resides outside the local area. Most motor vehicle accidents or car fires are outside of anyone's control and should be part of the service the Fire Department provides.

**Jeff Partington made a motion and Dave Nicolai seconded for the Township Clerk to work with the Township Attorney to have a draft agreement prepared based on the example provided by the Farmington Fire Chief for consideration at a future meeting. 4 ayes. Motion carried.**

- Town Hall Insurance Claim for roof

Chair Sandy Weber read e-mail correspondence forwarded to her by Dave Nicolai from MATIT, the township's insurance carrier. Clerk Barbara Lang inquired why none of the correspondence was cc'd to the

township office during this process, as it is a matter of public record. Chair Weber read information from the e-mail, as well as the proposal for the work that has been authorized by MATIT, and will give copies to the Clerk for the township records. There was discussion that this topic should be on the agenda for the Annual Town Meeting to decide on the color of the shingles, as the shingle color that is on the roof now is no longer available. Contractor Pete Schaffer was asked his opinion on steel roof vs. shingles, and his reply was that steel roofing usually has a lifespan of 50 years, and shingles usually have a lifespan of about 15 years in our climate. Steel roofing is much more expensive, but has a much longer lifespan. Since the work will not be done until spring, it was discussed that the residents should discuss which type of materials should be used. The insurance claim is authorized for replacement shingles, so the cost to use steel roofing would be additional expense to the township.

**Dave Nicolai made a motion and Kelly Elvestad seconded to authorize the \$250 deductible for the insurance claim. 4 ayes. Motion carried.**

**NEW BUSINESS** - None

**ROAD REPORT**

- Road Committee Budget Meeting will be held at 7 pm on Tuesday, Nov 20
- Emergency culvert replacement on 270<sup>th</sup> Street. Mark Henry received a call about the failed culvert on Wednesday evening, November 30, and closed the road. The culvert was replaced on Friday, December 2. It was discussed that repairs for this work should come from the Road Turnback Funds.
- Tires in ditches. Mark Henry explained that he had contacted Dee McDaniels at Dakota County Environmental Resources about this, and she followed up by sending e-mails out to the surrounding townships inquiring if they had a similar problem. Several responded that they also had extra tires in ditches during the same time frame. Mr. Henry had the Clerk contact LKQ to inquire if they would consider taking the tires from our township at no charge, which they will do. Mr. Henry will dispose of them before the end of the month.
- Discussion about display of house/fire number at the front of residences per e-mail dated 11/29/16 from Deputy Jordan Klug. Clerk was directed to reply to this e-mail to inform the Deputy that we don't have such a requirement in our Zoning Ordinance. If there is room in the special Election Edition of the Castle Rock chronicle, Clerk will include a note to residents to contact the Town Hall if they do not have a house/fire number at their residence so we can purchase and install any that are missing.

County Commissioner Mike Slavik arrived late. His updates included an explanation that the county budget will be passed this week, and that Dakota County is currently debt-free, as well as having the lowest taxes in all Minnesota counties. He also explained that residents can expect a slight reduction in the County portion of their real estate taxes. He also explained that the County finally has an agreement worked out with the Railroad, and when the 240<sup>th</sup> Street paving project is done, the railroad crossing will have arms installed. Supervisor Dave Nicolai inquired about ag land tax rates and stated that he has had several residents complain about the high tax rates on ag land in our area. Commissioner Slavik explained the rate is calculated by the Minnesota Department of Revenue under legislation that was enacted in about 2002. There is a process in place to have values reviewed, but it is a complicated process, as it involves contact with the State. Mr. Slavik indicated he can be available to help residents on a case-by-case basis.

**TREASURER'S REPORT**

Receipts                      \$        1.17  
Current Investments      \$ 757,102.36

**Kelly Elvestad made a motion and Jeff Partington seconded to approve the Treasurer's Report. 4 ayes. Motion carried.**

**REVIEW PAYROLL AND CLAIMS**

Payroll: \$ 1,584.81      Claim # 8821 – 8822  
Claims: \$ 7,185.56      Claim # 8823 - 8835  
**Total: \$ 8,770.37**

**Kelly Elvestad made a motion and Jeff Partington seconded to approve the Payroll and Claims. 4 ayes. Motion carried.**

**CLERKS REPORT**

- Gearing up for the March Township elections. Notice for Filing for Township Election will be published in both papers on December 15 and 22. Supervisor C, currently held by Jeff Partington is the only position up for election this year. Clerk will be attending a pre-election meeting in Hasting for the township clerks on Tuesday, December 13.
- Please let Clerk know if you have any updates for the website.

**Kelly Elvestad made a motion and Dave Nicolai seconded to adjourn. 4 ayes. Motion carried.**

Meeting adjourned at 8:30 p.m.

Respectfully submitted,  
Barbara Lang, Clerk

Attest: Sandy Weber, Chair of Board of Supervisors