

**CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS REGULAR MEETING
December 9, 2019**

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 9, 2019 at 7:00 p.m. Present were Kelly Elvestad, Chair; Jon Juenke, Dave Nicolai, and Jeff Partington, Supervisors; and Barbara Lang, Clerk and Rhonda Rademacher, Treasurer. Supervisor Sandy Weber, Vice-Chair, was not present. Also in attendance were Travis Theil, Mark Henry, Becky & Alan Gildner, Shannon Nielsen, Jerry Larson, and Cathy Johnson.

Chair Kelly Elvestad called the meeting to order at 7:00 pm and the Pledge of Allegiance was recited.

APPROVE AGENDA

Jeff Partington made a motion and Jon Juenke seconded to approve the agenda. 4 ayes. Motion carried.

PRESENTATION BY DAKOTA COUNTY ENVIRONMENTAL RESOURCES

Travis Theil, Sr. Environmental Specialist – Watershed Management will be presented updates for the planned nitrate treatment project that is planned to be located on the east end of the town hall property. The footprint of the treatment area has been adjusted to approx. 80' x 15'. Mr. Theil provided detail drawings to the Supervisors and explained where the water will come from and how it will enter the treatment area. An overflow pipe is also part of the plan for times when there are high water levels, which would direct the water along the natural flow in the ditch. A Joint Powers Agreement is being developed to be signed prior to the start of the project.

CONSENT AGENDA REVIEW/APPROVE

1. November 11, 2019 Board of Supervisors Regular Meeting Minutes

Chair Elvestad wanted the summary information provided by the Clerk regarding comments by Attorney Hill to be replaced by some language to be provided to the Board Chair by the attorney. Clerk was given the quote to insert in the minutes.

Jeff Partington made a motion and Jon Juenke seconded to approve the Amended Minutes. 3 ayes, 1 abstain by Dave Nicolai. Motion carried. It was noted that after the correction is made, Clerk will have the Board Chair review and sign the amended meeting minutes.

2. Application to Conduct Off-Site Gambling (raffle), Farmington Youth Hockey at the Dakota County Fair

3. Agreement #2000 Amendment to the Joint Powers Agreement to Protect and Manage the North Cannon River Watershed (Amendment extends the existing agreement until January 1, 2021)

4. Resolution 2019-11 Resolution Designating the Polling Place Within the Town (Required annually)

Dave Nicolai made a motion and Jon Juenke seconded to approve Items 2 - 4. 4 ayes. Motion carried.

PLANNING COMMISSION UPDATE

Supervisor Jeff Partington gave the following report: The monthly Planning Commission meeting was held on November 25, 2019. The following items were reviewed/discussed:

- Ali Asher was present to discuss a possible Home Occupation business at 1700 220th St for private appointments for mental health patients to participate in equine therapy. She gave a summary of her intentions. Township attorney had reviewed the information received prior to the Planning Commission meeting, and he saw no problem with going forward at this time based on the limited number of clients expected. If the business were to expand, the recommendation was that Ms. Asher should be added as a co-owner of the property in order to qualify for a home occupation business.
- PID 07-00500-79-011 Owner Jennifer Scheibel was present to inquire if an accessory building could be built on this lot. Further details that had been provided by Brian Watson previously were reviewed. No problem seen with an accessory building, but no well or septic would be allowed unless the property was upgraded to meet the standards identified by Mr. Watson. If the property was upgraded to verify that all contaminated materials had been properly removed, the parcel status could be reviewed for a possible future residential building site. Recommendation was made that this information be provided to the BOS.
- Jim Lentsch had attended the previous Board of Supervisors meeting regarding establishing a woodworking business on the property at 3100 225th St. He was referred by the BOS to have the Planning Commission review this information. Township attorney reviewed the information and

indicated that the use listed would not be allowed under the current Zoning Ordinance. Clerk Barbara Lang located record of an old CUP from the 1990s, but it had expired. Mr. Lentsch was not present so no further action was taken other than discussion that the intended use would not be allowed.

- 3184 255th St W, discussion of request to determine if property could be developed into a wedding venue. Township attorney had reviewed the information and does not recommend that this use would be allowed under the current Zoning Ordinance. There was some discussion that the Switzer property within the township does have an existing CUP for a similar type of business that was allowed quite some time ago. No one was present at the meeting to inquire further so no action was taken.
- Alex Conzemius, Bolton & Menk, provided a memo with an update on the final report. There were several examples of “problem” parcels that were reviewed by the Planning Commission. Upon review of these examples, the Planning Commission members agreed with Mr. Conzemius’s recommendation except for one parcel. Barbara Lang, as Clerk, was asked to get some further clarification from the township attorney regarding that particular parcel. Mr. Conzemius expects to complete the final study by the December Planning Commission meeting.

REVIEW / APPROVE

- Acquisition Settlement Agreement between County of Dakota and Township of Castle Rock Copy of second appraisal summary was provided to the Supervisors, which was a lower appraisal than what the County was offering.

Jeff Partington made a motion and Dave Nicolai seconded to adopt the Acquisition Settlement Agreement presented by Dakota County. 4 ayes. Motion carried.

COMMITTEE REPORTS

- Fire Department Contract Updates – Supervisor Dave Nicolai indicated he has been in contact with both fire departments. No changes are expected in the Randolph-Hampton Fire Department agreement. They will get their paperwork to the township within the next couple weeks.

Farmington Fire Department expects to include a 3% annual increase for each of the next three years, which is what has been done in the past. Supervisor Nicolai was also informed that the updated agreement will most likely include a right to required township businesses to have fire inspections and the right to bill the township for services in the event of a catastrophic event. The updated agreement is to be submitted to the township within the next month.

UNFINISHED BUSINESS

- Update on new front door project

Treasurer Rhonda Rademacher gave updates on the project. The new door is installed. A contractor is lined up to trim out the foyer, repair the existing drywall and re-paint the entire foyer. New flooring will be installed once the walls are done. Rhonda recommends that the township consider getting a lockbox at the front door, since the new door no longer has a cipher lock, so that vendors such as our cleaning lady and Culligan can access the building. Supervisor Nicolai indicated he has a source to get a lockbox, and will make those arrangements.

- Update on LKQ

Letter was sent Nov 21 from township attorney with response requested by December 30, 2019. Copies of pertinent e-mail from the township attorney and attachments from MPCA were also provided to the Supervisors as background information. Chair Elvestad had some additional e-mail that she read and will make sure that a copy will be included in the township records. The additional correspondence included documentation that indicated that LKQ was made aware in July 2019 that the pond sizes needed to be adjusted to accommodate the new conditions that required the ponds to be lined. The Gildners, who reside nearby, expressed concerns again about the berm that is on their property and how the overflow problems have affected their property. No further action being taken until the response date indicated in the letter.

DAKOTA COUNTY SHERIFF UPDATE – A Deputy was present briefly. The area has been quiet, but he did remind residents to secure snowmobiles, bobcats and other small equipment to prevent theft. There is an ongoing investigation for a recent local issue. He assured everyone that there is no public safety issues, but since it is an open investigation he could not provide any further details.

NEW BUSINESS

- Complaint dated 11/21/19 re: 2465 225th St W.

Issue was reviewed, but Clerk was asked to get something in writing from Brian Watson who had already been contacted by phone regarding the situation. This will be reviewed at the next meeting.

- Complaint dated 11/18/2019 re: 22180 Berring Ave

Mrs. Johnson was present at the meeting and explained the ongoing issues at a neighboring property being an eyesore in their development. There are multiple vehicles and equipment parked on the property in addition to other items that she and other neighbors feel could impact property values if it is not cleaned up.

Township will send a letter to this resident informing them that the property has to be cleaned up. If there is no response, the second step would be to contact our Building Inspector to inspect the property for further documentation and enforcement.

- Discuss Dog at Large Ordinance section

Local resident Jerry Larson requested that this portion of the Zoning Ordinance be reviewed for updating language. There was discussion that dogs at large are listed as a public nuisance and it is an enforceable item by the County Sheriff Department. He was cited for a misdemeanor with a \$1,000 fine which he feels is way out of line for a first offense. There was further discussion and Clerk was instructed to contact the township attorney to inquire if the fine is appropriate, and also if it would be appropriate to add verbiage to the Zoning Ordinance to require either video documentation or multiple witnesses to such an incident before someone could be cited. Topic will be discussed again at the next meeting.

ROAD REPORT

- Fall Biosolids update-Mr. Henry noted that the late fall application on the Berg field was not incorporated in the normal time frame. He contacted and worked with the Met Council staff to get that taken care of. It was also noted that the township has already informed the Met Council that they need to explore other areas for bio-solid spreading for the foreseeable future.
- Road Committee held their 2020 Budget Meeting on Thursday, Nov 14 at 6:30 pm. Summary of their recommendations will be provided to the Supervisors at the Annual Budget and Audit Meeting.

TREASURER'S REPORT

Clerk provided the financial reports due to the absence of the Township Treasurer.

Receipts \$ 929.95

Current Investments \$776,530.24

Jon Juenke made a motion and Jeff Partington seconded to approve the Treasurer Report. 4 ayes.

Motion carried.

REVIEW PAYROLL AND CLAIMS

Payroll: \$ 1,454.20 Claim # 9681 – 9682

Claims: \$ 15,722.99 Claim # 9683 - 9697

Total: \$ 17,177.19

Jon Juenke made a motion and Jeff Partington seconded to approve the Payroll and Claims. 4 ayes.

Motion carried.

CLERKS REPORT

- Reminder that Filings for Supervisor C will be accepted between Dec 31 and Jan 14. Required notices will be posted and published this week.
- Clerk received a reminder from the Farmington Fire Department about the upcoming annual dinner and polled the Supervisors about who would be attending. She will submit the attendance list, and the event will be posted properly.
- Office Hours during Christmas Week and New Year's Week will be limited. The plan is for office hours only on Monday of Christmas week, and only Monday and Thursday of New Year's Week. Clerk will check e-mail and voice mail periodically.
- Please let Clerk know if you have any further updates that should be posted on the website.
- Clerk Barbara Lang submitted her intent to retire as Township Clerk effective March 31, 2020.

There was discussion about putting together a plan to hire a new person for this position. Clerk was instructed to post an appropriate notice for a Special Meeting to be held on Monday, December 23, 2019 at 7 pm to discuss the Clerk position and a plan for hiring a new person.

Following that discussion, Supervisor Partington brought to the attention of the Board members that there is an auto and ag-machinery repair business operating in the township that does not have either a Conditional Use Permit or and Interim Use Permit. The owner recently obtained an Ag-zoning permit for an addition to his existing shop building that was represented to be a hay storage area, and it is clearly an addition to the repair shop. After further discussion, it was determined that the resident needs to apply for an Interim Use Permit for this business. Mr. Partington volunteered to discuss this with the resident and the Clerk will provide the appropriate application form to get this process started.

ADJOURN

Jon Juenke made a motion and Jeff Partington seconded to adjourn. 4 ayes. Motion carried.

Meeting adjourned at 10:00 p.m.

Respectfully submitted,

Barbara Lang (original signature on file)

Barbara Lang, Clerk

Attest:

Kelly Elvestad (original signature on file)

Kelly Elvestad, Chair, Board of Supervisors