

CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS REGULAR MEETING
May 13, 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, May 13, 2019 at 7:00 p.m. Present were Kelly Elvestad, Chair; Sandy Weber, Vice-Chair; Jon Juenke, Jeff Partington, and Dave Nicolai, Supervisors; Barbara Lang, Clerk and Rhonda Rademacher, Treasurer. Also in attendance were Matt Parent, Travis Thiel, Cory Unterscheutz, John Born, and Mark Henry.

Chair Kelly Elvestad called the meeting to order and the Pledge of Allegiance was recited.

APPROVE AGENDA

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

DAKOTA COUNTY SHERIFF UPDATE - None

CONSENT AGENDA REVIEW/APPROVE

1. April 8, 2019 Board of Supervisors Reorganization Meeting Minutes
2. April 8, 2019 Board of Supervisors Regular Meeting Minutes
3. Application from Farmington Lions Club for Bingo during 2019 Dakota County Fair

Jon Juenke made a motion and Dave Nicolai seconded to approve the above items. 5 ayes. Motion carried.

PUBLIC COMMENT - None

PLANNING COMMISSION UPDATE

The monthly Planning Commission meeting was held on April 22, 2019. Jeff Partington was re-elected as Chairman and Jennifer Wegner was elected as Vice-Chair. New Commission appointee Jim Heiman was welcomed. 2019 Meeting Schedules were distributed.

The following items were reviewed:

- Ag-zoning Permit Application for addition to existing ag shed, Raul Pliego, 26505 Blaine Ave
- Building Permit Application for new residence (replacing old farmhouse), Kerry Hanifl, 3891 275th St
- Building Permit Application for new residence, Thomas and Bridget Powers, 1060 230th St

The applications were recommended as presented.

REVIEW / APPROVE

- Resolution 2019-06 Resolution Terminating the Conditional Use Permit Issued for a Wireless Communication Tower and Equipment Shelter Located at 24402 Denmark Ave, Farmington, MN

Sandy Weber made a motion and Jeff Partington seconded to adopt this Resolution. 5 ayes. Motion carried.

- Building Permit Application for new residence, PID 07-00500-7909011 along Biscayne Ave, Brett & Jennifer Scheibel (tabled from April meeting)

Dave Nicolai made a motion and Jeff Partington seconded to deny this building permit. Requested documentation was not provided to the township, and Clerk was notified verbally that the project is not proceeding at this time. 5 ayes. Motion carried.

- Ag-zoning Permit Application for addition to existing ag shed, Raul Pliego, 26505 Blaine Ave
- Jon Juenke made a motion and Sandy Weber seconded to approve this ag-zoning building permit application. 5 ayes. Motion carried.**

- Building Permit Application for new residence, Thomas and Bridget Powers, 1060 230th St

Jeff Partington made a motion and Jon Juenke seconded to approve this building permit. 5 ayes. Motion carried.

COMMITTEE REPORTS

- Rock Hills Park pollinator planting update

Chair Kelly Elvestad asked Mark Henry to provide an update. Mark has the township on the list for using the planting drill, and seeding should be done in approx. 6 weeks.

UNFINISHED BUSINESS

- Discussion about Alverno Ave disposition.

Matthew Parent from Dakota County Department of Transportation was present to help answer questions. The Supervisors had previously received an e-mail from Matt Parent confirming that the County Commissioners adopted the Alignment for County Project 78-10 in Castle Rock Township.

Dave Nicolai inquired if there is a possibility that the road could be turned back to the township and kept as a minimum maintenance road. Jon Juenke shared that Empire Township had a similar situation in the past when a road was vacated and it caused many problems. Gates were installed at both ends, but four-wheelers still went around the gates and tore up the road. Supervisor Juenke cautioned that we most likely would end up with a similar situation.

Chair Elvestad recently spoke to Mark Wagenknecht and he indicated that he still doesn't have final details regarding his property for this project.

Mr. Parent indicated that the County would prefer vacating the road back to the respective property owners and plans would be developed to maintain field access to affected areas.

Concerns were discussed regarding the approx. 16 acres that would be created on the west side of the new road alignment and it was asked if some type of nitrate reduction area could be installed in that area. Travis Thiel from the Vermillion River Watershed/Environmental Resources Department with Dakota presented some possibilities for possible nitrate treatment areas that could be developed as part of the Cty Rd 78 project, but the area in question is not a candidate. He presented three potential locations, with one of those being on the parcel where the town hall is located. It would be a minimal impact, and the trench for the nitrate treatment would need to be excavated for maintenance about every ten years. His office is still reviewing these sites, but at this point the location on the town hall property is the preferred location. If it is installed on this property, some trees will need to be removed on the north edge of the property.

There was further discussion about someone checking with Soil & Water Conservation office regarding funding that might be available to develop some kind of a pond on the 16 acre area along the new road alignment.

Chair Elvestad requested that Mr. Parent provide some additional detailed information regarding the possible turnback of Alverno Ave, and the Clerk was instructed to pass that information on to the Supervisors for their review once it is received.

Chair Elvestad requested that the Nitrate Treatment Area and the decision regarding Alverno Ave both be added to the June meeting agenda.

- Appointment of Town Attorney(s)

Billing info for Kennedy & Graven and Dougherty, Molenda, et al. was provided to the Board Supervisors in the meeting packets. Supervisor Nicolai provided additional information he received from Bob Bauer with Dougherty, Molenda.

Sandy Weber made a motion and Jeff Partington seconded that Kennedy & Graven be listed as the primary township attorney and Dougherty, Molenda be listed as the secondary township attorney. 5 ayes. Motion carried.

- Appointment of Town Planner and Engineer

Updated rates were reviewed.

Jeff Partington made a motion and Sandy Weber seconded to appoint Bolton & Menk as the Town Planner and Engineer. 5 ayes. Motion carried.

There was further discussion led by Chair Elvestad about having the Town Attorney or Town Planner present at meetings. Agenda items on any given month will determine in advance if they need to be present, and Clerk will make the appropriate arrangements.

- Biosolids update

Supervisors received copies of haul route information from the signed application with Met Council describing the correct haul route, as some loads were delivered on the previous haul route. Clerk is to notify the Met Council that they can only use the Annette Route until the east field is done. Mr. Henry has been working with Met Council to make sure the rest of the applications are delivered using the correct route. Dustproofing was done on Annette Ave, the north end of Biscayne Ave, 225th St and 230th St that will be paid for out of the Met Council Escrow funds.

Mr. Henry went on to share that the township has been accommodating this program for many years. There was some discussion that concluded that the preference would be for the Met Council to use some alternate locations in the future and discontinue applications in our township as heavy metals build up over time. It was also noted that Angie Craft, Asst. Plant Manager, will be making a presentation of their program at the June 10 BOS meeting.

- **LKQ Updates**

Jeff Partington reported that the contact from MPCA has been unresponsive to our recent calls. Jeff will have a conversation with Keith Radloff, Manager at LKQ, about removing 20 feet of the north fence. This will be needed in order to add an additional 24" pipe to the northwest drainage pond. There was discussion about sending a letter to the Fausts and LKQ regarding the ongoing issues with the expansion site, as that parcel is still owned by the Fausts. The township needs to send a letter requesting an escrow to cover the cost of additional engineering and cost of correcting some of the drainage issues, but the exact amount for this escrow needs to be determined. \$10,000 was suggested, but this needs to be looked at to make sure it is enough to cover the expected costs for engineering and work to be done. For now, an additional 24" drainage pipe should be added as previously mentioned, as well as building up the berm to the west in the south easement area and cleaning out trees and stumps in the easement area.

It was suggested that the township should contact Todd Howard with Dakota County to inquire if they have staff available to look at the situation and make suggestions about correcting some of the issues.

There was also discussion about removing a PVC pipe and installing a standard culvert under the driveway on Canada Ave on property owned by Richard Coan. When we have had large rain events, the small pipe is not allowing water to drain properly through the ditch, which quickly fills up and runs over the entire area. Clerk was instructed to send a letter to Mr. Coan notifying him that the township will be installing a standard culvert under that driveway. Mr. Henry will also be working with the property owner.

NEW BUSINESS

- Review 2019 Road Maintenance Agreement Quote Solicitation for posting (to be awarded at the June meeting)

Draft version of Quote Solicitation was reviewed. Clerk was instructed to post, quotes are due by June 5

- Discussion about Building Official Agreement Renewal

Brief discussion about renewal of the current agreement.

Dave Nicolai made a motion and Jeff Partington seconded to renew the current contract with Inspectron. 5 ayes. Motion carried. Clerk will notify Inspectron.

- Preliminary information regarding County Rd 78-10 for the town hall property

Clerk has complete packet with contact forms, which need to be completed and returned to Dakota County.

Contact information should be listed as 1. Town Clerk, 2. Chair Kelly Elvestad

Clerk was instructed to complete the forms and send to Dakota County.

- Elected Officials Training for Dakota County Emergency Management

May 2, 2019 e-mail was reviewed. Clerk was instructed to respond that there is interest in attending training.

Evenings would be preferable, and Clerk was instructed to inquire about available dates from Dakota County.

- Discuss Clerk/Deputy Clerk positions

Chair Kelly Elvestad asked Clerk Barbara Lang to explain if there is an intention of having someone else working in the office either as a Deputy Clerk or as an Office Assistant. Clerk Lang responded that there is a township resident who has expressed interest in applying for the Clerk position when that office is available, but that person is still working full time at another job and has asked that the name not be made public at this time. Clerk Lang went on to clarify that she is allowed to hire an official Deputy Clerk without input from the Supervisors under Minnesota Statute, but she realizes that when her term is done it is the Board's decision to appoint a new Clerk. There is no plan to hire anyone on a regular basis at this time. There appears to have been some misunderstanding about this topic.

Both Supervisors Partington and Weber cautioned the group that personnel discussions are not to take place during an open public meeting.

Chair Elvestad stated that open public Board meetings are the only place Supervisors should be having any discussion about town business. There were further comments that all town officers need to be respectful of each other.

ROAD REPORT

- Review Road Inspection notes

No additional comments were made regarding the inspection notes.

Dave Nicolai indicated he has had complaints about vehicles parking on the bridge along Danville Ave in Castle Rock. There was discussion about installing NO PARKING signs on the bridge, and Clerk was instructed to work with Mark Henry to order these signs.

- Updates on gravel application and dustproofing

Gravel application is scheduled to begin by the end of this week, depending on the weather. Dustproofing has been scheduled for May 23rd and 24th or sooner if the gravel is down and the weather is good.

- Review cracksealing proposal

Updated cracksealing proposal was reviewed from Gopher State for cracksealing in the north developments and the town hall parking lot.

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

TREASURER'S REPORT

Receipts \$ 66,261.26

Current Investments \$ 794,108.09

Jon Juenke made a motion and Jeff Partington seconded to approve the Treasurer Report. 5 ayes. Motion carried.

REVIEW PAYROLL AND CLAIMS

Payroll: \$ 1,483.27 Claim # 9523 - 9524

Claims: \$ 13,755.41 Claim # 9525 - 9544

Total: \$ 15,238.68

Jeff Partington made a motion and Jon Juenke seconded to approve the Payroll and Claims. 5 ayes. Motion carried.

CLERKS REPORT

- MATIT selected our township for a property evaluation program, and a valuation survey is being scheduled. This is at no cost to the township. They will be taking pictures of the building to evaluate that we have adequate insurance coverage under the MATIT program.
- Summer Short Course has changed the name to Summer Specialized Training, and will be a 1/2 day class. Preliminary agenda is not yet available. Preferred date and location would be in Rochester on June 20. There will also be one held in Mankato on June 19. Pre-registration needs to be submitted by June 10. Clerk asked the Supervisors to please consider attending. More details will be provided to the BOS when it is available.
- Reminder that Clerk will have some adjusted office hours in May, but the town hall will be open at least two mornings each week. E-mails and voice mails will be monitored as much as possible.
- Please let Clerk know if you have any further updates that should be posted on the website.

ADJOURN

Jon Juenke made a motion and Sandy Weber seconded to adjourn. 5 ayes. Motion carried.

Meeting adjourned at 10:05 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