

CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS REGULAR MEETING
June 10, 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, June 10, 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 Unterschuetz, Carly Born, Len Schrader, Henle McNulty, Angella Craft, Camila Ciampolini, Thomas Braun, Andy Seward, Mike Slavik, Jay Sockness, Mark Wagenknecht, Tim O'Donnell, and Mark Henry.

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

APPROVE AGENDA

Clerk Barbara Lang requested adding a Public Comment on behalf of Ray Harstad.

Supervisor Weber requested adding Rocky Hills pollinator planting status to Committee Reports.

Supervisor Nicolai requested adding setting date for closed meeting to Unfinished Business.

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

MET COUNCIL PRESENTATION ON BIOSOLIDS PROGRAM

Tim O'Donnell from Met Council Environmental Services introduced himself and gave a brief description of what their department does in serving the seven-county metro area. He thanked Castle Rock Township for participating in the biosolids program for several years.

Angella Craft from the Empire Plant provided handouts and also gave a brief presentation regarding the biosolids program. She explained that much care is given to how much and how often product is applied. In addition she explained that the field staff and drivers are always cautioned to be respectful to the local residents when they are delivering products to the fields. Their organization will continue to cover any cost for road repairs if there are damages during the delivery process.

Sandy Weber inquired how many years can product be applied to the same field. Ms. Craft indicated they keep careful records and report to the Minnesota Pollution Control Agency and must comply with their standards. Ms. Craft also explained that the heavy metal content from the Empire Plant is very low, as most waste is residential and there is little industrial waste that goes through their system.

Dave Nicolai asked if the Met Council can explore delivering to other area, since Castle Rock Township has been participating for a long time. Ms. Craft confirmed that they are definitely exploring several other jurisdictions for future deliveries.

Chair Elvestad commented that it would be beneficial if more future deliveries could use paved roads for access, rather than gravel roads in the township.

Mark Henry commended the staff he worked with this spring, and indicated things went relatively smoothly for the limited time that deliveries were made.

CONSENT AGENDA REVIEW/APPROVE

1. May 13, 2019 Board of Supervisors Regular Meeting Minutes
2. Application for temporary liquor license from Dakota City Heritage Village for August 5-7, 2019
3. Application for temporary liquor license from Dakota County Ag Society for August 8-11, 2019
4. Application to conduct Off-site Gambling (raffles and pulltabs) from Farmington Youth Hockey for August 8-10, 2019
5. Application for Large Assembly Permit from Southern Cruzers Car Club, August 24, 2019

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

PUBLIC COMMENT

Clerk Barbara Lang spoke on behalf of Ray Harstad who had received a notice from Dakota County for his 3-year septic pumping requirement. Mr. Harstad asked if the township could consider giving him an extension on this requirement since there are only two people residing at their place. There was some discussion about the pumping requirements. Castle Rock Township residents receive their notices from the County in line with the County's requirements for pumping, so making an exception could cause some problems.

Jon Juenke made a motion and Jeff Partington seconded to uphold the three-year pumping requirement. 4 ayes, 1 nay by Dave Nicolai. Motion carried.

PLANNING COMMISSION UPDATE

Planning Commission Chairman Jeff Partington reported that the monthly Planning Commission meeting was held on May 20, 2019. The following items were reviewed:

- Ag-zoning Permit Application for addition to existing ag shed, Don Jacobson, 3384 240th St W
Setbacks were reviewed. Mr. Jacobson commented that Mr. Nielsen has told him that his existing shed was built over the property line, according to Nielsen's property records. There was discussion that the Clerk needs to contact the solar company and request that their surveyor stake the adjoining property line prior to either project going forward. The Planning Commission recommends approving this ag-zoned building permit contingent on verification of the property line.

REVIEW / APPROVE

- Ag-zoning Permit Application for addition to existing ag shed, Don Jacobson, 3384 240th St W
Clerk Lang noted that the property has been surveyed and there is a discrepancy. Dakota County is looking into this matter further and will advise. Clerk has contacted Mr. Jacobson, who is willing to postpone acting on the permit application for another month until the property line is resolved. Review of this application will be tabled until the July Board of Supervisors meeting.

COMMITTEE REPORTS

- Reports on Dakota County Groundwater and One Watershed One Plan Meetings
Supervisor Sandy Weber provided updates from the recent meetings she attended.
- Rocky Hills Park pollinator planting update
Chair Kelly Elvestad led discussion about if current growth needs to be sprayed again before the park is seeded. It was decided it is not necessary. Mark Henry and Ken Betzold will be doing the planting and are on the schedule for using the county planting drill for this project. Weather permitting, they hope to do this work within the next week.

UNFINISHED BUSINESS

- Discussion about Alverno Ave disposition.
Chair Elvestad asked resident Mark Wagenknecht to provide his thoughts and opinion about vacating Alverno Ave between 240th St and 245th St, since his property has the most impact. Although he has concerns about the project in general, he agreed that vacating that section of the road would most likely be the best option. Various options were discussed by the supervisors, including vacating that section of the road and having the County absorb the associated costs, or turning that section of the road back to the township and keeping it as a minimum maintenance road. Chair Elvestad referenced guidance provided by the township attorney, and reminded the Supervisors that a decision needs to be made.

Jon Juenke made a motion and Jeff Partington seconded to have the section of Alverno Ave between 240th St and 245th St vacated and removed by Dakota County as part of the County Rd 78 project. 4 ayes, 1 nay by Dave Nicoli. Motion carried.

DAKOTA COUNTY SHERIFF UPDATE

Deputy Sheriff Reiners was present, and he reported that Castle Rock Township has been fairly quiet. He reminded everyone to beware of irrigation systems and possible copper theft. If residents see activity, please call them right away and let the Sheriff's Department investigate. He also reminded everyone to slow down in the rainy weather and residents should be mindful of the possibility of flooded sections on roads.

UNFINISHED BUSINESS RESUMED

- Discussion about Nitrate Treatment Area
Travis Theil from Dakota County presented an update of the preferred location which would be on the east end of the town hall property. The treatment area would be on a ten-year maintenance program. Supervisor Weber inquired if there would be some kind of contract between the County and the Township. He indicated that a Joint Powers Agreement would be drawn up for this project.

Sandy Weber made a motion and Jeff Partington seconded that Dakota County and Castle Rock Township would move forward with this project. 5 ayes. Motion carried.

- Review 2019 Road Maintenance Agreement Quote
Only one quote was received from Mark Henry Excavating. The rates were reviewed.
Sandy Weber made a motion and Dave Nicolai seconded. 5 ayes. Motion carried.

- LKQ Updates

Letter requesting Escrow was mailed on June 5. Supervisor Partington indicated that LKQ Site Manager Keith Radloff has called him and said that they are not willing to pay an escrow. Their position is that the MPCA engineers are dealing with the engineering issues to correct the size and lining the two new holding ponds in the expansion area. The State is enforcing installing the liners, and the MPCA engineers have indicated the new south pond is adequate size, but needs the liner, and the middle pond is being enlarged and will be lined. Mr. Radloff indicated to Supervisor Partington that they will clean out the old north holding pond, but they are not willing to enlarge it further, or it will also require a liner. Clerk was instructed to send the specs that were developed when the north pond was enlarged several years ago to LKQ and MPCA, as well as the town attorney. All supervisors were in agreement that the north holding pond needs to be restored to those specs, as there were no significant drainage issues prior to it becoming silted in as much as it currently is.

There was further discussion about how all this drainage affects flooding in the Rocky Hills Addition. Resident Carly Born was present and again described the flooding issues they experience at their house.

Chair Elvestad suggested that another conference call should be scheduled with Supervisors Weber and Partington, Clerk Lang, and the township attorney to discuss enforcement options.

Jon Juenke made a motion and Sandy Weber seconded to schedule another conference call with the township attorney. 5 ayes. Motion carried.

- Solar Farm update

New project manager, Andy Seward, was present to introduce himself and gave updates on the status of outstanding items for the project. They are waiting for the final MnDOT approval for the new access driveway which was to be completed before any work can begin. Notice of Wetland Decision is in process and should be approved approx. July 1.

- Castle Rock community event update

Resident Len Schrader provided updates on the Minnesota Fire Engine Club community event that is being planned for August 10. They realistically expect no more than 150 people to attend and are requesting closing Delft Ave and 278th St for their event. Event is planned to take place from 11 am to 6 pm. A concessions permit is being obtained by Sheryl Schrader for the event. The Dakota County Sheriff's Office will escort the parade they have planned.

Dave Nicolai made a motion and Jon Juenke seconded to allow Delft Ave and 278th Street to be closed during the event and that the township will provide barricades for these streets. 5 ayes. Motion carried.

- Set date for Closed Meeting

Supervisor Nicolai requested that a closed meeting be scheduled to discuss personnel issues that were brought up at the previous meeting.

Dave Nicolai made a motion and Jon Juenke seconded to set a Closed Meeting for 6 pm on Monday, July 8. 3 ayes – Kelly Elvestad, Dave Nicolai, Jon Juenke; 2 nays – Sandy Weber, Jeff Partington. Motion carried.

Clerk was instructed to post the required notices.

NEW BUSINESS

- Review Notice of Application for Wetland Boundary for pending solar farm at 24380 Chippendale Ave. Application was reviewed. There were no comments, and Clerk was instructed to respond on behalf of the township.

- Review updated Right-of-Way Permit Form

Chair Elvestad explained that she had the township attorney review the Utility Right-of-Way Permit form that the township has been using, as she had concerns regarding the request for tiling under a township road that had been recently requested. Mark Henry had been contacted about this project and he had called his contact at Dakota County to get some additional advice and information regarding tiling projects under roads, which we have not dealt with previously on township roads. The County sent their generic form used for General Work in the Right-of-Way, and the Clerk drafted an updated form.

Township Attorney, Troy Gilchrist, indicated that General Work in the Right-of-Way is different than the requirements for Utility Work in the Right-of-Way and he reviewed the draft that had been prepared with the suggestion that a new form be created rather than basically changing the title on the Utility form we currently use. There was discussion about the forms.

Dave Nicolai made a motion and Jon Juenke seconded that the Township Attorney should build an appropriate application form so this project can be expedited. Board Chair is to review and authorize use of the new form when it is received. 5 ayes. Motion carried.

Clerk was instructed to send the Township Attorney the items we want included on the form and gave Mark Henry permission so call the Township Attorney to supply further information that was recommended by Dakota County.

ROAD REPORT

- Summary of gravel application and dustproofing was given by Mark Henry.
- The town hall parking lot has been resurfaced and re-stripped, and it was commented that they did a nice job.
- Cracksealing has been done in the north residential developments. Mr. Henry has contacted the County and requested that they also inspect the work as a second opinion. Our contractor, Gopher State, replaced some cracksealing in Castle Rock Village at no charge.
- Weather permitting, Mr. Henry plans to start work in Rock Hills development to clean up the south easement area and prepare to install the additional pipe from LKQ's north holding pond. After a recent rain event, he provided a photo indicating that drainage is working adequately in the north drainage ditch, so he recommends leaving that as it is for now. There was some discussion about having a discussion with the Jennrich's about removing some of the boulders and debris at the north end of the drainage ditch at the edge of their property.

TREASURER'S REPORT

Treasurer Rhonda Rademacher indicated that the Dakota County Collaborative has requested that participants make an additional \$1,000 contribution to cover the additional costs for addressing unforeseen issues with the Comprehensive Plan updates and requirements by the Met Council. Any unused funds will be returned proportionately. The claim for this contribution is included in this month's bills being paid.

Receipts \$ 12,018.32

Current Investments \$ 791,685.60

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

REVIEW PAYROLL AND CLAIMS

Payroll: \$ 1,392.63 Claim # 9545 - 9546

Claims: \$ 49,571.81 Claim # 9547 - 9564

Total: \$ 50,964.44

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

CLERKS REPORT

- Summer Short Course will be attended by Barbara Lang, Rhonda Rademacher, Kelly Elvestad and Sandy Weber in Rochester on June 20.
- Reminder that the township is hosting a Red Cross Blood Drive on July 11 from noon to 6 pm. Notice was included in the annual township newsletter in February, and has been posted on the township website. We should have flyers to post in the area sometime this week.
- Clerk will be on vacation from June 24 through July 2. This has already been posted on the website. I will do my best to check e-mail and voice mail a couple times during that week.
- Please let Clerk know if you have any further updates that should be posted on the website.

ADJOURN

Jon Juenke made a motion and Jeff Partington seconded to adjourn. 5 ayes. Motion carried.

Meeting adjourned at 9:45 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