

CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS REGULAR MEETING
June 12, 2017 @ 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, June 12, 2017 at 7:00 p.m. Present were Sandy Weber, Chair; Jon Juenke, Vice-Chair; Jeff Partington, Kelly Elvestad, and Dave Nicolai, Supervisors; Barbara Lang, Clerk and Rhonda Rademacher, Treasurer. Also in attendance were Commissioner Mike Slavik, Eric Ruud, Drea Doffing, Russ Zellmer, Michael & Anna Felixberger, Scott Qualle, Kandis Hanson, Niel Peterson, and Mark Henry.

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

APPROVE AGENDA

Dave Nicolai requested to set date for employee reviews to New Business.

Eric Ruud asked to add discussion of animal unit ordinance requirements to Public Comment.

Niel Peterson asked to be added to Public Comment.

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

CONSENT AGENDA

1. May 8, 2017 Board of Supervisors Regular Meeting Minutes
2. Large Assembly Permit Application from Southern Cruzers Car Club at Dakota County Fairgrounds, Aug 26, 2017

Jeff Partington made a motion and Jon Juenke seconded to accept the Consent Agenda. 5 ayes. Motion carried.

PUBLIC COMMENT

- Eric Ruud's actual question was about how many animal units are there can be on a parcel before a feedlot permit is required. Minnesota Pollution Control now administers feedlots in Dakota County, and the current number is 50 animal units before a property owner would need to obtain a feedlot permit.
- Dakota County Commissioner Mike Slavik was present with a summary of updates from the County. The County Road 78 project will be starting this week, and is expected to be completed in October. The project includes a nitrate reduction area. Update on Metro Transit – Dakota County has opted out of participation in this program, and negotiated during the 2017 Minnesota Legislative Session to receive tax money that will be coming directly back to Dakota County. This will mean that there will be additional money for County transportation projects. Chair Sandy Weber inquired about the rest of the County Road 78 project on the east side of State Hwy 3. Comm. Slavik indicated that portion has been pushed out to 2019, due to conflicts with other road projects.
- Niel Peterson, resident at 22915 Annette Ave. Mr. Peterson stated that he has worked hard to clean up his property and keep it cleaned up. The property that is on the other side of Annette Ave across from his residence has basically become a family junkyard for those property owners that keeps getting larger. He can see old cars, snowmobiles, appliances, water heaters, etc. Some of the items are even partially buried. He has witnessed that the owners have sometimes started burning in this area and then leave it unattended. He has tried to talk to the owner numerous times, but has gotten nowhere. He has given the Clerk an official complaint form, which will be included for discussion at the July Board of Supervisors meeting.

PLANNING COMMISSION UPDATE

At the May 22, 2017 Planning Commission meeting, the following items were reviewed:

- Review Building Application for new 4-season porch/deck combo, Russ & Connie Fifarek, 22470 Berring Ave
- Review potential parcel splits and building rights for Mike Thomas property
- Review parcel split/combination request for Douglas and Janet Trout, 23741/23755 Biscayne Ave

- Review parcel split/combination request for John Bakke, 1016 220th St W
- Discussion of Seasonal Mineral Extraction permit for County Rd 78 project

All were recommended for the Board of Supervisors to approve.

REVIEW / APPROVE

- Resolution No. 2017-6 Resolution Approving a Variance for 1612 250th Street West

Jon Juenke made a motion and Dave Nicolai seconded to adopt this Resolution. 5 ayes. Motion carried.

- Building Permit Application for new 4-season porch/deck combo, Russ & Connie Fifarek, 22470 Berring Ave

Kelly Elvestad made a motion and Jeff Partington seconded to approve this building permit application. 5 ayes. Motion carried.

- Parcel Split Applications and accompanying Resolutions for Mike Thomas property along Denmark Ave. Survey was provided to the Supervisors for review. Clerk Barbara Lang pointed out that the configuration for the proposed parcels goes along with the way the land is configured – farmland, wooded areas, etc. There will be three splits involved, and the land is scheduled to be auctioned at the end of July.

Jon Juenke made a motion and Kelly Elvestad seconded to approve the Parcel Split Application for Tract B on the survey. 5 ayes. Motion carried.

Kelly Elvestad made a motion and Jon Juenke seconded to adopt Resolution 2017-09 for the Parcel Split listed as Tract B. 5 ayes. Motion carried.

Dave Nicolai made a motion and Jon Juenke seconded to approve the Parcel Split Application for Tract C on the survey. 5 ayes. Motion carried.

Jeff Partington made a motion and Kelly Elvestad seconded to adopt Resolution 2017-10 for the Parcel Split listed as Tract C. 5 ayes. Motion carried.

Dave Nicolai made a motion and Jon Juenke seconded to approve the Parcel Split Application for Tract D on the survey. 5 ayes. Motion carried.

Dave Nicolai made a motion and Kelly Elvestad seconded to adopt Resolution 2017-11 for the Parcel Split listed as Tract D. 5 ayes. Motion carried.

- Parcel split/combination request for Douglas and Janet Trout, 23741/23755 Biscayne Ave

Jon Juenke made a motion and Kelly Elvestad seconded to approve the Parcel Split Application. 5 ayes. Motion carried.

- Resolution No. 2017-07 for Trout parcel split/combination

Dave Nicolai made a motion and Kelly Elvestad seconded to adopt Resolution 2017-07 approving the Parcel Split/Combination. 5 ayes. Motion carried.

- Parcel split/combination request for John Bakke, 1016 220th St W

Dave Nicolai made a motion and Jon Juenke seconded to approve the Parcel Split/Combination Application. 5 ayes. Motion carried.

- Resolution No. 2017-12 for Bakke parcel split/combination

Dave Nicolai made a motion and Jeff Partington seconded to adopt Resolution 2017-12 approving the Parcel Split/Combination. 5 ayes. Motion carried.

- Seasonal Mineral Extraction permit for County Rd 78 project from JB Holland Construction Inc.

Jon Juenke made a motion and Kelly Elvestad seconded to approve this Seasonal Mineral Extraction Permit. 5 ayes. Motion carried.

- Seasonal Mineral Extraction permit for State Hwy 3 project from JB Holland Construction Inc.

Kelly Elvestad made a motion and Jeff Partington seconded to approve this Seasonal Mineral Extraction Permit. 5 ayes. Motion carried.

COMMITTEE REPORTS

- Weed control spraying for town hall and Countryside Estates Park

Clerk Barbara Lang, as approved by Supervisor Elvestad, has made arrangements for the Town Hall property and Countryside Park to be sprayed for dandelion and broadleaf weeds. Mike from Farmers Mill & Elevator

is going to prepare a recommendation to start a fall spraying program for the park, which will be included on the July meeting agenda.

- Noxious Weed Update

Chair Sandy Weber referred the Supervisors to the Township Insider article in the most recent issue to read about Palmer Amaranth, which has not been found in our area yet. She encourages everyone to read the article and be on the lookout for this noxious weed.

UNFINISHED BUSINESS

- Discussion re: Don Webb complaint about wood-burning heating system at 2255 225th St
Handouts given by Mr. Webb at the May meeting were reviewed, as well as copies of previous correspondence that is on file in the town records regarding this issue, including a letter from the township attorney from 2010 indicating that everything is in compliance at the property in question. Mr. Webb was not present at this meeting. No action is required.

- Review quotes and award Building Inspection Contract

Quotes were received from MNSPECT and Inspectron. Supervisor Jon Juenke indicated that there were some issues that were addressed a couple years ago when a citizens committee was formed to review building permit paperwork. Eric Ruud recalled that the main issue discussed at the time was how permit fees were calculated, and the requirement for engineered drawings for some accessory structures and then the building inspector still charging for plan review fees. Russ Zellmer indicated that both companies have done an excellent job for the township, and reminded everyone that no matter which company you work with, complaints are going to arise. Neither company should be singled out, as their job is to enforce the State Building codes, that our township is required to follow.

Supervisor Elvestad asked Scott Qualle from MNSPECT, who was in attendance, about their three-year quote and what the 60-day notice of termination with cause meant. Mr. Qualle gave his explanation of this condition.

Eric Ruud inquired when the current contract expires, and was advised that it expires on June 30. Since that is very soon, he posed the question if a 30-day extension could be negotiated. The Supervisors in general indicated they were not comfortable making an extension at this time.

It was mentioned that Inspectron was the township's former Building Inspector and was released because of complaints about 9 or 10 years ago. Mr. Wasmund, Inspectron's owner, was not present to answer questions. MNSPECT has been the Building Official since the change was made. Mr. Qualle explained that their company is developing a user-friendly software program to create and track permits online, which is expected to be active soon. He takes pride in the fact that he follows the State Building Code. Jeff Partington asked Mr. Qualle about which valuation chart is being used for the current fee schedule. Mr. Qualle indicated he would continue to use the 1997 fee schedule.

Dave Nicolai made a motion and Jon Juenke seconded to accept the quote from Inspectron Inc. 3 ayes – Sandy Weber, Dave Nicolai, and Jon Juenke. 1 nay – Jeff Partington, and 1 abstain – Kelly Elvestad. Motion carried by a majority vote.

After the vote, Russ Zellmer commented that MNSPECT and Mr. Qualle have worked extensively with the township to resolve fees and other work done in our township and felt they have done an outstanding job. Unfinished Business was suspended, as a Dakota County Sheriff had arrived with her report.

DAKOTA COUNTY SHERIFF UPDATE – Deputy Dawa Witt was present and explained briefly the National Night to Unite event that is scheduled for August 8. She noted that the date falls during the Dakota County Fair this year, but encourages all townships to hold some type of an Open House Forum with the Dakota County Sheriff Department for our residents. Supervisor Kelly Elvestad volunteered to be the Board contact person to set this up.

She also commented that mail thefts have declined. Deputy Witt cautioned all residents to be aware of phone scams. Rhonda Rademacher asked about the rules for 4-wheelers. There is an on-going problem with them in the middle of the night near their residence and they are tearing up vegetation in the ditches. Deputy Witt reminded all that the official speed limit, unless otherwise posted, is 55 mph on township roads. All

citizens should contact the Sheriff's office if they notice habitual speeders in their area, and they will set up patrols as staffing allows.

Unfinished Business then resumed:

- Review quote and award Road Maintenance Contract (one received)

The only quote received was from Mark Henry Excavating, the existing contractor. There was brief discussion that Mr. Henry does an excellent job maintaining the township roads.

Dave Nicolai made a motion and Kelly Elvestad seconded to accept the quote from Mark Henry Excavating. 5 ayes. Motion carried.

- Update on new town hall roof

Color has been chosen, to be a dark reddish-brown similar to the existing shingles in color. Pete Schaffer has not provided an update on when the materials will be ready for the project. Dave Nicolai will contact Mr. Schaffer and report at the July meeting.

- Continuing discussion of re-zoning requests and plan for land use map updates

Supervisor Nicolai asked when the Board of Supervisors will finish discussions and take a vote on the re-zoning. Chair Weber pointed out that the date for the Open House meeting with the Town Planner has been set for November 20, 2017 at 7 pm, and commented that it might be a good idea for some of the supervisors to plan to attend other Open House meetings for surrounding areas, as listed on the schedule provided to the supervisors. No action will be taken at this time.

NEW BUSINESS

- Eureka Township Comprehensive Plan Review

An e-mail was provided to the Supervisors to access the link to review the Comp Plan update completed by Eureka Township, who is not participating in the Collaborative group. This link had been provided to the Town Planner and the Town Attorney at the time it was received, but the Clerk has not received replies from either of them. Castle Rock Township is required to respond by June 15. Clerk was directed to contact the Town Planner and the Town Attorney one more time for comments or concerns and send a response, based on their guidance, to Eureka Township.

- 5-24-17 Letter from City of Farmington re: Notification of Amendment to the Comprehensive Plan

The Amendment and attached map were reviewed. Clerk was directed to reply with the response that the changes will not affect Castle Rock Township (mark appropriate check box on form they sent).

- Review Notification letter for MPCA approval for bio-solids application for new site

Clerk Barbara Lang explained that this was a required notice to the township that an additional area is being considered for future bio-solids application within the township. The earliest bio-solids application in the additional area would not happen until at least next spring, as it has to go through all the approval process with the Minnesota Pollution Control Agency and then the Metropolitan Council.

- Set date and time for annual Employee Performance Reviews for Clerk and Treasurer

Clerk was directed to post the appropriate notice that a special closed meeting for employee performance reviews will be held at 6 pm on Monday, July 10th, prior to the monthly Board of Supervisors meeting.

ROAD REPORT

- Review mill and overlay update

Project was completed and everything went very smoothly. Drea Doffing commented that there is some thin blacktop at the intersection of 225th St and both Berring and Beaumont. Mark Henry will be taking care of smoothing that out within the next few days.

- 2017 dustproofing

Mark Henry indicated that the dustproofing should be substantially complete within the next week.

- Request for Apron to be installed at Hwy 50 and Annette Ave

Mr. Henry worked with the Clerk to prepare a letter to MnDOT. Letter was mailed last week.

- 2017 Road Inspection

Road Inspection notes were provided to the Supervisors. Clerk Barbara Lang inquired about how the township is going to proceed with contacting property owners where right-of-way infringements were

viewed during the inspection. There was some discussion about this, and Supervisor Elvestad suggested that letters could possibly be sent out to the landowners in the fall or winter, as crops are already planted for this growing season. Clerk was directed to send notices out by March 1, 2018.

- Mr. Henry has requested a quote for tree removal in areas that were identified during the Road Inspection. He will include the dead trees at Countryside Park.

TREASURER'S REPORT

Receipts \$ 12,741.29

Current Investments \$ 836,259.64

Kelly Elvestad made a motion and Jon Juenke seconded to approve the Treasurer's Report. 5 ayes. Motion carried.

REVIEW PAYROLL AND CLAIMS

Payroll: \$ 1,502.12 Claim # 8965 – 8967

Claims: \$27,490.98 Claim # 8968 - 8983

Total: \$28,993.10

Kelly Elvestad made a motion and Jon Juenke seconded to approve the Treasurer's Report. 5 ayes. Motion carried.

CLERKS REPORT

- Reminder that the Clerk will be out of town from June 26 through July 4. Notice has already been posted in advance on the township website.
- Please let Clerk know if you have any further updates that should be posted on the website.

Jon Juenke made a motion and Kelly Elvestad seconded to adjourn. 5 ayes. Motion carried.

Meeting adjourned at 8:55 pm

Respectfully submitted,
Barbara Lang, Clerk

Attest: Sandy Weber, Chair of Board of Supervisors