

**CASTLE ROCK TOWNSHIP**  
**BOARD OF SUPERVISORS REGULAR MEETING**  
**August 10, 2015 @ 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, August 10, 2015 at 7:00 p.m. Present were Sandy Weber, Chair; Russ Zellmer, Vice-Chair; Jeff Partington, Jon Juenke, and Dave Nicolai, Supervisors; Barbara Lang, Clerk; and Rhonda Rademacher, Treasurer. Also in attendance were Scott Qualle, Tom Richardson, Jim Topp, Janet Topp, and Eric Ruud.

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

**APPROVE AGENDA**

Russ Zellmer requested that we add discussion of the vacant house in Castle Rock Village to Unfinished Business.

**Russ Zellmer made a motion and Jon Juenke seconded to approve the amended agenda. 5 ayes. Motion carried.**

**CONSENT AGENDA REVIEW/APPROVE**

1. July 13, 2015 Board of Supervisors Meeting Minutes
2. Large Assembly Permit for Valek Auctions, September 26 at Dakota County Fairgrounds

**Jon Juenke made a motion and Dave Nicolai seconded to approve the Consent Agenda. 5 ayes. Motion carried.**

**DAKOTA COUNTY SHERIFF UPDATE** – None

**PUBLIC COMMENT** - None

**PLANNING COMMISSION UPDATE**

At the July 27, 2015 Planning Commission the following items were reviewed:

- Pole Building Permit Application – Percy Scherbenske, 3140 220<sup>th</sup> St E  
Property owner has two parcels, and he is requesting to building the structure on his 1+ acre residential lot, so it will not qualify as an ag building. Due to the fencing already in place on the larger ~65 acre lot, there is no way to building on that parcel. Clerk was requested to get clarification from MNSPECT regarding the requirement of engineered drawings for this building, which is planned to be 32' x 40' (1280 sq. ft.). PC recommends approval as an accessory building.
- Application for Building Rights Transfer Permit for James and Nancy Nielsen, 3196 240<sup>th</sup> St W.  
Application, Ordinance requirements, and aerial overview of property were reviewed. PC recommends BOS approve this transfer. Resident will be required to record with the County Recorder.

**REVIEW / APPROVE**

- Pole Building Permit Application – Percy Scherbenske, 3140 220<sup>th</sup> St E
- Application for Building Rights Transfer Permit – James and Nancy Nielsen, 3196 240<sup>th</sup> St W

**Jon Juenke made a motion and Russ Zellmer seconded to approve both items. 5 ayes. Motion carried.**

**COMMITTEE REPORTS**

- NCRWMO – Sandy Weber attended the last quarterly meeting of the organization on July 28. There were a few updates provided at the meeting, but nothing new that affects our Township.
- Park Report – Jeff Partington reported that the ball field at Countryside Park has been dragged and looks much better. There was some discussion about looking into a different kind of spray to keep the weeds down next year. Dave Nicolai volunteered to check into spraying the field with a soil sterilant and will have the information at the next BOS meeting. If the township decides to do this, it will wait until next spring since we are close to the end of this year's growing season.
- Orderly Annexation Agreement (OAA) with City of Farmington. Copies of the draft of an updated agreement that has been prepared by Troy Gilchrist, the Township Attorney, were provided to the Supervisors to review. Sandy Weber, Chair, requested that everyone review the agreement and it will be discussed at the September meeting.

## UNFINISHED BUSINESS

- Noxious Weed Control at old Nike Site

Dave Nicolai spoke to Commerce Bank. The weeds have been sprayed for now. There was some discussion that better plans about the scope of weed control at the property need to be made prior to next year's growing season.

- Alverno Ave Nike Site

Russ Zellmer and the Clerk have been working with MNSPECT regarding buildings being demo'd without a permit. A letter was sent to the current owners by the Building Official. A demo permit has been issued, and the Building Official will follow up on obtaining the required documentation for MPCA regarding removal of hazardous materials.

- Vacant House at corner of Delft Ave and County Rd 86.

Brush has been trimmed in the Township ROW. The County put up a second stop sign that was not hidden in the brush. Clerk was instructed to contact the County to remove the second stop sign now that the original one can be seen, and also to request that the County trim the overgrown brush in the County ROW. There was discussion about having the Building Official proceed with contacting the owner so the property can be inspected for safety. Clerk was instructed to provide contact information to the Building Official to make arrangements with the owners for such an inspection so it can be determined what needs to be done at that property.

**Russ Zellmer made a motion and Dave Nicolai seconded that the Building Official will make arrangements to inspect the house to determine if it is a sound structure. 5 ayes. Motion carried.**

- MNSPECT

Tom Richardson, new Relationship Manager for MNSPECT, was introduced. Scott Qualle, MNSPECT owner, was also present. The Supervisors were given copies of correspondence from Adam Dowd, Township Attorney, regarding the review of recalculation of permit fees for the Farmers Mill building project. Sandy Weber asked if there were any comments or questions from the Supervisors. Jeff Partington reiterated that the building permit fees need to be left as they were originally calculated, since they were calculated under the existing fee schedules. Dave Nicolai suggested that going forward the permit fees should be calculated based on the actual building cost, not on the per square foot building cost allowed by the State on their fee schedules. Eric Ruud expressed concern that the township still needs to develop a better grievance process for the future if and when residents disagree with the fees for building permits. Scott Qualle responded to these concerns. The procedure included in his contract is that complaints should be passed on to MNSPECT as they arise. If an acceptable adjustment or compromise can't be reached, residents have the right to go to the State and file an appeal to resolve their issue. In the few cases that he is aware of that have gone through this type of appeal process, the State has upheld the current fee schedules and calculations. Scott is willing to work with the Township to make adjustments to some of the fees and percentages under his current contract. He reminded everyone that if we change the system, it has to be fair to everyone.

The Supervisors then reviewed the recalculation of the Farmers Mill & Elevator building permit fees that MNSPECT had prepared. MNSPECT's calculation proposed a refund of \$1,123.81. There was discussion that a letter will be prepared for Farmers Mill & Elevator with an explanation of the calculation and for them to sign an acknowledgement that this is the final review of their permit fees. Scott Qualle from MNSPECT reminded everyone that if Farmers Mill doesn't accept this recalculation and refund, their only recourse at this point is that they are entitled to file an appeal with the State.

**Russ Zellmer made a motion and Jon Juenke seconded for the Clerk to proceed with preparing the acknowledgement letter, to be reviewed by the township attorney, and prepare a refund check in the amount of \$1,123.81. 4 ayes: Sandy Weber, Russ Zellmer, Jeff Partington and Jon Juenke; 1 nay: Dave Nicolai. Motion carried.**

- Update on Ordinance Amendment for Solar

Clerk Barbara Lang indicated that she has received one application to move forward with the Ordinance Amendment, but the Escrow fees have not yet been received. The Supervisors were given copies of a notice of Public hearing letter from Dakota County with a draft Ordinance to establish a temporary moratorium on new solar energy systems in shoreland and floodplain areas. The hearing will take place in Hastings on Tuesday, August 25, 2015. One of the two sites within our Township that are intending to construct solar is in a

floodplain parcel. Clerk has contacted both vendors involved and provided them notices of the Public Hearing at Dakota County. No further action at this time.

**NEW BUSINESS** - none

**ROAD REPORT**

- Sign replacements

Mark has replaced several signs this summer in the ongoing project of having our road signs meet the current state code.

- Ditch mowing

Sandy Weber gave a summary of state requirements and dates that ditch mowing is allowed in Minnesota.

- Castle Rock Village

Brush has been removed from the township right of way on Delft Ave at vacant house. County still needs to trim brush and overhanging trees on their right of way along County Rd 86.

- Castle Rock Village ditches

Several culverts and ditches have been cleaned out that were noted during this year’s Roads Inspection and that were later brought to the township’s attention. The work with the large culvert repair along Danville Ave should be done toward the end of the month.

- JPA with Dakota County for Blacktop

JPA has been signed to will include mill and overlay on the township portion of Alverno that is currently blacktopped. Clerk will contact Mark Henry and Russ Zellmer when there are any updates regarding this project.

**TREASURER’S REPORT**

- Rhonda Rademacher, Treasurer, updated the Supervisors that she and the Clerk are continuing to get all the 2015 data entered correctly into the new CTAS software. Irene Bright will be coming to work with the Clerk and Treasurer at the Town Hall on August 26 & 27 to go over more questions and get things running smoothly.

Receipts	\$ 283,021.14
Cash Control	Not available due to CTAS conversion
Current Investments	\$ 862,783.82

**Jeff Partington made a motion and Russ Zellmer seconded to accept the Treasurer Report. 5 ayes. Motion carried.**

**REVIEW PAYROLL AND CLAIMS**

Payroll: \$ 1,725.71	Claim # 8407 – 8408
Claims: \$ 42,487.82	Claim # 8409 - 8427
<b>Total: \$ 44,213.53</b>	

**Russ Zellmer made a motion and Jon Juenke seconded to approve Payroll and Claims. 5 ayes. Motion carried.**

**CLERKS REPORT**

- The Township computer crashed on July 28<sup>th</sup>. The new one has been purchased and we are still in the process of getting everything up and running smoothly.
- Clerk is planning for more limited office hours during the Dakota County Fair, but will be checking e-mail and voice mail as much as possible.
- Website maintenance had been “down” since July 28. Gloria Habeck, our web consultant, was able to come and get the data restored for the township website on August 7. Updates are caught up except for adding all the new building permit forms and handouts to that tab on the website.
- Please let Clerk know if there are any other updates to be made on the Website.

**Dave Nicolai made a motion and Jon Juenke seconded to adjourn. 5 ayes. Motion carried.**

Meeting adjourned at 8:32 p.m.

Respectfully Submitted,  
Barbara Lang, Clerk

Attest: Sandy Weber, Chair of Board of Supervisors