

CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS REGULAR MEETING
August 12, 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, August 12, 2019 at 7:00 p.m. Present were Kelly Elvestad, Chair; Sandy Weber, Vice-Chair; Jon Juenke, Dave Nicolai and Jeff Partington, Supervisors; Barbara Lang, Clerk and Rhonda Rademacher, Treasurer. Also present were Brian Thom, Tiffany Reich, Dakota Pelkey, Melony & Dan Steber, Barbara Schmitz, Carly & John Born, David Anderson, Becky & Allen Gildner, Desirae & Cole Empey, Jeff Achartz, and Mark Henry.

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

APPROVE AGENDA

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

CONSENT AGENDA REVIEW/APPROVE

1. July 8, 2019 Board of Supervisors Regular Meeting Minutes
2. Large Assemblage Permit for Rotary Club of Farmington at Fairgrounds on Sept 13 & 14, 2019
3. Temporary On-Sale Liquor License for Rotary Club of Farmington at Fairgrounds, Sept 13 & 14, 2019
4. Large Assemblage Permit for Valek Auction at Fairgrounds on September 28, 2019
5. July 30, 2019 Letter of Understanding on the Administration of the Dakota County Community Block Grant Program

Sandy Weber made a motion and Jon Juenke seconded to approve the above items. 4 ayes, 1 abstain by Dave Nicolai. Motion carried.

LKQ UPDATES - Jeff Partington provided recent updates on progress of the project. Liner in the south holding pond is being completed today, and middle pond has been completed. The old northeast holding ponds have been dug out and widened, and a berm has been created along the fenceline. Chain link fence is being installed along that area where the old fence was. Grading is done and the project is substantially complete. Now that the new pipes have been installed, the culverts and drainage seem to be in much better shape. There is still some clean-up work to be done in the township easement ditches. Grates have been installed by both the township and LKQ on the ends of the pipes from the northeast holding ponds, which should resolve the problem of any further debris flowing through the development in the future. Trench to the new ponds on the LKQ property has been improved, which should also help water being directed to those ponds in the future.

John and Carly Born brought a printed aerial map showing where the water on their property comes from. There was discussion and consensus that the flow of water on the east side of Canada Ave onto their property does not come from LKQ, rather that the additional runoff in that area comes from the field to the east of LKQ.

Chair Elvestad indicated that she had invited LKQ site manager Keith Radloff to attend tonight's meeting, but he declined. Mr. Radloff told Supervisor Elvestad that he refuses to pay any additional engineering fees. She also spoke to Grant Jacobson, who had prepared the original engineered drawings for LKQ for the project. He told her that he had not been contacted by LKQ to update the engineered design after MPCA got involved.

There was also further discussion about the final grades, and if the surface is impervious if it is a mix of gravel and bituminous millings.

Dave Anderson from Kennedy & Graven was present as our township attorney representative. He reiterated information the Supervisors have previously received from Troy Gilchrist regarding the conditions of the Ordinance for this property and the Resolution for the expansion area. The recommendation from their office is that the township needs to have the township engineer inspect the property ASAP to make their assessment now that the project is substantially complete.

Mark Henry expressed concerns that the flow of water from the expansion area is not being properly directed to the new holding ponds and continues to be directed onto the original property.

Dave Nicolai explained to Mr. Anderson that the original engineered drawings were prepared by Grant Jacobson, who was the township attorney of record at that time, and the township was not made aware that LKQ had hired Mr. Jacobson directly to prepare the engineering for this project until after the expansion project was authorized.

Sandy Weber made a motion and Jon Juenke seconded to hire Bolton & Menk as the township engineering firm to review the project and verify that the work has been done according to the original engineered drawings, complies with State and Federal laws, and that drainage is sufficient to protect the Rocky Hills Development. 5 ayes. Motion carried. Supervisor Partington volunteered to contact Bolton & Menk tomorrow to begin this inspection and review.

DAKOTA COUNTY SHERIFF UPDATE – Deputy Reiners was present and commented that the Dakota County Fair wrapped up yesterday. There were a couple of minor alcohol-related incidents during the Fair, but things went smoothly for the most part. He also stated that they have had reports of scam calls or mail being targeted in our area. Residents are free to hang up or disregard mail. If you receive a scam call, all are encouraged to contact the Sheriff's office to report it so they can monitor the situation. NEVER give out any personal information if you receive these calls!

PUBLIC COMMENT - None

PLANNING COMMISSION UPDATE

Planning Commission Chairman Jeff Partington reported that the monthly Planning Commission meeting was held on July 22, 2019.

The following items were reviewed:

- Ag-Zoned Building Permit Application, Jeffrey Achartz, 22765 Annette Ave
- Ag-Zoned Building Permit Application, Brian Thom, 4125 275th St

Building use, locations and setbacks were reviewed. The Planning Commission recommends approving these ag-zoned building permits

Setbacks and use were reviewed. No wetlands indicated on either property. Both were recommended for approval.

REVIEW / APPROVE

- Ag-zoning Permit Application for Keith Jaeckels, 24930 Chippendale Ave
E-mail dated July 9, 2019 from Brian Watson regarding his site inspection was reviewed, indicating the building sites are outside of wetland areas on this property.

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

- Ag-Zoned Building Permit Application, Jeffrey Achartz, 22765 Annette Ave

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

- Ag-Zoned Building Permit Application, Brian Thom, 4125 275th St

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

COMMITTEE REPORTS

- Supervisor Weber gave an update about the North Cannon River Water Management Organization. There was a problem with the Joint Powers document that is being corrected before the participating jurisdictions are asked to approve that renewal.
- Supervisor Weber also reported that a steering committee is being formed by Dakota County for noxious weeds.
- Chair Elvestad reported that the ballpark at Countryside Park was sprayed this past week. She will be contacting the mowing contractor about cleaning up the dead weeds.

NEW BUSINESS

- Review of information for possible Building Rights Transfer from Melony Steber
As there were several interested parties present, this agenda item was discussed next. There was discussion clarifying the process of building rights transfers to an adjacent quarter section within the township, as well as explaining that the township currently has a moratorium on processing any building rights transfers until a study is completed which will identify the remaining buildable lots in the township. No action at this time. (The rest of New Business will be discussed later)

ROAD REPORT

- Discussion of washout area on 270th Street.

Mark Henry wanted the Supervisors know that the Kimber property in this area experienced some major run-off during some of the storms this summer. They are planning to establish some terracing to keep future runoff on their land, rather than major runoff and sediment in the ditches along the road.

There was also some discussion about the drainage situation along Akron Ave (Norbert Kuhn property) that was observed during the Road Inspection earlier in the summer. Mr. Henry has attempted to locate an old culvert with no success. He wanted the Supervisors to know that there is a possibility that he will need to replace an 18" pipe with a 24" pipe under Kuhn's driveway. Supervisor Juenke will talk to Mr. Kuhn before any work is done.

Mr. Henry also explained that the pipe near the intersection of 270th St and Akron on the west side is filled with sediment. His plan is to install a new pipe and check the drain tile in that area to make sure all is functioning properly.

- Review estimate for dead tree removal on Cambodia Ave, tree trimming on 265th St and removal of storm-damaged tree on 263rd St

Estimate was reviewed, and Mr. Henry also explained that a couple other items have come up that he would like them to take care of while they are working in our area.

Dave Nicolai made a motion and Sandy Weber seconded to authorize up to \$2,500 for Lawrence Tree Removal services. 5 ayes. Motion carried.

- Chair Elvestad continued the discussion about the flooding issues on the Born property along Canada Ave, and wanted to know if there is anything else the township needs to be looking into to mitigate that situation. Since it has been established that the drainage on their property is not coming from LKQ, the township has done what it can by replacing the culvert under the driveway of the adjacent parcel, and we will need to see if the other measures that have been taken are resolving some of these problems.

UNFINISHED BUSINESS

- Solar Farm update – Clerk Barbara Lang gave an update that all the paperwork is in order and the project is progressing. It was noted that the screenline of trees and the pollinator planting will be taken care of after the panel construction is complete.
- Status of CDA Grant RFP and award - Clerk Lang indicated that the RFP is to be awarded by September 15. Bolton & Menk was included on the list of bidders.
- Status on front door replacement and discussion about lock mechanism – Treasurer Rhonda Rademacher has been following up on this project. Polzin Glass will be doing the work. To be up to current State code, the new door closer will have a push bar. Before anything is ordered they need to know if the township intends to keep the cipher lock, or if the new lock should be a key only lock. After brief discussion, she was instructed to proceed with getting a key lock for the new door.

NEW BUSINESS

- Review recent Property Valuation Report from MATIT for Town Hall Building and discuss accepting adjustment of replacement value and increased premium
Clerk Barbara Lang explained the report. Based on that appraisal the township has been asked to consider increasing the value on the policy to cover current replacement cost for the town hall building, which is a minor premium increase.

Dave Nicolai made a motion and Sandy Weber seconded to approve this change and the accompanying Resolution to be submitted to MATIT. 5 ayes. Motion carried.

- Fall Biosolids Application request from Met Council
Since the spring application was not completed due to weather conditions, the Met Council is requesting to complete the previously approved area in the fall.

Sandy Weber made a motion and Jeff Partington seconded to authorize the fall application. 5 ayes. Motion carried.

- Review of preliminary design for for Al-Maghfira Cemetery Association and review of Soil Erosion/Land Disturbance Permit Application
A preliminary overview that had been revised from the earlier plans was provided to the Supervisors. Clerk Lang presented the new form that has been developed for Soil Erosion/Land Disturbance Zoning Permit Application. The form has been reviewed and recommended by the township attorney, with

instructions that the Supervisors need to set the fees to be used for this type of permit, and the fees can be incorporated into the official Fee Schedule Ordinance at a later time.

Discussion regarding appropriate fees followed.

Jeff Partington made a motion and Dave Nicolai seconded to adopt the following fees:

Total area of Land Disturbance less than one acre: No permit or fee required.

Total area of Land Disturbance up to five acres: Permit required, fee to be \$500 per acre, including first acre.

Total area of Land Disturbance greater than five acres: Permit required, fee to be first five acres as listed above, then \$250 per acre for any disturbance beyond five acres.

In addition it was noted that additional fees as listed in Exhibit A of the form may be required.

4 ayes, 1 nay by Jon Juenke. Motion carried.

- Discuss Truth in Taxation Insert to go in this fall's Real Estate Tax notices
Jon Juenke made a motion and Dave Nicolai seconded that the township will not submit an insert. 5 ayes. Motion carried.
- Discuss Farmington Area Public Schools Community Education request dated August 5, 2019
Farmington Schools will be holding an Open House on September 26, 2019 and has requested that a representative from the Township be present to answer questions from any residents who might attend. Supervisor Weber volunteered to attend this event as the township representative. She and the Clerk will look into any materials that might be provided for this event.

TREASURER'S REPORT

- First half of 2018 Town Aid money was received in July. Balance will be distributed in December. Total money for this year will be \$2,573.00. Certified Town Aid money for 2020 will be a total of \$2,205 (see attached notice)
- First half of the County Real Estate Taxes was also received in July, totaling \$181,521.09

Receipts \$ 212,612.08

Current Investments \$ 877,594.83

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

REVIEW PAYROLL AND CLAIMS

Payroll: \$ 1,490.22 Claim # 9596 - 9597

Claims: \$ 53,818.84 Claim # 9598 - 9614

Total: \$ 55,309.06

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

CLERKS REPORT

- Red Cross Blood Drive on July 11 had low participation. 12 donors were checked in, and 10 were able to donate. A blood drive will not be scheduled next summer, due to the expected County Road 78 construction project.
- Last issue of the Farmington Independent was published on August 1. Castle Rock Township had designated that newspaper as one of our official publishing places. State Statutes only required one qualifying newspaper to publish legal notices, so we will continue to use Cannon Falls Beacon. In addition, we still have all the designated posting places, so the township will still be compliant.
- Castle Rock Township received a thank you card for the flowers that were sent to the Mumm family.
- Please let Clerk know if you have any further updates that should be posted on the website.

ADJOURN

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

Meeting adjourned at 9:40 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