

CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS REGULAR MEETING
February 10, 2020

Approved

The regular monthly meeting of the Board of Supervisors of Castle Rock Township was convened at 7:00 pm on February 10, 2020. Present were Kelly Elvestad; Chair, Sandy Weber, Vice-Chair; Jon Juenke, Jeff Partington, and Dave Nicolai Supervisors; and Barbara Lang, Clerk, Rhonda Rademacher, Treasurer and Michelle St. Mary, Office Assistant. Also in attendance were Alex Conzemius, Bolton & Menk; Gerald Larson, Becky & Al Gildner, Michelle & Steve Caspers, Pete Schaffer, and Mark Henry.

Chair Kelly Elvestad called the meeting to order at 7:00 pm and the Pledge of Allegiance was recited.

APPROVE AGENDA

Sandy Weber requested to add reports about the NCRWMO and One Watershed One Plan to Committee Reports. **Jon Juenke made a motion and Jeff Partington seconded to approve the amended agenda. 4 ayes and 1 abstain by Dave Nicolai. Motion carried.**

CONSENT AGENDA

1. January 13, 2020 Board of Supervisors Special Meeting Minutes
2. January 13, 2020 Board of Supervisors Regular Meeting Minutes
3. January 27, 2020 Board of Supervisors Special Meeting Minutes
4. February 4, 2020 Annual Budget and Audit Meeting Minutes
5. Large Assemblage Permit – Valek Auctions, April 4, 2020 at the Dakota County Fairgrounds

Sandy Weber made a motion to approve Consent Agenda and Kelly Elvestad seconded. 5 ayes. Motion carried.

PUBLIC COMMENT

Pete Schaffer was present and provided some details about issues that were going on when he was the Board Chair several years ago.

PLANNING COMMISSION UPDATE

Planning Commission Chair Jeff Partington gave the following report: A Public Hearing was held on January 27, 2020 at 6:45 pm. The purpose of this hearing was to review an application for an Interim Use Permit to operate an auto and ag machinery repair shop at 3000 245th St E owned by Leroy Jacobson. There were no other objections to getting the Interim Use Permit in place for the business, but the following conditions will be required:

1. Mr. Jacobson will be required to obtain a building permit with applicable fees for the new addition, and will work with the Building Inspector regarding whatever drawings or other paperwork will be required;
2. The business will allow mechanical repair only, no body work is allowed.

A Resolution will be prepared by the town attorney for approval of this IUP for the Board to adopt at their February 10, 2020 meeting.

The monthly Planning Commission meeting followed the Public Hearing. The following items were reviewed/discussed:

- Building permit application for 36' x 60' Accessory Building, Steve & Michelle Caspers, 3655 280th St W
- Building permit application for 32' x 28' addition to Residence, Dayna & Trygve Norvold, 27744 Denmark Ave
- Building permit application for 4-season porch addition and some interior remodel, Karla Quinnell, 1245 280th St E

All were recommended for approval by the Board of Supervisors.

There was follow-up discussion regarding the buildable inventory report. It is the opinion of the Planning Commission that this study is intended to be a guideline to refer to going forward when there are requests for new residential buildings. In addition, the Planning Commission recommends that the township should consider increasing the minimum lot size for a residence to 2.5 acres due to the changed requirements for SSTS (septic) to be included the next time the Zoning Ordinance is updated.

Mary Ann Enggren shared that due to changes in her work schedule, she will not be able to serve on the Commission after the end of March. Her appointment expires at the end of March, so Mr. Partington notified the Board of Supervisors that they will need to be seeking someone for her position.

REVIEW/APPROVE

- Building permit application for 36' x 60' Accessory Building, Steve & Michelle Caspers, 3655 280th St W
Jon Juenke made a motion and Sandy Weber seconded to approve this building permit. 5 ayes. Motion carried.

- Building permit application for 32' x 28' addition to Residence, Dayna & Trygve Norvold, 27744 Denmark Ave

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

- Building permit application for 4-season porch addition and some interior remodel, Karla Quinell, 1245 280th St E

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

- Fire Service Agreement between the City of Farmington and Town of Castle Rock for 2020-2022

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

- Interim Use Permit application for auto repair/ag machinery repair shop at 3000 245th St E from Leroy Jacobson

Jon Juenke made a motion made Dave Nicolai seconded to approve the Interim Use Permit. 5 ayes. Motion carried.

- Resolution 2020-01 Resolution Granting an Interim Use Permit to the Property Located at 3000 245th St E

Jon Juenke made a motion and Dave Nicolai seconded to approve Resolution 2020-01. 5 ayes. Motion carried.

COMMITTEE REPORTS

- NCRWMO - Sandy Weber attended the meeting that was held last week. Their next meeting will be held at our town hall on April 15 at 7 pm.
- One Watershed One Plan – Ms. Weber gave a summary of the meeting that she attended on January 15.

PRESENTATION OF BUILDABLES INVENTORY BY ALEX CONZEMIUS, BOLTON & MENK

Mr. Conzemius summarized the process that was used to create the inventory under the terms of the Grant Castle Rock Township received from the Community Development Agency. During the course of this study, there were three items that he feels need further clarification.

1. Transfer of Building Rights – Language as written in the Zoning Ordinance now is unclear in some circumstances.
2. Lot of Record – Language as it is currently written in the Zoning Ordinance does not define this or require residents to provide this type of proof when a request is made to build a new residence.
3. In the case of multiple owners within a quarter-quarter section, is the policy for the buildable a first come, first served basis? If so, should the Zoning Ordinance be updated to require that all owners within that quarter-quarter section should sign an acknowledgement in some type of a cooperative agreement?

There was discussion as to how the board would like the parcels defined and the language they would like reflected.

Dave Nicolai made a motion that when there are multiple owners in a quarter-quarter section we will allow a collaborative process to relinquish or acquire the building right within a quarter-quarter section from another partial owner. Motion was seconded by Sandy Weber. 5 ayes. Motion carried.

This motion was later rescinded by a motion from Dave Nicolai and seconded by Sandy Weber seconded. 5 ayes. Motion carried.

Mr. Conzemius pointed out concerns about clarifying some language in the Zoning Ordinance regarding only allowing one residential dwelling per quarter-quarter section. There was further discussion on this topic.

Dave Nicolai made a motion and Sandy Weber seconded to keep the existing language regarding this topic. 5 ayes. Motion carried.

There was further discussion on the topic of the first come, first served policy that has been observed in the past on the front quarter-quarter sections. Mr. Conzemius pointed out that there is no language clarifying this and recommended that the Zoning Ordinance should be amended to correct this.

Dave Nicolai made a motion and Sandy Weber seconded to add language clarifying the first come, first served policy on the front quarter-quarter sections. 4 ayes. 1 nay by Kelly Elvestad. Motion carried.

Mr. Conzemius went on to present a few more examples of unique situations within the township that he wanted everyone to be aware of.

Discussion then moved on to the RR-1 rezoning area and the possibility of adding clustering to that zoning category. Supervisor Jon Juenke recused himself. Discussion ensued about if the township is going to take the initiative to re-zone the affected area that was included for consideration when the Comprehensive Plan was updated and approved by the Metropolitan Council. Mr. Conzemius explained that even though the Met Council has authorized this zoning change, the township still needs to go through the process authorizing the change and formally updated the township zoning map. A Public Hearing will need to be held to update the township zoning map.

Discussion then moved to adding clustering to the RR-1 zoning category and identifying the lot size requirements for RR-1 zoning if clustering is added and allowed. Per Chair Elvestad, Troy Gilchrist, Town Attorney, recommends that we need to have a separate Public Hearing for Ordinance changes that would include re-zoning the affected area to RR-1, add clustering provisions, and require 2.5 acre minimum lot sizes in the clustering areas.

Sandy Weber made a motion and Dave Nicolai seconded to proceed with developing the appropriate language for the Ordinance changes as listed above. 4 ayes, 1 abstain by Jon Juenke. Motion carried.

Mr. Conzemius indicated that Bolton & Menk will prepare the updated zoning map and he will work with Mr. Gilchrist to write the appropriate verbiage to be considered.

Sandy Weber made a motion and Jeff Partington seconded to hold a Public Hearing regarding Ordinance changes to include changing the affected area to RR-1 zoning, allowing clustering in RR-1 Zoning, and minimum 2.5 acre lot size in the clustered areas. 4 ayes and 1 abstain by Jon Juenke. Motion carried.

Mr. Conzemius will investigate more details regarding the lot size before verbiage is developed. It was also noted that the Public Hearing date will be determined at a later time.

Mr. Juenke re-joined the Supervisors.

Discussion then moved on as to whether the buildable inventory findings would be considered as a guideline or as an authoritative document.

Jeff Partington made a motion and Sandy Weber seconded that the township will accept the buildable inventory and maps as a guideline. There was some further discussion before the vote was taken.

4 ayes, 1 nay by Kelly Elvestad. Motion carried.

DAKOTA COUNTY SHERIFF UPDATE – There was an inquiry about mail theft in the area. Deputy Regenschied was not aware of any recent reports of this type of problem. Chair Elvestad asked if there was an update about the woman found around Thanksgiving. The deputy said he believed the case had been resolved, but we will check to see if there are more details that can be shared.

UNFINISHED BUSINESS

- All were reminded that a Public Hearing has been set for March 12, 2020 at 7:00 pm to make a final determination as to whether LKQ/Viking Auto Salvage is in violation of the Nonconforming Use Ordinance and the Expansion Resolution. Supervisor Partington indicated that Keith from LKQ had contacted him, but Mr. Partington told him everything is in the hands of the attorneys at this time.
- Follow-up on complaint for 22280 Berring Ave. There has still been no response to violation letter. Clerk was instructed to contact the Building Inspector to make a property inspection regarding any violations.
- Reminder that Dog at Large issue will be included on the agenda for the Annual Town Meeting

NEW BUSINESS

- Chair Elvestad shared that she had purchased New Clerk Training Materials from the Minnesota Association of Townships at a cost of \$15. The materials will be used by the new Clerk as she becomes familiar with the job.

ROAD REPORT

- Mark Henry gave a summary about recent snow events. He shared that he has created a snow fence along the problem portions of Denmark Ave for this season. He has concerns that if we get more wind this week there could be more drifting snow from yesterday's storm, so he will be keeping on top of this depending on the weather conditions.

TREASURER'S REPORT

Receipts \$ 13,235.54

Current Investments \$ 869,961.32

A motion made by Jon Juenke and seconded by Jeff Partington to approve the Treasurer's Report. 5 ayes. Motion carried.

REVIEW PAYROLL AND CLAIMS

Payroll: \$ 1,655.63 Claim # 9729 – 9730

Claims: \$ 20,162.94 Claim # 9731 - 9747

Total: \$ 21,818.57

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

CLERKS REPORT

- Welcome to Michelle St. Mary, who started training this week.
- Reminder that the Presidential Nomination Primary will be on Tuesday, March 3. Polls are open from 7 am to 8 pm
- March BOS Meeting is Monday, March 9. Supervisors were asked to plan to stay a few extra minutes after the meeting to help get the meeting room picked up so it is ready for the elections the following morning. The township elections are March 10, polls are open from 10 am to 8 pm. The Annual Town Meeting begins at 8:30 pm, followed by the Board of Canvass after that meeting (a quorum of Supervisors needs to be present)
- Please let Clerk know if you have any further updates that should be posted on the website.

OTHER – Chair Elvestad indicated that a formal Employment Agreement and a Resolution are being prepared by the town attorney for the new clerk and those will be presented at the March meeting.

ADJOURN

A motion to adjourn was made by Dave Nicolai and seconded by Sandy Weber. 5 ayes. Motion carried.

Meeting adjourned at 9:42 pm.

Respectfully submitted,

Barbara Lang (original signature on file)

Barbara Lang, Clerk

Attest:

Kelly Elvestad (original signature on file)

Kelly Elvestad, Chair, Board of Supervisors