

CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS REGULAR MEETING
April 13, 2020

Approved

The regular monthly meeting of the Board of Supervisors of Castle Rock Township was convened on April 13, 2020, by Zoom teleconference. Present were Kelly Elvestad; Chair, Sandy Weber, Vice-Chair; Jon Juenke, Jeff Partington, and Dave Nicolai Supervisors. Also, in attendance were Rhonda Rademacher, Treasurer, and Michelle St. Mary, Clerk. Others present were Alex Conzemius, Town Planner and Jerry Larson.

Chair Kelly Elvestad called the meeting to order at 7:02 pm and the Pledge of Allegiance was recited.

Vote was taken by roll call.

APPROVE AGENDA

Kelly Elvestad requested to add Clerk hours to Clerk Transition. Dave Nicolai requested that Randolph-Hampton Fire Agreement update, Lion's Club Bingo at the fair and update on trees in front of the townhall all be added to New Business.

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

CONSENT AGENDA

1. March 9, 2020 Board of Supervisors Regular Meeting Minutes.

Jon Juenke made a motion and Sandy Weber seconded to approve Consent Agenda March 9, 2020 minutes. 5 ayes. Motion carried.

2. March 12, 2020 Board of Supervisors Public Hearing.

Dave Nicolai made a motion and Jeff Partington seconded to approve Consent Agenda March 12, 2020 minutes. 5 ayes. Motion carried.

3. March 23, 2020 Board of Supervisors Special Meeting.

Sandy Weber made a motion and Jeff Partington seconded to approve Consent Agenda March 23, 2020 minutes. Kelly Elvestad and Jon Juenke abstained for voting. 3 ayes. Motion carried.

4. April 2, 2020 Board of Supervisors Continued Public Hearing.

Jeff Partington made a motion and Jon Juenke seconded to approve Consent Agenda April 2, 2020 minutes. 5 ayes. Motion carried.

PUBLIC COMMENT- Jerry Larson spoke he said he was not able to find out any information because he does not have the authority to do so. He stated that he did read through some of the other ordinances and they all require a specific stipulation to be enforced the dogs at large one is unique. It was decided to add the Dogs at Large ordinance to Unfinished Business Ordinance amendment process.

PLANNING COMMISSION UPDATE

Planning Commission Chair Jeff Partington gave the following report:

At the March 23rd Planning Commission meeting, the following items were reviewed/discussed:

- Building permit application for 60' x 80' accessory building, Jason & Jennifer Heath 2820 245th St. The Planning Commission recommends that the Board of Supervisors approve proceeding with this permit.

REVIEW/APPROVE

- Building permit applications for 60' x 80' accessory building.

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

- 2020 Annual Park Maintenance Agreement or mowing was submitted by Aaron Ehlers. Jeff Partington asked that it be added to the contract there be additional weed whipping in Rocky Hills. Jeff Partington stated that the ditches from 264th to LKQ's fence and 263rd out to the field are a mess. Kelly Elvestad said she would contact Aaron Ehlers and ask what he would need to weed whip these ditches.

COMMITTEE REPORTS

UNFINISHED BUSINESS

There was discussion about the ordinance amendment process based on information provided by Town Planner Alex Conzemius. Alex shared that him and Troy Gilchrist, Town Attorney, have been going back and forth working on getting the language right to use for a future Public Hearing. First, he shared the language that the building right is available on a first come first serve basis. Second, he shared that language had been added to say that an entire quarter/quarter section remains even if there are minor intrusions such as a railroad or public right of way. Third, he shared the minimum lot size increasing to 2.5 acres which is required for the septic systems. Kelly Elvestad asked why for conditional use was it kept to 1 acre? Alex's response was, for instance a cemetery that does not need a septic system. Alex cautioned that a school or church would be under conditional use but would need a septic system. There was then discussion around this issue, the Board decided on having this language added, for conditional use 1 acre unless use requires a septic system, which will then be a minimum lot size of 2.5 acres. Next, Alex shared that Troy felt the language of farm and per farm should be stricken because it will now be rural residential and clustering. Alex added clarification that property owners that were a lot of records prior to 1978 should produce evidence that there was a lawfully established lot. Alex went on to share that he tried to revise the Intent section but had not yet come up with language he liked. The Board just suggested the simpler the language the better. Alex shared that the language in 6 and 7 was previously allow clustering solely in the Agricultural District we now want it to allow clustering in the Rural Residential and the language subservient and dominant quarter/quarter section will be changed to subservient and dominant parcel. Alex also clarified that the clustering within the Rural Residential district would be done within parcels, and in multiples of 10 acres parcels. Jon Juenke recused himself at the time. Kelly Elvestad said he was recused. Dave Nicolai asked about the owner of 80 acres would have 8 buildable lots could they push all the lots into one corner? Alex replied correct. Dave Nicolai then asked if there is adjoining properties can that person buy building rights of the neighboring properties and transfer them to his property making him the dominant property? Alex replied different townships do it differently, sometimes it must be an adjacent property sometimes must be transferred within the quarter/quarter section. Kelly Elvestad then asked if you are moving it within your own parcel you do not have to get anyone's permission? Alex replied that is when one owner owns the property. Kelly Elvestad asked if the word "entire" should be added making it "entire property?" Alex replied sure. Alex then shared another example, when there are multiple owners conveying building rights each and every owner of the subservient property shall sign a document. Sandy Weber asked if everybody does not sign it would then be null and void? Alex replied yes, anyone that owns property and that is going to be transferring a building right to or from there would have to be a signing party. Alex added that the signing document should probably have an Exhibit added stating the acres and building rights being transferred. Dave Nicolai asked about an area that has 10 acres, but the school owns would this have building rights? Alex responded that the 10 acres lot despite dense residential development in this quarter section that has been established prior to 1978 there is a strong argument to say it is a buildable lot. Dave Nicolai asked if there is anyway to avoid this? Alex replied I do not think so. Kelly Elvestad asked does it state that RR1 can be transferred to any property? Alex responded there might not be language in here stating transfer must be done in the section or do we want to say quarter section? The Board discussed this and said they would want the transfer to be kept within the quarter section or at least the section, they should not be able to just transfer to any RR1. Alex said he would add language to achieve that goal. Alex shared that Troy commented that striking the language quarter/quarter sections and replacing with property or parcel. And he said terms dominant and subservient parcel or property should have definitions added. Alex then shared the map changes.

Dave Nicolai asked if there should be a language change in section B1. Standards & Requirements. He stated that all residential dwelling units for which a certificate of occupancy was issued prior to 1978, but half the houses in the township don't have that certificate especially the old farmhouses didn't have them back then, should we say existing? Alex responded he would run it by Troy.

Kelly Elvestad asked at this point since the Board is all in agreeance on the language do, we need to look at it again before the next Board of Supervisors meeting? Dave Nicolai stated we should take another look at it next Board of Supervisors meeting if we all like it we could approve it moving to a Public Hearing. Sandy Weber agreed.

Jon Juenke returned.

The Board of Supervisors discussed The Dogs at Large ordinance. Dave Nicolai shared that there had been residence calling and complaining about some dogs so the township had adopted that the sheriff's office can enforce the ordinance. At that time, it resolved the problem, but it might have been made in haste and we should probably examine this more closely. Kelly Elvestad asked if the Board thinks we should cancel the agreement and go back to where the Board handles any Ordinance violations? Sandy Weber brought up that this is a contract with the Sheriffs Department and there might be steps and cost involved in changing this agreement. The Board agreed to look at this more. Michelle St. Mary will get the JPA with the Sheriffs Department. And Kelly Elvestad will contact the township attorney if more clarification is needed.

The Board of Supervisors reviewed and discussed the Road Meeting Report submitted by Sandy Weber and Jon Juenke in regard to Norb Kuhn's property. Norb Kuhn has agreed to install a 21" squash culvert and the Township will clean out the ditch from 260th to 270th along Akron. The Board decided to revisit installing additional pipes on 270th and Akron and culverts from 260th to 270th and ditches checked and cleaned until after the road inspections.

A motion was made by Sandy Weber and seconded by Jon Juenke to move forward with the plan to have the township clean the ditch. 5 ayes. Motion carried.

The Board of Supervisors discussed signing the form to have Lion's Club Bingo at the Fair.

A motion was made by Dave Nicolai and seconded by Kelly Elvestad to have Dave Nicolai sign the Lion's Club Bingo at the fair form. 5 ayes. Motion carried.

Dave Nicolai explained the map he received from Randolph-Hampton Fire Department showing more exact the line separating which fire department is responsible for that portion of the township.

A motion was made by Dave Nicolai and seconded by Kelly Elvestad to sign the form received from the Randolph-Hampton Fire Department. 5 ayes. Motion carried.

The Board of Supervisors discussed Drea Doffing wanting the wood from the trees that will be cut down in front of the Town Hall once the County road 78 project begins. The Board was fine with this.

NEW BUSINESS

- Kelly Elvestad suggested a binder of non-packet information be put together and left on the supervisors table to be looked at.
- There was some discussion about computer passwords and remote access. Kelly Elvestad stated that the MAT attorney had said it is a legal responsibility of the clerk to keep things secure. Rhonda Rademacher shared that there is remote access through frontier you just need the password, however you can only check emails.
- Kelly Elvestad said that she was told by the MAT attorney that most townships have a visitor log and that it should be signed by everyone who comes into the Town Hall and state the purpose of the visit.
- There was discussion of the Clerk transition and office hours. Dave Nicolai shared that he had been in contact with Charlie the Clerk in Empire Township and Charlie had stated that Michelle St. Mary the new clerk could call at any time with questions. Sandy Weber said Charlie is a great resource as well as the other township clerks. Kelly Elvestad added that the Planning Commission and Board of Supervisors are also there to answer questions. It was decided at this time the clerk hours will remain by appointment and that Michelle St. Mary will continue to work Monday, Tuesday and Thursday 9:00a.m. – 12:00p.m. This will be revisited after the stay at home order is lifted.

DAKOTA COUNTY SHERIFF UPDATE

ROAD REPORT

- Kelly Elvestad read Mark Henry's road report. In which it stated that because of the early spring he has been able to get over the town's gravel roads, trimming shoulders and re-establishing crown. Overall, he thought things looked good.
- The Board of Supervisors reviewed the gravel quotes submitted by Castle Rock Materials and Anderson Rock and Lime.

Motion was made by Jon Juenke and seconded by Dave Nicolai to except Projects #1 - #5 from Anderson Rock and Lime INC and except Project #5 from Castle Rock Materials. 5 ayes. Motion carried.

- The Board of Supervisors then reviewed the quote from Gopher State Sealcoat, INC.

Motion was made by Dave Nicolai and seconded by Jon Juenke to except the Gopher State, INC. crack sealing. 5 ayes. Motion carried.

- The Board of Supervisors then reviewed the two options for Gopher State Sealcoat, INC. for repairs in Castle Rock Village.

Motion was made by Dave Nicolai and seconded by Sandy Weber to except option #2 from Gopher State Sealcoat, INC. 5 ayes. Motion carried.

- The Board of Supervisors reviewed the dustproofing information.

TREASURER’S REPORT

Receipts \$ 7,546.42
Current Investments \$ 842,137.06

Jon Juenke made a motion and Jeff Partington seconded to approve the Treasurer’s Report. 5 ayes. Motion carried.

REVIEW PAYROLL AND CLAIMS

Payroll: \$ 6,662.60 Claim # 9779 – 9790 (NOTE: Check #9789 Voided due to printing error.)
Claims: \$ 28,514.79 Claim # 9791 - 9817
Total: \$ 35,177.39

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

CLERKS REPORT

- Reminder that MAT has made arrangements for online versions of some of the Spring Short Courses.
- Please let Clerk know if you have any further updates that should be posted on the website.

ADJOURN

A motion to adjourn was made by Dave Nicolai and seconded by Jon Juenke. 5 ayes. Motion carried.
Meeting adjourned at 9:10 pm.

Respectfully submitted,

Michelle St. Mary, Clerk (original signature on file)

Attest:

Kelly Elvestad, Chair, Board of Supervisors (original signature on file)