



Castle Rock Township

Since 1858

Dakota County, Minnesota

2537 240th Street West, Farmington, MN 55024 castlerocktownship.com

BOARD OF SUPERVISORS MEETING MINUTES

August 12, 2025

The regular monthly meeting of the Board of Supervisors of Castle Rock Township was convened on August 12, 2025. Present were: Jerry Larson (Chair), Norbert Kuhn (Vice-Chair), BJ Elvestad, Pete Schaffer, Jordan Harper, Rhonda Rademacher (Treasurer) and Molly Weber (Clerk). There were 16 other people present.

Chair, Jerry Larson called the meeting to order at 7:00pm and the Pledge of Allegiance was recited.

APPROVE AGENDA

Norbert Kuhn made a motion to approve the agenda with additions. Jordan Harper seconded. Motion carried. (5-0)

DAKOTA COUNTY SHERIFF UPDATE

Deputy was present and advised to lock up valuables. There has been a high rate of accidents. He discussed the new motorcycle law. Sheriff office will share speed trailer throughout the County.

CONSENT AGENDA

1. July 8, 2025 Board of Supervisor Meeting Minutes
2. LA2025-0004 Large Assembly Permit for Viking Age Events Company @ DC Fairgrounds – Oct 4, 5, 11 & 12
3. LIQ2025-0003 Temporary Liquor License for Viking Age Events Company @ DC Fairgrounds – Oct 4, 5, 11 & 12

BJ Elvestad made a motion to approve 1-3 of the consent agenda. Pete Schaffer seconded. Motion carried. (5-0)

REVIEW/APPROVE

- Mark Emerson – AG-2025-0005
 - Permit application for AG shed @ 1872 270th St W
 - PID#07-03300-01-021

Norbert Kuhn made a motion to approve the AG shed, permit# AG-2025-0005 for Mark Emerson. BJ Elvestad seconded. Motion carried. (5-0)

- Jason Graham – VAR-2025-0001
 - Permit application for new garage @ 22444 Annette (new plans on their way)
 - PID#07-00200-27-020
 - Demolition Permit for old garage (\$201 fee, can check box on existing permit application)

BJ Elvestad made a motion to recess the current meeting at 7:08pm. Norbert Kuhn seconded. Motion carried. (5-0)

BJ Elvestad made a motion to open the Board of Adjustments meeting. Norbert Kuhn seconded. Motion carried. (5-0)

BJ Elvestad made a motion to select Norbert Kuhn as Chair, Jordan Harper as Vice Chair and Jerry Larson as clerk for the Board of Adjustments meeting. Jerry Larson seconded. Motion carried. (5-0)

Per Clerk, Jerry Larson minutes. Jason has a 4 foot drop in the back. All Board members gave concern. BJ Elvestad made a motion to approve the variance request and permit requests for Jason Graham. Jordan Harper seconded. Motion carried. (3-2) Pete Schaffer and Norbert Kuhn were nay. Jerry Larson, BJ Elvestad, and Jordan Harper were yea. BJ Elvestad made a motion to close the Board of Adjustments meeting at 7:20pm. Jordan Harper seconded. Motion carried. (5-0)

- Al Maghfirah Cemetery – CUP-2025-0001
 - Permit application for new construction commercial building @ 1120 220th Street East
 - PID#07-00300-25-15
 - Demolition Permit needed (\$201 fee, can check box on existing permit application)
 - **Resolution 2025-11** - A Resolution Approving Amendment No. 2 to the Conditional Use Permit, Resolution No. 2016-01, as amended by Resolution 2022-05, allowing renovation or expansion of one of the buildings.

Discussion was had. The only amendment to the conditional use permit is replacing an existing building with a new one. Jordan Harper made a motion to approve Resolution 2025-11 (CUP-2025-0001) with a maximum building size of 8,500 square feet. BJ Elvestad seconded. Motion carried. (5-0) Jordan Harper made a motion to approve the building permit for Al Maghfirah contingent on Inspectron's approval. BJ Elvestad seconded. Motion carried. (4-1) Norbert Kuhn feels the Board should have everything in front of them.

PUBLIC COMMENT

- Mike Slavik – reminder DCTOA Fall meeting is Wednesday September 17. 86 project: subcut done, curb next week, opening in September. Roundabout project for next year will be bid in winter – closure to be 2 ½ months weather permitting.
- Open Meeting Law –

Steve,

Sorry to bother you with this as we have already discussed this. Supervisor C has raised a concern about communications that may have violated the OML.

Recap: Supervisor B called me Aug. 6th and told me he had questions he wanted Andrew Tiede to answer before our meeting. We meet and I wrote down his questions. I forwarded the questions and Andrew replied he would be available to discuss the issue on Friday afternoon. I called Supervisor B and advised him of the meeting on Friday afternoon, he was unable to attend. I then reached out to supervisor D to see if he was available and he was. We had a conference call with Andrew on Friday afternoon consisting of Andrew, Supervisor D and myself. Andrew answered legal questions and gave advice to us. No decisions were made as there were none to be made. Supervisor B and D never spoke about these issues other than in the next meeting. Andre sent a follow up email to Molly recapping the issues we discussed.

Did we violate the open meeting law?

Thank you for your time answering this concern.

Hi Jerry,

Sorry for the delay. I can't conclude if anyone violated the OML. It's a hard determination to make because the law is not well-defined and courts interpret differently than the Data Practices Office and other courts. Andrew is your best option for an opinion like that.

Generally, scheduling a meeting or event is treated as exempt from or outside of the OML. Officers need to get agreement of when they can meet before it can happen, so it's been treated as an exemption. The fact that a third supervisor knows a meeting of other people is going on does not add that person to the quorum.

The OML has been interpreted to apply to exchanges of information that did not produce a decision. So remember that a decision is not required to create a meeting.

It's important to follow the OML, but it's also important to keep it in perspective. OML is a civil violation – not a crime. No one is going to jail for OML violations. OML considers the intent of the people involved. A court has to find that a person intended to violate OML for them to be liable. This helps protect officers who are trying to follow the law as you are. Next, remember that a person has to fund a civil lawsuit for the chance to have an officer found liable. There are no guarantees that the plaintiff wins their case. Even if they win, they do not personally get money. The attorneys get their attorney fees, and the civil fine does not go to the plaintiff. So they don't come away with anything. These factors should help put OML into some perspective.

PRESENTATIONS

- Matthew Belanger – Dakota County – Agriculture Chemical Reduction Effort (ACRE) update – presentation given. Grants are available on their website for water treatment for reverse osmosis and such. Irrigator water testing is coming up at Marshan Township and City of Hampton. Check out Soil and Water cost share information online.

ROAD REPORT

- Question on 20,000 pounds of Class 5 – Darren Anderson has us for 20,000 pounds more of class 5. We have .4 miles on 240th & 250th that need rock.
- Bryce Otte – Otte's – chloride came in under budget so Bryce suggests to chloride roads if we gravel them. Worked on some trees on 230th. Bryce suggests messaging the sheriff for the 5-6 spots where kids are ruining the roads. **Jordan Harper made a motion that we give Otte's control of maintenance and grading and if they have any doubtful situations they should contact Jerry Larson. BJ Elvestad seconded. Motion carried. (5-0)** BJ Elvestad made a motion to gravel and chloride 240th and 250th off of Highway 3. **Jordan Harper seconded. Motion carried. (5-0)**
- Address signs – Jerry Larson made a motion that homeowners install address signs themselves with guidelines or they can contact Otte's and directly pay them to install them. **Jordan Harper seconded. Motion carried. (5-0)**
- Driveway Permit – Norbert Kuhn made a motion to have Otte's do driveway permits. **BJ Elvestad seconded. Motion carried. (5-0)**

UNFINISHED BUSINESS

- Couri and Ruppe Meeting Update – Norbert Kuhn – **Norbert Kuhn made a motion to have a meeting with Couri and Ruppe at 5:30pm on Tuesday September 9, 2025. BJ Elvestad seconded. Motion carried. (5-0)**
- Culvert Contract – this looks good.
- Rocky Hills – BJ Elvestad summarized the conversation with the township attorney who did not see an issue with selling the property (PID#07-64450-01-040). A few of the 27 neighbors who were sent letters attended the meeting with concerns of selling it. **Norbert Kuhn made a motion to put Rocky Hills on the agenda for the Annual Meeting and to mention it in the Chronicle. BJ Elvestad seconded. Motion carried. (5-0)**
- Policy Manual – Jerry Larson will edit page 1 based on the Board's conversation.
- Weed Control – Norbert Kuhn will schedule Mike from the elevator to give a presentation for future consideration.
- Ordinance Manual – table until September
- Technology Update (streaming meetings) – MAT attorney recommends not storing the meetings – Board already discussed not doing this until the lawsuit is over.
- Office Assistant/Clerk Responsibilities – table until September – everyone to make edits to job description for next meeting
- Eureka Letter – Jerry Larson and Molly Weber will respond to Eureka.
- Lawsuit – All attorneys agree to push back discovery until we hear from judge.

NEW BUSINESS

- Board research prior to meeting with supporting documents – ask that the Board have supporting documentation
- Permit Request – same day as meeting for Planning Commission – There will be no changes to the process.
- Building Permit Cheat sheet – Start using once Board edits are completed.
- Information Request Policy – Clerk/Treasurer work for the Board (not just one board member) per MAT Attorney so will request information as a Board. **Jerry Larson made a motion that BJ Elvestad work with Rhonda Rademacher on quarterly reports the board would like to see in the packet. Jordan Harper seconded. Motion carried. (5-0)**
- Computer for Office – **Jerry Larson made a motion to have Jordan Harper work with Rhonda Rademacher for a new office computer up to \$1,500.00. Jordan Harper seconded. Motion carried. (5-0)**
- Board of Adjustments & Appeals – Andrew to draft a resolution appointing Board as the Board of Adjustments & Appeals – table this until we know what is going on with becoming a City or not

FYI/REMINDERS

- Upcoming Tire Recycling Opportunities – September 10, call 651.645.9149 and October 4 at the Dakota County Empire Maintenance Facility in Rosemount

COMMITTEE REPORTS

- Website Report – Status – Jordan Harper will research what our website is all about.

TREASURER'S REPORT

- Receipts \$212,472.68
- Current Investments \$1,095,548.06

BJ Elvestad made a motion to approve receipts at \$212,472.68 & current investments at \$1,095,548.06. Jordan Harper seconded. Motion carried. (5-0)

REVIEW PAYROLL AND CLAIMS

- Payroll: \$3,997.93 Check #11495-11496
- Claims: \$58,240.60 Check #11497-11518
- Total: \$62,238.53

Jordan Harper made a motion to approve payroll at \$3,997.93.00 and claims at \$58,240.60 Pete Schaffer seconded. Motion carried. (5-0)

Rhonda Rademacher is going to look into some grants from Dakota County for Elections.

- GDO Law Bill
- Otte Bill

CLERKS REPORT

- N/A

OTHER BUSINESS

- N/A

ADJOURN

BJ Elvestad made a motion to adjourn the meeting at 10:45pm. Norbert Kuhn seconded. Motion carried.

Date Signed

11/10/25

Respectfully Submitted,

Molly Weber, Clerk

Molly Weber, Clerk

Attest:

Jerry Larson
Jerry Larson, Township Chair