

MINUTES
MONTHLY ORONOCO TOWN BOARD MEETING
April 5, 2021 5:30 PM

This was an in-person meeting.

The monthly Oronoco Town Board Meeting was called to order on April 5, 2021 by Chair Charlie Lacy. Present: Supervisors Charlie Lacy, Ken Mergen and Tammy Matzke, Treasurer Kim Stanton, Clerk Lucy Shonyo.

The **agenda** was changed to move the raffle authorization after Sergeant Chambers.

Agenda Topics

Sergeant Chambers of the Olmsted County Sheriff's Department was present to introduce himself to the board. He is the officer now assigned to Oronoco Township.

Sergeant Chambers noted the recent rise in catalytic converter thefts.

Sergeant Chambers was asked to patrol the Lake Zumbro Park public access area (formerly Fisherman Inn) particularly on weekends, watching for boats and trailers parked on Blakely Court. There are no "No Parking" signs posted. Homeowners should call the Sheriff's Dept if driveways are blocked.

Sergeant Chambers will contact Captain Wallace to review the conversation supervisors had with Captain Wallace related to speeding on 11th Ave NW. It was suggested placing a speed monitor on the road to inform drivers of their speed.

Raffle Authorization – Karl Schuller

Mr. Schuller asked for board consent to hold the Lake Zumbro Forever raffle. This is an annual event.

Ken Mergen moved to consent to the raffle. Charlie Lacy second, motion carried 3-0. Charlie Lacy signed the consent form.

OR2021-001ZC - Oronoco Township

Information for these minutes is from the packet and verbal information presented by Olmsted County Planning staff.

Kristi Gross, Olmsted County Senior Planner presented the Planning Department's staff report.

Request: The zone change was initiated by the Town Board on February 1, 2021 to rezone the properties currently zoned ARC-Agricultural Residential Cluster area to RA-Rural Residential, R-1 Low Density Residential or A-3 Agricultural District.

Location: The properties are located in the East 1/2 of Section 22, The West 1/2 of Section 23 the NE Quarter of Section 27 and the NW Quarter of Section 26 all in T108M, R14W, Oronoco Township.

Background: The ARC-Agricultural Residential Cluster areas were approved prior to March 17, 1987. Currently Oronoco Township has one area of approximately 513 acres that is currently zoned ARC [see the ARC Map by using the link above.]

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OR2021-001ZC, applicant Oronoco Township, Background, continued

The underlying land use designation of this area is Suburban Development and Resource Protection-Potential Suburban Development. Of the 513 acres about 99 acres are in the Resource Protection-Potential Suburban Development designation.

The subdivisions located within the ARC are Windemere, Windemere II, White Birch Hills 1st Subdivision and White Birch Hills 2nd Subdivision.

The purpose of the ARC district, according to the July 30, 1984 zoning ordinance, was to allow single family dwellings to be clustered together in woodland areas or on non-prime agricultural farmland or unfeasible farmland in a manner that prime agricultural farmland and unique natural amenities would be preserved. This district is limited to the areas that are currently zoned “A-3 Agricultural” and is intended to provide a designated agricultural or open space area. The boundaries of the two designated areas (residential and agricultural or open space) shall be permanent unless all the land included in the ARC is rezoned to a different zoning district.

Permitted uses within the various zoning district options are:

- The R-1 Zoning district would allow for more dwellings within the area. The minimum lot size in the R-1 district is 2 acres. This zoning district is appropriate in the land use designation of Suburban Development but would allow for the existing parcels to be split multiple times which could change the rural characteristic of the existing platted area.
- The R-A Zoning district allows for larger lot sizes and rural land uses such as horses. The minimum lot size in the R-A district is 5 acres. The existing large lot sizes would support the RA zoning district and would not result in a dramatic change in the character of the area.
- The unplatted land is located within the Resource Protection-Potential Suburban district. The A-3 Zoning District is an appropriate zoning district for this underlying land use and consistent with the surrounding A-3 property.

Options are:

1. Initiate a zoning district amendment for the existing subdivisions to R-1 and/or R-A.
2. Initiate a zoning district amendment for the non-platted area as A-3.
3. Do nothing.

Analysis and Findings:

The criteria to amend a zoning district are located in Section 4.00 Section H in the Oronoco Township Zoning Ordinance as follows:

1. The proposed zoning district is consistent with the Oronoco and Olmsted County General Land Use Plan. The RA zoning district will allow for large rural lots which are consistent with the original ARC zoning district. The A-3 zoning district is what the property was originally zoned and also consistent with the agricultural areas of the ARC district.
2. The amendment is in the public interest. It will allow landowners more flexibility with their land use choices while keeping the character of the area intact.

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OR2021-001ZC, applicant Oronoco Township, Analysis and Findings, continued

3. The proposal is timely. The ARC zoning district was eliminated by the county in 1987. The town board officials at that time indicated they would be changing the zoning district of the existing ARC zone, which to date has not occurred.
4. The proposal permits land uses that are consistent with the existing zoning district and similarly sized properties in the proposed zoning districts.
5. The proposal is not spot zoning, the proposed zoning districts are consistent with the underlying land use designations of Suburban Development and Resource Protection-Potential Suburban.
6. A General Development Plan does not exist for the property but the proposal is consistent with the original ARC zoning district requirements.

Staff Recommendation:

Based on the above findings, planning staff recommend the following actions:

1. Amend the zoning district for the existing platted areas of Windermere, Windermere II, White Birch Hills 1st Subdivision and White Birch Hills 2nd Subdivision to RA-Rural Residential Zoning District.
2. Amend the zoning district for the unplatted land currently zoned ARC to A-3 Agricultural District.

OTPAC voted unanimously in favor of zone changes as recommended by county planning staff.

Ken Mergen moved to open the public hearing for OR2021-001ZC. Tammy Matzke second, motion carried 3-0.

Chair Charlie Lacy asked those present to speak for or against OR2021-001ZC.

Sam Allen, 707 Windermere Ct NW, spoke in favor of the zone change. He wants to split his property but cannot because of the ARC restrictions.

Lynn Leonard, 9885 Thunderbluff Rd NW, spoke against the zone change. He wants to keep "as is", and said neighbors not present feel the same. Property owners like what they have.

Matt Baker, 774 White Birch Ct NW, noted a discrepancy in the notice received about this public hearing which said people could also call in to register their opinions. He asked if this zone change would affect taxes (no, per Kristi Gross) and how this zone change would affect the distance between homes. Kristi Gross noted the set-back requirements for different zones. Mr. Baker expressed that property values decrease with smaller lots closer together.

Charlie Lacy noted that the zone change would put ARC property owners on equal footing with other Oronoco Township property owners. Property owners in ARC zones cannot divide their property as other owners can.

Tammy Matzke moved to continue the public hearing for OR2021-001ZC to the May 3, 2021 town board meeting due to the error in the notice. Ken Mergen second, motion carried 3-0. [The May 3, 2021 meeting will be an in-person only meeting at Oronoco City Hall, 5:30pm.]

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Road Report – Ken Mergen

A citizen on Cedar Beach Drive called about a broken culvert causing water to run into his garage. The culvert was plugged and is flowing now. It should be looked at again when things are fully thawed. Property owners at the end of Cedar Beach Dr had complained about plowing 30' away from the driveway. Per Tom Rathman, plow operator, they used to have permission to drive into the driveway enabling the plow to get closer. If that isn't possible, the shrubs in the right of way will need to be removed. Charlie Lacy will plan a road viewing with Tom Rathman.

Placing Cedar Beach Drive No Parking signs are a work in progress. Charlie Lacy will followup.

A formal plan is needed for guardrail placement on Ryans Bay Road before bids can be obtained.

Guardrails are expected to cost about \$22 - \$34,000 with Zumbro Township paying 50%. Ken Mergen will contact Mike Zillgitt, construction engineer.

There was fill dumped on CR114. The county was notified.

It is thought Fahrner will do the Thunderbluff area in May. The Kapler Ln estimate was \$1,800. This work has not been finalized.

Steve Allen, Providentia Hills, wants the stop signs at the north end of 11th Ave NE /85th St to say "all way" stop, and would like speed limits on these roads.

Board members will do individual road tours this year. Township sections were divided among the board. Target completion date is April 19th.

Kings Park Road and 3rd Ave NW look "neglected" per Charlie Lacy. Tammy Matzke told of an accident this winter on Kings Park Dr. A power pole was struck and had to be replaced. The driver left and scene. The car was towed.

Sealed Bids for all-season road work – One sealed bid was received for all season road maintenance, that from Schumacher's Excavating. The board reviewed the bid. Scott Schumacher noted they purchased a new 4WD motor grader. A Certificate of Liability Insurance was submitted. **Ken Mergen moved to accept the bid from Schumacher Excavating for all-season road maintenance. Tammy Matzke second, motion carried 3-0.** [The bid is available from the clerk.]

Quotes Received –

Rock - Two quotes were received from Roberson Lime & Rock, one for crushed rock spread on icy roads at \$10.75/yd, plus \$120/ hr labor. This quote includes a minimum December – March monthly \$2,000 charge. The second quote for class 5 crushed rock for general maintenance is \$7.83 per ton, to be truck spread, May 2021 to May 2022, except during times of road weight restrictions. Converted to yards, this equates to \$10.57. **Charlie Lacy moved to accept the two quotes from Roberson Lime & Rock. Tammy Matzke second, motion carried 3-0.** [These bids are available from the clerk.]
Mathy was invited to submit a quote but did not.

Quotes received, continued

Chloride – One quote was received for chloride from Quality Propane Inc., for 30% magnesium chloride spread at a .3% rate at .90/gal applied. **Ken Mergen moved to accept the quote from Quality Propane with the stipulation that not more than 85,000 gallons be applied. Charlie Lacy second, motion carried 3-0.** [The bid is available from the clerk.]

Freeborn County Co-op Oil sent a letter inquiry about submitting a quote but did not respond to an invitation to do so.

Spring Cleanup – Tammy Matzke

Continuing river cleanup came up at the annual meeting. Kalmar Township landfill will accept tires at \$435/ton. Tammy Matzke has been in contact with a 4x4 group who would volunteer to transport tires from the river to a dumpster. Funding is not available from Lake Zumbro Forever or Olmsted County. Lucy Shonyo will research whether the township can legally fund this action.

Broadband, People's Coop – Tammy Matzke

A citizen at the annual meeting asked why People's Co-op lines couldn't be used for broadband lines. Per People's they are simply not set up to do that, but they allow other providers to use their poles.

Administrative Business

Minutes Approval – Ken Mergen moved to approve the March 2021 Oronoco Town Board minutes. Charlie Lacy second, motion carried 3-0.

Tammy Matzke moved to approve the 2021 Annual Meeting minutes. Ken Mergen second, motion carried 3-0.

Ken Mergen moved to approve the Board of Canvass minutes. Tammy Matzke second, motion carried 3-0.

At this point the board took a 5 minute break.

Treasurer's Report – Kim Stanton

The YTD Statement of Receipts, Disbursements and Balances as of April 1, 2021 shows: receipts \$88,496.77, disbursements \$259,172.71 with an ending balance of \$642,291.00. March net payroll (paid in April) totaled \$2,596.00. This included \$230.87 for election judges for the March township election. Claims totaled \$8,476.74.

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Treasurer's Report – Kim Stanton, continued

Clerk Lucy Shonyo reported a voided check (#7311) issued March 1, 2021 to Roberson Rock in the amount of \$1,605.00. This was due to misinterpreting the invoice. February actual charges were paid instead of deducting the amount from our winter pre-pay amount. An explanation from Bonnie Roberson is included in the March 2021 financial reports book.

Think Bank cashed a check, making a .01 error. We will have to make a .01 adjustment.

Tammy Matzke moved to approve the treasurer's report. Ken Mergen second, motion carried 3-0.

Approval to Pay Bills –

Claims and payroll as expressed in the treasurer's report were presented for approval.

Ken Mergen moved to approve payment of claims and payroll. Charlie Lacy second, motion carried 3-0.

OTPAC Report – Charlie Lacy

OTPAC heard OR2021-001ZC, applicant Oronoco Township, relating to rezoning properties in the ARC zoning district in four subdivisions. OTPAC unanimously approved the zone change as recommended by Olmsted County Planning.

Charlie Lacy made a motion to reappoint Angela Smith to OTPAC for a 3 year term. Tammy Matzke second, motion carried 3-0.

Topics from the annual meeting: a dog park, brush dump and solar farm will be taken up at a future meeting.

Orderly Annexation Agreement – The township is expecting an Orderly Annexation Agreement will be sought by the City of Oronoco to acquire land for their waste-water processing site. It is thought this will be a triangular piece of property north of 75th St and east of Hwy 52.

American Rescue Plan Act – It is not yet known how this will impact the township. It is thought that broadband and technology improvements could be funded. Lucy Shonyo will find out if MAT will issue any guidance on the matter.

May Meeting Format – The May 3, 2021 Oronoco Town Board meeting will be an in-person only meeting held at Oronoco City Hall, 5:30pm.

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Other Topics, Notifications

- a. Oronoco City Hall is open; postings will now be INSIDE instead of on the door
- b. Local Board of Appeal & Equalization is April 19, 4:30 to 5:00pm

Tammy Matzke moved to adjourn at 8:25pm. Ken Mergen second, motion carried 3-0.

Respectfully Submitted,

Lucy Shonyo, Clerk

Charlie Lacy, Chair

DRAFT