

**MINUTES**  
**MONTHLY ORONOCO TOWN BOARD MEETING**  
**August 3, 2020 5:30 PM**

This was an in-person meeting.

**The monthly Oronoco Town Board Meeting was called to order on August 3, 2020 by Chair Charlie Lacy.** Present: Supervisors Charlie Lacy, Ken Mergen and Tammy Matzke, Treasurer Kim Stanton, and Clerk Lucy Shonyo.

The Pledge of Allegiance was recited.

The **agenda** was accepted as presented.

**Agenda Topics**

**OR2020-003VAR, LoBue**

Kristi Gross, Olmsted County Planner, was present.

Paul Armon, AIA, Armon Architecture Inc was present via phone on Ms. LoBue's behalf.

This info is condensed from the Olmsted County Planning Department's Staff Report.

**Request:** The request is to allow a dwelling 12' from the right of way instead of the required 30' setback.

**Location:** The property is located in the SE ¼ of the SE ¼ of Section 2 in Oronoco Township. The property currently does not have an address but is located along Zumbro Slopes Ct NW.

**Zoning:** R-1 Low Density Residential

**Background Info:** The property consists of two tax parcels that will need to be combined before a building permit is approved. The property is classified as shoreland. Bluff impact zone setbacks apply. The applicant is requesting the dwelling be built as close as possible to the township road in order to meet the bluff setback.

**Analysis and Findings:**

1. The property has significant topographic challenges. The majority of the lot is within the bluff impact zone. The applicant is minimizing shoreline impact by requesting a variance to the road setback.
2. The extraordinary circumstances are not created by the landowner. The plat is from 1939, several years before shoreland requirements. The lot is a lot of record and buildable. The topography limits where on the lot a dwelling could be built.
3. The bluff impact zone is the practical difficulty that does not allow the dwelling to be built elsewhere on the lot. The variance is necessary to allow the property to be used in a reasonable way not permitted by the ordinance.
4. The granting of this variance would not be of substantial detriment to adjacent properties or the public welfare.
5. The request is consistent with the goals and policies of the Oronoco Township Land Use Plan because the shoreland requirements are being met.

**OR2020-003VAR, LoBue, continued**

**Planning Staff Recommendation:** “Based on the findings of fact above, planning staff recommend approval for a variance to allow a dwelling 12 feet from the road right of way instead of the required 30 foot setback (variance of 18 feet) with the condition that the two tax parcels are combined prior to submitting the building permit.”

**Charlie Lacy opened the public hearing.** No one wished to speak for or against this variance after being asked 3 times. The public hearing was closed.

Board members had no opposition to the variance request.

Ken Mergen made a motion to approve OR2020-003VAR based on the findings and recommendation with condition of the Olmsted County Planning Department. Tammy Matzke second, motion carried 3-0.

**OR2020-008MB, Tiedeman**

This info is condensed from the Olmsted County Planning Department’s Staff Report.

**Request:** The request is to create a 2 acre non-farm parcel and a remnant farm parcel through a lot combination.

**Location:** The property is located in the SW ¼ of the SE ¼ of Section 10 of Oronoco Township along 115<sup>th</sup> St NW at 1647 115<sup>th</sup> St NW.

**Zoning:** A-2 Agricultural Protection District

**Background Information:** Mr. Tiedeman is looking to create a 2 acre non-farm parcel. There are currently two dwellings on the property, one of which will be located in the newly created 2 acre parcel. The remnant parcel would qualify as a farm parcel if combined with the adjacent 20 acre parcel to the east that Mr. Tiedeman also owns. The remnant parcel would be approximately 38 acres. The request would essentially redraw the property lines to create a 2 acre non-farm parcel and a 38 acre farm parcel.

**This request complies with Oronoco Township Zoning Ordinance Sec 5.02 Subd 3:**

1. If approved, it would be the only non-farm parcel in the SW ¼ of the SE ¼ of Section 10 of Oronoco Township.
2. The newly created 2 acre parcel will be on prime agricultural soils. However, since the request is simply shifting lot lines this request is exempt from this criteria.
3. There are no floodplain or wetlands on the property.
4. There is a feedlot to the north within ¼ mile. Like #2, this is simply a request to shift lot lines with the final number of parcels remaining unchanged.

**Staff Recommendation:** “The proposed metes and bounds is in compliance with the requirements of the Olmsted County and Oronoco Township zoning ordinance requirements. Planning staff recommend approval of the proposed 2 acre non-farm parcel. The applicant must complete and submit lot combination forms to the County Recorder’s Office to combine the residual 18 acre parcel with the adjacent 20 acre parcel to the east to create a farm parcel and split the 2 acre parcel.”

**OR2020-008MB, Tiedeman continued**

Tammy Matzke made a motion to approve OR2020-008MB based on the findings, recommendation with requirements of Olmsted County Planning. Charlie lacy second, motion carried 3-0.

**Road Report – Ken Mergen, Scott Schumacher**

Scott Schumacher: blading was done last week.

Charlie Lacy will meet with Tom Rathman about SLOW Children and 30mph signs requested on Evergreen Drive off 11<sup>th</sup> Ave.

Property owners at the end of 11<sup>th</sup> Ave NW asked Ken Mergen if the township would plow their road. Currently Schumacher's blades it once a year and bills the property owners. It is a private road. There is no precedence for the township maintaining a private road.

A steep ditch issue on 1<sup>st</sup> Ave SW was discussed.

Ken Mergen got a letter and estimate for repairing a wall from a property owner on Cedar Crest Lane. It was damaged by the snowplow in winter 2019/2020. The structure was built in the road right of way. The township will not pay for repairs.

**Rochester Sand & Gravel** didn't supply a chip seal quote for Sattre Dr only.

**Mergen – Bunne Vacate Road** – Bob Bunne and Del Mergen were present to present a petition and ask the board to vacate "unusable land owned [along Kurth's Bay Court in Kurth's Bay Subdivision] by the township as part of a cul-de-sac originally plotted to gain better access to an unused road. The unused road was vacated on Dec 15, 1979, by Oronoco Township and the property assigned to the adjacent landowners." [quoted from the petition].

Clerk Lucy Shonyo will search for records and call town attorney Bob Ruppe as to next steps. This action was continued to September.

**All-Craft Exteriors, 11th Ave NE – Charlie Lacy**

Leslie McGillivray-Rivas from The Design Collection was present on behalf of All-Craft Exteriors.

Kristi Gross, Olmsted County Planning, was present for another hearing and stayed for this discussion (not a public hearing).

Charlie Lacy provided a recap of past All-Craft Exterior planning and zoning actions:

October 2018: OTPAC approved OR2018-001ZC, applicant Brent Beck, owner All-Craft Exteriors. This action changed the zoning district of Mr. Beck's property to HC Highway Commercial from A-3 Agricultural.

November 2018: The Oronoco Town Board approved OR2018-001ZC as noted above.

OTPAC [Oronoco Township Planning Advisory Commission] will hold a public hearing on Aug 17, 2020 on OR2020-002CUP [Conditional Use Permit]. This hearing was continued from July 2020. The applicant is requesting an increase in the square footage above the 10,000 SF allowed in the Highway Commercial zone, and requesting an illuminated sign located on the southern face of his property.

**All-Craft Exteriors, 11th Ave NE – Charlie Lacy, continued**

The Olmsted County Planning Staff Report recommended approval with six conditions. Two of these conditions are problematic for All-Craft Exteriors: (1) the requirement to pave 11th Ave NW [a township road] from the intersection of 11th Ave NW and Hwy 63 up to the driveway of the property, to County road standards and (2) to enter into a road maintenance and improvement agreement (Development Agreement) with Oronoco Township.

Ms. McGillivray-Rivas addressed the board, reiterating what Mr. Beck is asking for and what his concerns are with the two county conditions stated above.

Ms. McGillivray-Rivas asks what the problem is, why are the conditions needed? All-Craft Exteriors is willing to make “reasonable contributions” to 11th Ave road maintenance. Is it a good idea to pave a short piece of road? Furthermore, All-Craft is not primarily a retail site as business is done at the customers’ home or business.

Road professionals including Scott Schumacher, Oronoco Township road maintenance contractor, agree that 11th Ave NW between 75th St/Hwy 63 and the All-Craft entrance is currently in good condition.

Regarding the CUP application currently before OTPAC, Charlie Lacy recommends this agreement in principal: (1) for the time being, All-Craft Exteriors will not be required to pave 11th Ave NW between 75th St/Hwy 63 and the All-Craft entrance. Oronoco Township will decide if and when the road requires future paving. (2) The requirement of a development plan (road maintenance and improvement agreement) be reflected in the CUP. All-Craft Exteriors will pay for road maintenance and repair over and above “ordinary use” which may include chloride applications, rock and blading as determined by Oronoco Township.

Ms. Gross noted the CUP is tied to square footage. When All-Craft Exteriors outgrows the square footage permitted by this CUP, another CUP or a larger site will be needed.

Ms. Gross also noted that this CUP application could be continued until a road agreement is reached if the applicant waives his 60-day rights.

Charlie Lacy will write a letter to OTPAC expressing the thoughts of the Oronoco Town Board on the matter of the two county road-related conditions. OTPAC acts on CUP applications but the OTB is the township road authority. Supervisors Ken Mergen and Tammy Matzke concurred with this course of action.

**Mark Kuehn** – Mr. Kuehn would like to split 3 acres from a parcel he owns. Kristi Gross noted that a variance was needed due to the soil rating. Mr. Kuehn will apply for a variance.

**Cedar Beach Septic Update** – The board has no new information about cell 2 at Cedar Beach. Per Tom Moyer, a Cedar Beach citizen, the septic system is wet and smells, and is noncompliant. Mr. Moyers believes the problem is a design flaw and repair costs should not be charged to the Operation

**Cedar Beach Septic Update, continued**

& Maintenance account. Charlie Lacy will contact Chad Knutson (Olmsted County), Eric Blasing (Wenck Engineers), Pat Loomis (Gopher Septic).

**Ryans Bay Road Update** – The time has passed for anyone to contest this road work. Construction will start in October. Mike Zillgitt will hold the pre-construction meeting in September. He has been in touch with utility companies.

**White Bridge Pier Park Boat Launch Parking – Tammy Matzke**

Tammy Matzke has talked with Blakely Court residents. There is still no consensus about parking restrictions but they report no parking problems the last weeks. More parking will be added on site once the former restaurant comes down. Launching lanes will also be increased.

**Tax Forfeited Land** – There were two Oronoco Township properties on the list. Ken Mergen made a motion to support the sale of these properties per the county process. Charlie Lacy second, motion carried 3-0.

**CARES Act (Coronavirus Aid, Relief and Economic Security)** – Last month the board decided Oronoco Township had no expenditures that were reimbursable under CARES rules. But we are exploring the use of these dollars for broadband expansion.

**Administrative Business**

**Minutes Approval –**

Ken Mergen made a motion to approve the **July 6, 2020 monthly meeting minutes**. Tammy Matzke second, motion carried 3-0.

**Treasurer's Report – Kim Stanton**

The YTD Statement of Receipts, Disbursements and Balances as of July 31 30, 2020 shows: Receipts \$496,398.06, Disbursements \$375,491.66 with an ending balance of \$719,874.70. July net payroll (paid in August) totaled \$1,955.22, claims totaled \$91,258.92.

The \$6,707.00.00 adjustment shown on the dashboard is a \$7 bank fee, 2 - \$850 corrections to MNSRS (457b) error (correcting May and June errors), and the \$5,000 Frutiger RBR easement check.

Additional tax income was received from the County. The CD will roll over. Part of the outstanding checks total was the 941 IRS payment which was returned due to an incorrect address. The City still owns the Township \$1,704.00 for the PNP (Presidential Nomination Primary). The Township pays election payroll costs with the City reimbursing the Township for 40% of expenses. PFA payments are due for the Kings Park and Cedar Beach septic systems in August.

**Treasurer’s Report – Kim Stanton, continued**

With the noted adjustments, the bank account, the clerk’s CTAS, and the treasurer’s CTAS match at \$719,874.70 ending balance.

The board discussed direct deposit of payroll checks. It would cost \$30/month with Pine Island Bank. Kim Stanton will see if they will negotiate this as it is higher than other banks. A decision was deferred to September.

**Approval to Pay Bills –**

Claims totaling \$91,258.92 and net payroll totaling \$1,955.22 were presented for payment. Tammy Matzke made a motion to approve claims and payroll payments. Charlie Lacy second, motion carried 3-0.

**OTPA Report – Charlie Lacy** – There was no July meeting.

**The board discussed the purchase of a traffic counter.** A decision was deferred to September.

**Clerk Lucy Shonyo is working on an Excel file of all township roads and their characteristics.**

Significant road maintenance and repair would be noted on this file. The township will be divided by section with each board member verifying road characteristics in assigned sections. Having a drop box for pictures taken on road tours was discussed.

Ken Mergen made a motion to adjourn. Tammy Matzke second, motion carried 3-0.

Respectfully Submitted,

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Lucy Shonyo, Clerk

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Charlie Lacy, Chair