

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

The **Pledge of Allegiance** was recited.

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

The **agenda** was accepted as submitted.

**Minutes Approval** - Ken Mergen made a motion to approve the December 31, 2019 special meeting minutes. Tammy Matzke second, motion carried 3-0.

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

Clerk Lucy Shonyo noted an error in the approved minutes from November 2019. The applicant for OR2019-003MB was Arne Nelson not Arne Carlson.

**Agenda Topics**

**OR2020-001MB, applicant Penz**

Bill Tointon from WSB, was present to discuss this action on behalf of Rick Penz.

**Background:** The request is to create three total parcels from one existing 35 acre parcel. The property is located in the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of section 33 of Oronoco Township. It lies east of Hwy 52 and south of 85<sup>th</sup> St NW. Proposed Parcel A is in the NE corner of the existing 35 acre parcel, proposed to be 5 acres excluding road right of way. Proposed Parcel B is in the SW part of the 35 acres parcel proposed to be 6 acres. The proposed remaining parcel would be 24 acres.

**Initial Staff Findings:**

- Deny the lot split request of Parcel B due to the parcel not meeting the requirements of the ordinance.
- Approve Parcel A with the condition that it must conform to the lot size requirements without including the right of way.

**An addendum to staff findings was issued February 3, 2020:** "Planning staff discussed the proposal with the applicant again and found that the six acre parcel A [error: this is Parcel B] that was proposed is intended to go to Watson Recycling to the south. We have allowed non-conforming parcels to be split without variances so long as they were being combined with adjacent property. If the property gets recorded and it is not combined, it is a defacto non-buildable parcel because it doesn't meet conditions for approval."

**OR2020-001MB, applicant Penz continued**

“The staff would recommend approval of the proposed metes and bounds as proposed with the following conditions:

1. Parcel B [error: this is parcel A] shall be a minimum of 5 acres excluding adjacent road right of way.
2. Parcel A [error: this is parcel B] shall be combined with adjacent property or it will be non-buildable.

Bill Tointon pointed out the errors in the addendum and noted that the map submitted has the correct parcel designations.

Charlie Lacy asked for comments from those present. There were none.

The board expressed no concerns.

**Ken Mergen made a motion to approve OR2020-001MB based on the revised addendum to staff findings and inclusive of parcel corrections of the staff addendum. Tammy Matzke second, motion carried 3-0.**

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

Scott Schumacher reported usual winter maintenance. Ken Mergen got a call from Jeremy Allen, 10457 18<sup>th</sup> Ave, about a car missing the curve and damaging his home. This is the second time a car has left the road and hit his property. He requested additional road signs. Ken Mergen has contacted the county about installing. Tammy Matzke and Charlie Lacy reported calls from the Kings Park area.

**Ryans Bay Road Update**

The board discussed the Frutiger easement. Bruce Frutiger and Ken Mergen talked with the township attorney about the right of way easement needed and Mr. Frutiger’s requests in granting the easement. Charlie Lacy will talk with Mr. Frutiger informing him the township wants to cooperate, but that it is the township’s intent to acquire the easement needed through statutory remedy if necessary. Charlie Lacy talked with Zumbro Township about where we are in the process, telling them that costs related to our easements are our costs alone. Zumbro Township will attend our March meeting. Mike Zillgitt will talk with Dietrich Flesch, Wabasha County Engineer, about the necessary re-design of a portion of Ryan’s Bay Road. Zumbro Township has spoken with Fitzgerald Excavating.

### **Road Improvement Policy Discussion**

Charlie Lacy and Scott Schumacher met to discuss. The Township's Subdivision Ordinance currently requires developers to pave roads to township standards. It was recommended the Subdivision Ordinance also inform developers and homeowners that road repair will, at least in part, be assessed to the property owner, and that there could be multiple assessments over the life of a road. It was also suggested that this information be passed on to a new owner when property sells. This will be passed on to OT-PAC for study and possible inclusion in the Subdivision Ordinance.

Mike Zillgitt noted that the township's current Road Improvement Policy (Resolution Creating a Policy Pertaining to Assessing the Cost of Road Improvements to Benefitted Properties, Res 2018-08) separates roads that exceed 800 trips per day from those not exceeding 800 trips per day. The 800 trips rule, and the statement that improvements depend upon the township's fiscal position, protect the township. There was discussion about getting baseline daily trip numbers for our roads. Ken Mergen will investigate renting or purchasing counters. The board, Mike Zillgitt and possibly Scott Schumacher will do an April road tour.

### **Parking Ordinance Update**

Residents of Cedar Beach Drive were present to hear updates. Charlie Lacy learned from law enforcement that our current ordinance is unenforceable and should be repealed. The township could have our attorney redo, or we could possibly not have a township ordinance and revert to state statutes. Charlie Lacy will get recommendations from our attorney. OT-PAC no longer has a role.

### **Administrative Business**

#### **Treasurer's Report – Kim Stanton**

The YTD Statement of Receipts, Disbursements and Balances as of January 31, 2020 shows: Receipts \$11,941.04 and Disbursements \$52,890.03 with an ending balance of \$558,019.31. January net payroll (paid in Feb) totaled \$2,270.29, bills totaled \$56,477.13.

Ken Mergen made a motion to approve the treasurer's report as presented. Tammy Matzke second, motion carried 3-0.

**Approval to Pay Bills** - Claims totaling \$56,477.13 and net payroll totaling \$2,270.29 were presented for payment. Tammy Matzke made a motion to approve claims and payroll payments. Ken Mergen second, motion carried 3-0.

**OT-PAC Report – Charlie Lacy** – The future Land Use Plan was discussed. The Parking Ordinance is a Town Board action.

**2020 Annual Meeting**

The board made decisions on the annual meeting agenda and levy line items and proposed funding. A rural broadband line will be added to the levy. Kim Stanton researched what appropriate broad band funding would be. Kim Stanton has agreed to moderate unless a citizen present wishes to do it. Lucy Shonyo will invite PIFD Captain and the First Responder Director. The annual meeting in Tues, March 10, 8:15pm. Voting is from 5 – 8pm, both at Oronoco City Hall.

**Resolution to Combine Oronoco City and Oronoco Township Polling Place (Resolution 2020-01)**

Lucy Shonyo contacted a MAT attorney about this agreement. The Oronoco City Council will look at it February 18. The agreement allows one set of election judges to service both Township and City voters. Precincts remain distinct. Oronoco Township will pay election judges then invoice the City for their 40% share. This will begin with the March 3 PNP election. Ken Mergen made a motion to adopt Resolution 2020-01. Tammy Matzke second. Motion carried 3-0.

**Resolution Appointing Election Judges for the Presidential Nomination Primary Election (Resolution 2020-02)**

Ken Mergen made a motion to adopt Resolution 2020-02. Tammy Matzke second. Motion carried 3-0.

**Resolution Appointing Election Judges for the Township Election (Resolution 2020-03)**

Ken Mergen made a motion to adopt Resolution 2020-03. Tammy Matzke second. Motion carried 3-0.

**Resolution Appointing a Ballot Board for the Township Election (Resolution 2020-04)**

Ken Mergen made a motion to adopt Resolution 2020-04. Tammy Matzke second. Motion carried 3-0.

**Oronoco Auto Parts**

Charlie Lacy talked with Tony Hill about the concern of debris from the OAP site getting into the river with the spring melt.

**Brightfields MN**

After researching Tammy Matzke has determined that this program is not suitable for Oronoco Township. She will communicate with the Brightfields contact person.

Ken Mergen made a motion to adjourn at 8:30pm. Tammy Matzke second, motion carried 3-0.

Respectfully Submitted

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Lucy Shonyo, Clerk

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Charlie Lacy, Chair