

MINUTES
MONTHLY ORONOCO TOWN BOARD MEETING
June 7, 2021 5:30 PM

This was an in-person meeting. Going forward Oronoco Town Board meetings will be held in-person.

The monthly Oronoco Town Board meeting was called to order on June 7, 2021 by Chair Charlie Lacy. Present: Supervisors Charlie Lacy, Ken Mergen and Tammy Matzke, Treasurer Kim Stanton, Clerk Lucy Shonyo.

The **Pledge of Allegiance** was recited.

The **agenda** was accepted as presented.

Agenda Topics

Sergeant Chambers was not present.

OR2021-001VAR, Pickett

Elliot Mohler, Olmsted County Planner, was present to present the background and findings to the board.

This packet prepared by Olmsted County Planning can be found on the Oronoco Township website: <https://www.oronocotownship-mn.gov/> > Government > Planning & Zoning > Olmsted County Planning & Zoning Packages > select the action you wish to view. The titles of actions before the board are on the agenda.

Request: Oronoco Township Variance Request OR2021-001VAR by Ronald Pickett for a variance to the shoreland setback to allow for the installation of a new septic system. The new system would be located approximately 35 feet of the ordinary high-water level.

Location: The property is located in the southwest ¼ of the southeast ¼ of Section 11 in Oronoco Township at 60 Sandy Point Ct NE.

Zoning: R-1 Low Density Residential

Staff Findings:

1. The existing house was built prior to shoreland regulations. The lot is irregularly narrow and split in half by an access road. Though this is a similar issue with adjacent properties, it is not the norm within Oronoco Township. The only reasonable location for a new septic system to be installed would be in the rear of the dwelling, which would place the new septic system somewhere between 35 ft and 45 ft from the OHL.
2. The extraordinary conditions are due to circumstances unique to the property and not created by the landowner. The dwelling was built prior to the adoption of shoreland regulations. Without this variance, the property owner would be unable to install a new, up to code, septic system.
3. There is no other suitable location for an up to code septic system to be located other than what is shown in the applicant submittals as drafted by G-Cubed.

OR2021-001VAR, Pickett, continued

4. The granting of this variance request would not be of substantial detriment to adjacent properties and does not appear to be detrimental to the public welfare.
5. Though the request is contradictory to the required shoreland setback, without the variance, the property would have an outdated septic system.

Staff Recommendation: Staff findings support approval of the variance for the installation of a new septic system to be located behind the dwelling, within the shoreland setback and no closer to the OHL than 35 ft.

Charlie Lacy opened the public hearing asking for comments for or against this action.

Del Mergen asked where the property was located. Mr. Pickett, the applicant, responded.

Mr. Pickett spoke to the action stating his septic system had failed.

Charlie Lacy asked three times for comments for or against this action. Hearing none, the public hearing was closed.

Tammy Matzke moved to approve OR2021-001VAR based on the findings and recommendation of Olmsted County Planning staff. Ken Mergen second, motion carried 3-0.

Orderly Annexation Agreement with Rochester

Logan Tjossem [not present] of WSB, representing property owner Arne Nelson, asked the board [through Charlie Lacy] to entertain entering into an Orderly Annexation Agreement with Rochester. This is needed for Mr. Nelson to develop property on 18th Ave and 75th St. as this property is in Rochester's Urban Service District. This topic was before the board Feb 1, 2021. The concern then as now was the inadequate road infrastructure, especially given a planned church and school in the area. It was noted that neither Oronoco Township or the City of Rochester have authority over 75th St or 18th Ave. Planner Kristi Gross expressed confidence in Olmsted County's transportation department. The board agreed that there is no commitment and no initial cost to exploring an Orderly Annexation Agreement with Rochester.

Charlie Lacy moved to entertain an Orderly Annexation Agreement with the City of Rochester including Mr. Nelson's property at 75th St and 18th Ave. and property to the west. Ken Mergen second, motion carried 3-0.

Road Report – Ken Mergen

Zumbro Haven straightaways were swept of excess sand. Cul-de-sacs were done earlier.

Chloride application is complete.

Gossman Ln NW and Kapler Ln NW – waiting on quotes from Barga, Rochester Sand & Gravel, Rochester Asphalt. Estimates were received from Rochester Sweeping. Contractor decision in July.

18th Av NW (north end) pothole repair will cost a few thousand.

Scott Schumacher recommends that what's underneath the asphalt be examined by those doing repairs.

Road Report – continued

Fahrner Asphalt Sealers has completed work in the **Thunderbluff area**.

Cedar Beach Dr – Supervisors and Mike Zillgitt, Civil Engineer, viewed the road in May after citizen complaints of water running onto driveways and into homes. Mr. Zillgitt has estimated repairs at \$110,00 – \$181,000. This is a significant piece of the road budget. Options were discussed: a catch basin, curb and gutters, culvert replacement. A phased approach was agreed on. The existing basin will be kept. Schumacher’s will replace the culvert with a longer one. Maybe add a berm around the catch basin to catch more water. Schumacher’s will look at driveways to see if they are properly constructed, taking water away from homes. Phase 2 may be curb and gutters.

Ryan’s Bay Road – Final payment was made to Fitzgerald Excavating. Guardrails will cost \$35 – \$40,000 with Zumbro Township paying 50%.

Driveway Approval - Charlie Lacy verbally approved a driveway off Providentia Road for Steve Allen.

Tammy Matzke noted **telecom construction** on 81st St.

North Star ROW spraying – There have been complaints in the past after weed spraying. ROW mowing is done three times, seasonally. [It was thought 4 times, but in 2020 ROW mowing was done 3 times]. Spot mitigation spraying may be necessary but the township will not do widespread ROW weed spraying.

Oronoco Auto Parts – Tammy Matzke reports there is no new information from MPCA. Both the city and township properties are for sale. There was discussion with Planner Gross about possible permitted uses, rezoning possibilities, what protections the property would have under new ownership. Planner Gross noted there are some protections given shoreline and flood plain regulations.

King’s Park vacant property liability insurance – A citizen requested access to township property at 205 105th St NW. Per town attorney Bob Ruppe: “Generally a landowner owes no duty to a trespasser and will not be liable for any injuries sustained by a trespasser.” Liability insurance coverage was confirmed.

Related to this, there was discussion about posting “no public access to lake” signs on roads in residential areas on the water. This would include Ryan’s Bay Rd and Sandy Point Ct and Ln. This sign already exists on the north end of 18th Ave NW. Ken Mergen will talk with Olmsted Public Works. Kim Stanton will add information about Zumbro (County) Park in Oronoco Township as a water access point for the public.

Cedar Beach Septic – Citizens report that the septic system area is still wet after repairs last fall. Chad Knudson (Olmsted County) is in contact with Wenck.

Administrative Business

Minutes Approval – Tammy Matzke moved to approve the May 3 Oronoco Town Board minutes. Charlie Lacy second, motion carried 3-0.

Treasurer’s Report – Kim Stanton

The YTD Statement of Receipts, Disbursements and Balances as of May 31, 2021 shows: receipts \$92,665.39, disbursements \$320,334.50 with an ending balance of \$585,297.83.

We are still off .01 due to an error made by Think Bank that Pine Island Bank needs to correct.

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

Approval to Pay Bills –

May net payroll (paid in June) totaled \$2,008.77. Claims totaled \$137,261.25. Clerk Lucy Shonyo explained an error in printing checks that caused claim numbers to differ from check numbers. **Charlie Lacy moved to approve payment of claims and payroll. Tammy Matzke second, motion carried 3-0.**

OTPA Report – The Kingsley final plat was approved.

Shoreland rules are being updated. There will be a public hearing for citizen input.

Topics from the annual meeting: a dog park, brush dump and solar farm. It was decided these are not viable for Oronoco Township.

Future meeting format – Oronoco Town Board meetings will be held in person. Agendas, minutes and Olmsted County Planning documents will be posted to the website. Meeting documents will be emailed to supervisors. One copy of meetings documents will be at meetings for citizen review.

Other Topics, Notifications

- a. American Rescue Plan Act (ARPA) – we are ready to apply for funds.

Tammy Matzke moved to adjourn at 7:55 pm. Ken Mergen second, motion carried 3-0.

Respectfully Submitted,

Lucy Shonyo, Clerk

Charlie Lacy, Chair