

MINUTES
MONTHLY ORONOCO TOWN BOARD MEETING
November 1, 2021 5:30 PM

The monthly Oronoco Town Board meeting was called to order on November 1, 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.

Public Hearing on a Petition to Vacate a Portion of Sunset Bay Ln NE submitted by Kevin Graner and Jay Burke – Continued from October

[**The board did a site visit on October 22.** The buried property line markers defining the portion of the road to be vacated were unearthed, making boundaries clear to those present.]

Supervisor Mergen moved to open the continued public hearing. Supervisor Matzke second, motion carried 3-0.

Chair Lacy asked for comments for or against the road vacate action from persons not present last month, or persons with new information or comments. Comments should directly pertain to the portion of Sunset Bay Lane NE this petition relates to.

Sean Kettelkamp, 13359 Sunset Bay Ln NE, stated she was against vacating any portion of Sunset Bay Ln NE. The portion that would be vacated is too close to a well she shares with the Graner's. Ms. Kettlekamp indicated where the well was on the map.

Kevin Graner, 13419 Sunset Bay Ln NE, indicated the shared well was on his property, and was not in the right of way. There is a propane tank closer to the well than the road to be vacated is.

Jamie Judisch, 13437 Sunset Bay Ln NE, spoke in favor of the vacate petition, saying it was for the betterment of the neighborhood.

Steve Houdak, 13359 Sunset Bay Ln NE, asked about the possibility of a septic system being placed on the vacated road.

Kevin Graner, 13419 Sunset Bay Ln NE, said a septic system could not be placed there as it's too close to the well. Also, the soil is not suitable for a septic system.

Public Hearing on a Petition to Vacate a Portion of Sunset Bay Ln NE submitted by Kevin Graner and Jay Burke – Continued from October, continued

Chair Lacy asked three times for comments for or against the vacate action. There were no further comments.

Supervisor Mergen moved to close the public hearing. Supervisor Matzke second, motion carried 3-0.

Board discussion – Zumbro Township maintains Sunset Bay Ln NE. Snowplowing stops at the Judisch residence, 13437 Sunset Bay Ln NE.

Supervisor Mergen moved to vacate the end portion of Sunset Bay Ln NE pending receipt of the legal description to be supplied by Mr. Graner. Supervisor Matzke second, motion carried 3-0.

OR2021-003MB, applicant Kuehn

Chair Lacy read aloud the Metes and Bounds document prepared by Olmsted County Planning.

The application requests to create a non-farm parcel, allowing a 3 acre non-farm parcel with a 77 acres remnant parcel.

The property is located in the SE ¼ of the NE ¼ in Section 21, Oronoco Township. Zoning is A-2, Agricultural Protection District.

Per the standards in Section 5.02 of the Oronoco Township Zoning Ordinance the property complies with required standards:

1. The proposed lot is the only non-farm parcel in the SE ¼ of the NE ¼.
2. The applicant has provided sufficient information that proved that while the soils map states the CER of the property is greater than 55, the lot does not contain an acre of non-prime soils.
3. There are no wetlands or floodplain located in the proposed non-farm property.
4. There are no feedlots located within ¼ mile of the proposed non-farm parcel.

County Public Works commented that a driveway access permit is required for the driveway. This must be obtained prior to final metes and bounds approval.

Olmsted County Planning recommends “the approval of the creation of the 3 acres non-farm parcel according to the survey included in the staff report.”

OR2021-003MB, applicant Kuehn, continued

There was board discussion of driveway placement. It was noted that a driveway onto CR 112 will be determined by Olmsted County Public Works.

Supervisor Mergen moved to approve OR2021-003MB based on the findings and recommendation of Olmsted County Planning, noting a driveway access permit must be obtained before final metes and bounds approval. Supervisor Matzke second, motion carried 3-0.

City of Oronoco Assessment Agreement

Mayor Ryland Eichhorst was present to discuss action needed by Oronoco Township to facilitate the expansion of city sewer services to Oronoco Estates Mobile Home Community located in Oronoco Township.

Mayor Eichhorst indicated Oronoco Estates owners would be updating their lift station and will decommission the current pond.

Oronoco Estate owners will owe \$841k to PFA (Public Facilities Authority) assessed over 20 years.

The City of Oronoco is requesting Oronoco Township file and collect special assessments on behalf of the City from Oronoco Estates for project costs, unpaid fees, charges and penalties owed the City from Oronoco Estates in the event Oronoco Estates defaults on payment.

Supervisor Lacy moved to execute the “City of Oronoco and Oronoco Township Agreement for Enforcement of the City Utility Code and to Specially Assess Oronoco Estates Mobile Home Community for City Sewer Services”. Supervisor Matzke second, motion carried 3-0.

Road Report – Ken Mergen

The **Ryan’s Bay guardrails** will be changed from plates to cables. The road was designed to not need guardrails per Dietrich Fleisch, Wabasha County engineer. Therefore, the road doesn’t have the platforms a plate system requires, but cables are possible. The cost will be about \$10,000 lower. Zumbro Township has approved this change. The cost will be split 50/50 with Zumbro Township. Steve Richardson, Mattison Contractors will contact Supervisor Mergen when supplies are available.

A citizen from Hunter Ln, Zumbro Haven, says he has gotten permission to **move utility stations (People’s Co-op and Bevcomm)** from the right of way in front of his property, allowing him to fill in the ditch. It is not known at whose expense these would be moved. Scott Schumacher will look at the site to assess possible drainage issues.

Former Supervisor Neil Stolp received a letter from a citizen asking the township to remove **trees growing in the ditch** adjacent to his property that he believes is the township's responsibility. Supervisor Mergen will do a site visit. Clerk Shonyo sent a letter to the citizen with Supervisor Mergen's contact information.

There have been complaints regarding difficulty in seeing where the road is on **75th St at 20th Av NE** from eastbound traffic. Supervisor Lacy will follow-up with his contact at MNDOT.

The **traffic counter** has arrived. There was discussion of what roads should be measured. Minnesota Ave will be counted first.

Oronoco Auto Parts Update – Supervisor Matzke reported nothing had been done but per MPCA "action this week is expected". All above-ground articles are to be moved.

King's Park Property Owned by Oronoco Township

Both neighbors access township owned property. Altercations have occurred; the sheriff's dept was called. Supervisor Lacy recommends we ask our attorney to send no trespassing letters. **Supervisor Mergen moved to ask Bob Ruppe to send letters informing each neighbor that they are trespassing; and to keep township ROW clear of personal property. Supervisor Matzke second, motion carried 3-0.**

A citizen was present with gopher feet. Oronoco Township no longer offers a gopher bounty.

Administrative Business

Septic System O&M (Operation and Maintenance) Assessments – Treasurer Stanton

The **King's Park** septic system is 8 years old. The O&M fund balance is about \$17,000. The **Cedar Beach** septic system is 4 years old. The O&M fund balance is about \$23,000. Treasurer Stanton spoke with Pat Loomis, Gopher Septic, about upcoming maintenance needs and replacement costs of system parts. Treasurer Stanton believes assessment rates can remain unchanged. The township carries insurance on both systems.

Ken Mergen moved to keep Cedar Beach O&M assessments at \$475/year. Supervisor Matzke second, motion carried 3-0.

Supervisor Matzke moved to keep King's Park O&M assessments at \$425/year. Supervisor Mergen second, motion carried 3-0.

Treasurer Stanton will submit assessments to the county. Pat Loomis noted that previous moisture issues at Cedar Beach are "probably not fixed", that it wasn't a problem because it was a dry year.

Minutes Approval –

Supervisor Mergen moved to approve the September 7th minutes. Supervisor Lacy second, motion carried 3-0.

Supervisor Lacy moved to approve the October 4th minutes. Supervisor Matzke second, motion carried 3-0.

Treasurer’s Report – Kim Stanton

The YTD Statement of Receipts, Disbursements and Balances as of October 30, 2021, shows: receipts \$779,705.81; disbursements \$677,405.78 with an ending balance of \$915,266.97.

There is a **\$1000 difference** between the Treasurer’s account and the bank due to a missed bank withdrawal to the Minnesota State Retirement Plan. This will be corrected by next month.

Mark Kuehn has not paid for two 2018 PIFD calls. **Supervisor Lacy moved to authorize Treasurer Stanton to submit \$3,112.50 to Olmsted County as a special assessment. Supervisor Mergen second, motion carried 3-0.**

The **Bevcomm payment** will be due in January 2022. Treasurer Stanton will ask a MAT attorney if this should be paid from broadband levy funds or ARPA funds. There was discussion about using all or most of broadband levy funds to assist those residents not easily served due to their location. How to get service to the under-served, and the logistics of the process will need to be decided.

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

Approval to Pay Bills

October net payroll (paid in November) totaled \$1,969.87. Claims totaled \$12,689.03.

Supervisor Mergen moved to approve payment of claims and payroll. Tammy Matzke second, motion carried 3-0.

OTPAC Report – Ken Mergen

Supervisor Mergen attended for Supervisor Lacy. A CUP was approved for Rick Penz’s 85th St facility allowing three separate entrances.

There was discussion of OTPAC bylaws stating any town board supervisor has voting privileges when representing the board.

American Rescue Plan Act (ARPA) – Kim Stanton

It appears ARPA funds based on the “lost revenue” option will not be available to us for 2021.

County Road Mileage Certification at 50.55 miles was approved. This is unchanged from last year.

DNR Letter – Charlie Lacy

Supervisor Lacy told the board of a phone conversation he had with Nicole Lehman, DNR, about the letter the township received regarding county floodplain authority, and decisions the town board made relating to shoreland and floodplain matters. It is understood that Oronoco town board decisions can be more restrictive than county ordinances, but not less restrictive.

Supervisor Matzke moved to adjourn at 8:30pm. Supervisor Mergen second, motion carried 3-0.

Respectfully Submitted,

Lucy Shonyo, Clerk

Charlie Lacy, Chair