

Oronoco Town Board
Monthly Meeting Minutes
May 13, 2024

Minutes of the regularly scheduled meeting of the Oronoco Town Board held on **Monday, May 13, 2024** at 5:30p.m. at the Oronoco Community Center, located at 115 Second Street SW, Oronoco, Minnesota.

Supervisor Ken Mergen called the meeting to order at 5:30pm.

Pledge of Allegiance

The agenda was accepted as presented.

OTMB-24-03, Demarino

David Meir, TCPA, presented a metes and bounds subdivision for Thomas Demarino. The owner/applicant has two tax parcels in this area. His dwelling parcel is located at 10546 4th Avenue NW. The subject parcel, immediately west of his dwelling parcel, is vacant land – which, until recently – was comprised of one tax parcel of approximately 10.8 acres which is zoned R-1; Low Density Residential District. It is within the Suburban Subdivision area of the Olmsted County Land Use Plan.

In February of 2024 Oronoco Township approved the subdivision of two buildable residential parcels of 2.10-acres and 2.35-acres, from the subject parcel, along the east side of the parcel with access from 4th Avenue NW. The owner/applicant now wishes to subdivide the remainder of his parcel into three additional lots. The proposed parcels are 2.35 acres; 2.23 acres; and 2.20 acres. All three parcels would require access from King’s Park Road NW. As part of the submittal the owner/applicant has included proposed site plans including driveway locations and septic locations.

This information was taken from the TCPA packet and is only a proportion of the document. The entire document can be found at TCPA or the Oronoco Township Clerk, Jody Schroeder.

David Meir, TCPA, stated that this was the tabled conversation from last month. TCPA staff would recommend approval of the proposed subdivisions with the following conditions;

1. That the applicant provides a survey that meets the lot width, area and access requirement of the ordinance.
2. That the applicant works with the Township – as Road Authority – to obtain access permits to each of the lots from the Township Road.
3. That the applicant provides soil boring reports from a licensed septic designer showing adequate soils for both primary and secondary septic fields.
4. The applicant work with Olmsted County as the Shoreland Administrator if the subject parcels have not already been reviewed for potential Shoreland impacts.

Les Conway, WSE Massey Engineering and Surveying, spoke of the four listed conditions. All conditions will be met. The township will have the gravel road for maintenance. The site plans are included with the width area and access requirements. There is 200 ft line of site, north and south, on both access points. Soil borings have been done by GGG cubed and septic design documents will be submitted.

Supervisor Johanningmeier asked if this would be impacted by the Oronoco Shoreland Ordinance that was approved in November of 2023. David Meir, TCPA, stated that each building permit would require a shoreland development packet.

There was a motion made by Supervisor Mergen to approve OTMB-24-03, Demarino, as written by TCPA with the stated conditions, seconded by Supervisor Johanningmeier. The motion was carried unanimously.

OTMB-24-04, William E & Laura Unverzagt

The owner/applicant is requesting to split 4.98 acres from their 36.95-acre parcel zoned A2; Agricultural Protection District. In October of 2023, the Oronoco town board considered and approved variance request OR2023-006VAR that would allow for the creation of a new non-farm dwelling on a property with this legal description. In the A-2 Agricultural Protection District, a farm-sized parcel is 35 acres; anything smaller is considered to be a non-farm-sized parcel. There may only be one non-farm size dwelling parcel per quarter-quarter section. In addition, a non-farm parcel may not be created within a quarter mile of an existing feedlot. The NE ¼ of the SW ¼ of section 19 already has two existing non-farm-sized dwelling parcels and is completely within a quarter mile of a feedlot. Therefore, subdividing the owner/applicant's property to create a non-farm-size dwelling parcel requires said variance.

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Ethan Kaske, TCPA, recommends approval of the proposed subdivisions under the following conditions:

1. That the applicant provides a survey that meets the lot width, area, and access requirement of the ordinance.
2. The survey includes the entire 36.95-acre parcel with the 5 acres to be split and the remaining 29-/+ acres to be designated as non-buildable.

There was a motion made by Supervisor Mergen to approve OTMB-24-04, Unverzagt, as written by TCPA with the recommended conditions, seconded by Supervisor Matzke. The motion was carried unanimously.

OTV 24-01, Drew & Dana DeWitz

An application for variances to the criteria for the construction of an accessory building in an R-1; Low Density Residential District. The applicant wishes to replace an existing accessory

structure with a new structure that is both larger and taller than allowed by the ordinance as well as being closer to the road than allowed by the ordinance.

Proposed Accessory Building Size:

1,920 sq.ft. – 1,500 sq.ft. allowed – 420 sq.ft. variance

Proposed Accessory Building Height:

22.5' – 15' allowed – 7.5' variance

Proposed Distance to Center of Road:

75' – 80' required distance to COR – 5' variance

This proposal will also require a variance to the OHWM. (Ordinary High-Water Mark) That variance will be handled by Olmsted County as the Floodplain/Shoreland Administrator, after consideration of the above variances by the Township.

This information was taken from the TCPA packet and is only a proportion of the document. The entire document can be found at TCPA or the Oronoco Township Clerk, Jody Schroeder.

Supervisor Mergen opened the public hearing for OTV 24-01, DeWitz, Supervisor Mergen asked for comments for or against OTV24-01.

David Meir, TCPA, stated they received a phone call from Carl Schuller. Mr. Schuller has no objection to the building being there but thinks that 22' is too big a height for the area in which it is being built. He believed that 15' should be the limit to the height.

Supervisor Mergen asked two more times for anyone to speak for or against OTV 24-01, DeWitz, hearing no further comment, the public hearing was closed.

Davod Meir, TCPA, recommended this variance request should be tabled until the following have been completed:

1. The applicant should either withdraw his variance application to the setback from the OHWM criterion. Or, if the applicant does not withdraw his OHWM variance application the Township should complete a Letter of Town Board action requesting that Olmsted County consider the variance to the OHWM.
2. The applicant should provide construction plans for the proposed structure to determine whether a height variance is required and if so, how much of a height variance is needed.

There was a motion by Supervisor Mergen to table OTV 24-01, DeWitz, until the June 10, 2024 meeting, second by Supervisor Matzke. The motion was carried unanimously.

Supervisor Johanningmeier asked David Meir, TCPA, if there is an opportunity to change wording in the Floodplain and Shoreland Ordinance, Memorandum for understanding. Supervisor Johanningmeier would like the township to have first comment along with Olmsted County and then send to the DNR for review. Mr. Meir stated that they have been working on this for 2 years. The DNR has reviewed this because they want to make sure that the applicant comes before the County and the Township. TCPA would like input from the township on the wording, work will continue on this.

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Mrs. Dana DeWitz stated that the DNR was leading a lot of weight for their variance. She stated that the process has been very frustrating for them as homeowners because they have been very misled as to where they should go.

Camper on Windermere Lane

David Meir, TCPA, stated that Chris Priebe, the Township Septic Inspector from GGG Engineering, drove by the subject property and did a visual inspection from the road. At that time, the camper was not connected to the residential septic tank. It is the recommendation from TCPA to send a letter to the property owner stating that you can't have a second dwelling on the property and ask the homeowner to attend the next Township meeting and explain his intention with the camper.

There was a motion made by Supervisor Mergen to direct TCPA to send a letter to the homeowner stating concerns from neighbors and citizens about a permanent 2nd dwelling on the residence, seconded by Supervisor Johanningmeier. The motion was carried unanimously.

Greg Huey

David Meir stated that they received a call from Greg Huey about a potential variance to his property. David stated that he would send this out to the DNR and Olmsted County for review.

Road Report

Scott Schumacher presented maps of all roads to receive chloride. Chloride will begin on Wednesday, weather permitting.

Oronoco Auto Parts

David Meir stated that Chris Erickson would like to do mechanics and have an auto repair shop. He would not make changes to the building.

Supervisor Matzke stated that there is currently no sewer or water on this property. This property is in a FEMA floodplain. Supervisor Matzke will look into this and make recommendations to TCPA based on the information she receives about the FEMA floodplain.

Summer Road Construction Projects

There was a call and email about debris dumped on 90 St NW, north ditch on 90 St, just west of 55 Ave. Rochester Sweeping cleaned the debris.

Supervisor Mergen will call Bargaen and Fahrner and get good numbers from them to set work in place at the June 10, 2024 meeting.

The invoice from Widseth Engineering will not be paid until a final report is sent. Supervisor Mergen will contact Widseth Engineering to discuss the invoice that will not be paid this month.

Quotes

There was a motion made by Supervisor Mergen moved to accept all tree service quotes, naming Arborists of Rochester the primary provider for tree trimming and the primary provider for weed control would be determined as needed, seconded by Supervisor Matzke. The motion was carried unanimously.

Minutes Approval

Monthly meeting minutes, April 8, 2024

There was a motion by Supervisor Matzke to approve the minutes for April 8, 2024 monthly meeting, seconded by Supervisor Mergen. The motion was carried unanimously.

Reorganizational Meeting Minutes

There was a motion made by Supervisor Matzke to approve the Reorganizational meeting minutes for April 8, 2024, seconded by Supervisor Johanningmeier. The motion was carried unanimously.

Local Board of Appeal and Equalization Minutes

There was a motion made by Supervisor Mergen to approve the Local Board of Appeal and Equalization meeting minutes for April 15, 2024, seconded by Supervisor Matzke. The motion was carried unanimously.

Treasurer's Report-Brandi Lind

The YTD Statement of Receipts, Disbursements and Balances as of March 31, 2024 shows: receipts \$71,922.17, disbursements \$626,150.62 with an ending balance of \$1,255,928.05.

There was a motion made by Supervisor Johanningmeier to approve the treasurers report in written form, seconded by Supervisor Matzke. The motion was carried unanimously.

Ameriprise

There was a motion made by Supervisor Mergen to take flexible savings certificate 1001, \$104,574.92, and flexible savings certificate 9001, \$104,675.66, and purchase 2 separate 28 month CD's at 4.28% from Eagle Rock Bank, seconded by Supervisor Matzke. The motion was carried unanimously.

Catalis Website

There was a motion by Supervisor Mergen to not pay the remainder of the invoice from Catalis given there is no current contract, seconded by Supervisor Matzke. The motion was carried unanimously.

Approval to pay payroll and claims including electronic transfer

There was a motion made by Supervisor Mergen to approve the payroll and claims, including electronic transfers, for May 13, 2024, with the exception of the Widseth Engineering invoice, check #7983 for \$4,465.46, seconded by Supervisor Johanningmeier. The motion was carried unanimously.

OTPAC

Oronoco Township Halfway Houses

Supervisor Matzke stated there is an illegal halfway house on 18th Ave. Supervisor Matzke is still looking into this and will have more information for the June 10, 2024 meeting.

44th Ave NW

The sheriff plans to start to patrol it regularly. Neighbors are complaining that the property is being used for illegal activities.

Pine Island Fire Department

Supervisor Matzke stated that a new tanker is needed. Currently they are gathering data and would like to purchase a new tanker in the next 18 months.

King's Park Land Transfer

Supervisor Matzke has not heard anything from Lake Zumbro Forever about this.

OTPAC meeting fee increase

The increase for the OTPAC meeting fee will be effective at the April 8, 2024 Reorganizational Meeting. The increase is from \$75 per meeting attended to \$150 per meeting attended.

Yard light at 102nd St and 18th Ave

Township Supervisors did not feel a yard light at 102nd and 18th Ave would address the problem at this intersection. No further action will be taken at this time.

Oronoco First Responders Contract

Supervisor Johanningmeier met with Jason Baker, City of Oronoco, to discuss the current contract. Supervisor Johanningmeier stated the current contract would not likely be signed by the City of Oronoco. The City of Oronoco would like an increase to \$29,000 per year for services provided. Supervisor Johanningmeier is requesting additional information from the City of Oronoco: how often they are the first to arrive at a call/are they ever there alone, past

financials, and comparables (what are other services provided and what are other townships paying).

Pine Island Community Planning Team

Supervisor Johanningmeier attended the Pine Island Community Planning Team Meeting on April 24, 2024. Supervisor Johanningmeier mentioned that Pine Island School closed open enrollment to childcare and capped it at 90. The City of Oronoco has a development of 136 plots/units behind Gas N' Go, this would be mostly duplex and townhomes. Oronoco Estates would like to add 100 units, there is no time frame.

Xcel Energy Mankato Mississippi Transmission Line

The Township received a certified letter on the Excel Energy Mankato Mississippi Transmission Line. There is no defined route yet.

Resolution Authorizing Contract with Interested Officer Under

There was a motion made by Supervisor Mergen to sign the resolution authorizing contract with interested officer, for Supervisors Mergen and Johanningmeier, seconded by Supervisor Matzke. The motion was carried unanimously.

Clerk Notes

On January 8, 2024, Clerk Schroeder overpaid the Oronoco Food Shelf. Payment #1 for 2024, should have been for \$500 and was made for \$1,000, check # 7917. The food shelf payment #2 should be made in May but will be skipped because of overpayment in January.

There is a new home being built at 13124 Lake front Lane NE, off of Postier's Point Road.

Clerk Schroeder and Treasurer Lind had to do CTAS updates for 2024 this month. Updates include, PERA and Earned Safe and Sick Time for employees. Elected officials are not able to earn safe and sick time hours. Clerk Schroeder and Treasurer Lind will not receive earned safe and sick time while they were appointed officials to the township board.

Board Member Comments

OCTOA meeting for the remainder of the year are as follows: May 23, July 25, Sept 26 and Nov 24.

There was a motion made by Supervisor Matzke to adjourn the meeting, seconded by Supervisor Johanningmeier. The motion was carried unanimously. The meeting adjourned at 9:15pm.

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Respectfully Submitted:

Clerk Jody Schroeder

Tammy Matzke

Ken Mergen

Joel Johanningmeier