

Oronoco Town Board
Monthly Meeting Minutes
July 8, 2024

Minutes of the regularly scheduled meeting of the Oronoco Town Board held on **Monday, July 8, 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.

Floodplain and Shoreland Ordinance

The intent of this letter is to explain recent updates to local ordinances regarding Floodplain and Shoreland Management. Minnesota State Statutes have established that Floodplain and Shoreland ordinances adopted by municipalities are invalid unless they are approved by the Minnesota Department of Natural Resources (DNR). Review of local ordinances and procedures were prompted by a revision to the Olmsted County Flood Insurance Study (FIS) and affected Flood Insurance Rate Maps (FIRMs) completed on September 21, 2023. TCPA and Olmsted County have cooperated with the DNR to gain approval of a county wide Floodplain and Shoreland Ordinance. This ordinance was adopted by Olmsted County Board of Commissioners on September 5, 2023 as Chapter 3750 – Floodplain and Shoreland Ordinance, under Olmsted County Ordinance No. 23-5. The attached MOU outlines the relationship between TCPA member townships and Olmsted County. With these new changes, Townships have the following options regarding Floodplain and Shoreland administration:

- a. Accept the County's ordinance and MOU as presented.
- b. Request revisions to the MOU before accepting the terms and conditions.
- c. Begin the process of adopting new Floodplain and Shoreland ordinances as outlined in attachments 3&4.

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

Jered Stanton, TCPA, presented to the board. He stated the Township has some time to consider these options for the Floodplain and Shoreland Ordinance. He would like to have a decision made by the Township in September.

Supervisor Matzke recommended that this is presented to OTPAC. OTPAC will then send a recommendation back to the township board.

Supervisor Johanningmeier asked how the communication would go back and forth. Jered Stanton, TCPA, said the approval will be created first by the DNR. There will be dual approval with the Floodplain and Shoreland Ordinance. There will have to be a variance through the

County and then the homeowner would have to address the Township Board. This creates a lot of leg work for the homeowner.

TCPA Bylaws

Jered Stanton, TCPA, presented the suggested TCPA bylaw changes to the Board. The changes to the TCPA bylaws are being done by proxy. Once there is a response from all Townships, it will be signed by the TCPA Board Chairman John Johnson.

There was a motion made by Supervisor Matzke to approve the TCPA, Township Cooperative Planning Association, bylaw changes, seconded by Supervisor Johanningmeier. The motion was carried unanimously.

Lake Zumbro Forever

The final paperwork for the land transfer from Oronoco Township to Lake Zumbro Forever is not complete. Attorney Ruppe should have final paperwork to Supervisor Matzke later this week. Supervisor Matzke will take to Lake Zumbro Forever for final approval.

Waters of Sater Dalon's Bay

Jered Stanton, TCPA, stated that this is a land use plan amendment. Mr. Derby, property owner, has to approach the Township before this can go to the County Board of Commissioners for a land use change.

Logan Tjossem, Widseth Engineering, stated that they are looking for a land use plan amendment. The process was started three years ago and due diligence has been done to ensure that there is minimal environmental impact with this land use amendment.

Mr. Derby, property owner, stated that they have worked for three years on this and lobbied with a lot of people from Olmsted County. He stated he would like a variance granted by the Township or be allowed to move forward and continue on this process. Mr. Derby stated that the land is not good farmland, it is solid rock and the deer eat off what is growing.

Commissioner Paige Collins expressed concerns, stating that if a letter of support is given, the land use for this area could still change based on the land use plan being worked on by OTPAC. Jered, TCPA, stated that Olmsted County would not consider a land use plan amendment complete unless the Township supports it.

Les Conway, WSE Massey Engineering and Surveying, stated he has read the Township's Moratorium many times. Whether or not the Township accepts the land use change amendment, the land owner still has a risk. Olmsted County could still deny the land use change.

Supervisors Matzke and Johanningmeier expressed concern with signing this land use plan amendment until OTPAC has made changes to the land use plan for Oronoco Township.

Supervisor Matzke stated that this should be discussed with Attorney Ruppe before support. Supervisor Johanningmeier expressed concern stating, if this land use amendment letter is signed, this will set a precedence for the Township.

Supervisor Mergen stated there is a process that the property owner has to go through to be able to put houses on this property. By signing the land use plan amendment, Oronoco Township is just giving approval for this property to be developed. He feels, even if a zone change is approved by the County, it still has to come back to the township for final approval. Jered, TCPA, stated that the letter could acknowledge and not support a land use change for this property.

Jered Stanton, TCPA, will update the LUPA letter to acknowledge, not support, the land use plan. He will send the letter to Mr. Derby and the Oronoco Township Board for review before being signed and sent to the Olmsted County Board of Commissioners.

There was a motion made by Supervisor Matzke to acknowledge, not support, the proposed land use amendment, to be sent to the Olmsted County Board of Commissioners, seconded by Supervisor Mergen. The motion was carried unanimously.

Moratorium Extension

Supervisor Matzke stated that OTPAC approves continuing the moratorium until July 10, 2025. This would allow OTPAC time to continue working on the land use plan for Oronoco Township.

There was a motion by Supervisor Johanningmeier to extend the moratorium for an additional 12 months, expiring on July 10, 2025, seconded by Supervisor Mergen. The motion was carried unanimously.

Road Report

Scott Schumacher stated that they have been busy fixing washouts. The ditch work that was done this past winter has handled the water well.

Olmsted County Board of Commissioners and County Administrator Heidi Welsch, declared Olmsted County in a state of emergency due to the ongoing flooding disaster. The initial damage estimate is only needed from the Township in order to qualify for State Assistance, which will reimburse 75% of all allowable expenses. The Township must have at least \$3500 in damage to qualify.

Supervisor Johanningmeier asked if anyone is tracking the washouts in the Township from the storm event. Supervisor Mergen is working with Jonathan Jacobson, Olmsted County Sheriff, on estimates of damages to the Township. Sheriff Jacobsson will submit the estimates and come back to the Township for supporting documents. That will then be submitted to the State of Minnesota. Treasurer Lind asked that Schumacher separate the invoices for flood damages. It will make it easier to track funds and report to the County.

Supervisor Johanningmeier mentioned the resurfacing project on 18th Ave NW, White Bridge Rd, to begin on July 15, and is set to be completed in September.

Culvert on Cedar Beach Dr NW

There was a citizen letter from property owner, Hugues Sicotte, about a culvert being plugged on Cedar Beach Dr NW. Scott Schumacher will look into this.

Summer Road Projects

Supervisor Mergen is still waiting on Rochester Sand and Gravel for estimates on Thunderbluff Rd NW, White birch Ct NW and Frederichs Dr NW for resurfacing. Preliminary estimates are \$500,000-\$600,000.

Supervisor Mergen is also getting some numbers from Jim Johnson, Bergen, for patch work and sealing on Providence Dr NW.

Driveways

Nierman Driveway

Supervisor Mergen visited the site on Providence Rd NW. He stated that the driveway was standard and did approve the proposed location.

Clerk Schroeder has not received the fee for the access permit from the Niermen's. Supervisor Mergen will look into this.

Demarino Driveways

Logan Tjossem, Widseth Engineering, reviewed the access permits for the Thomas Demarino driveways. He stated that there is a line of trees that need to be removed to create a clear line of site for these driveways. He suggested driveway ahead signs be posted. There is no recommendation to go less than 30 miles per hour.

The driveways will be complete prior to submitting the building permit.

There was a motion made by Supervisor Mergen to approve the Thomas Demarino driveways with these stipulations: clean up brush in ditch, send fee payment to the township, and construct the driveways as documented, seconded by Supervisor Johanningmeier. The motion was carried unanimously.

Clerk Schroeder is wondering who is collecting the fees, who is responsible for approving, and who keeps the driveway permits on file.

Logan Tjossem, Widseth Engineering, suggested creating a checklist, for the homeowner, to ensure that proper documentation is provided to the Township before a driveway will be approved. The homeowner needs to provide documentation of final construction and submit payment, to be dropped off at a monthly meeting or mailed to Oronoco Township, PO Box 324

before completion of the project. Logan stated that enforcement needs to be consistent on the driveways.

Les Conway, WSE Massey, stated that the ordinance states the stipulations on the driveways. He suggested a consent agenda to approve the driveway permits as needed.

There was a motion made by Supervisor Matzke to allow Logan Tjossem, Widseth Engineering, to help with the permit and access application for driveways in Oronoco Township, seconded by Supervisor Mergen. The motion was carried unanimously.

Flashing Stop Sign at 18th Ave and 102nd St

Supervisor Matzke stated that Scott Schumacher did look into this. The cost of a flashing stop sign is high. Logan Tjossem, Widseth Engineering, stated that there is no proof that a flashing stop sign would make citizens stop. There will be no action taken at this time.

Yield Sign at 4th Ave NW

Supervisor Mergen stated that he feels stop signs are needed on the North and South sides of 4th Ave NW.

There was a motion made by Supervisor Mergen to have Schumacher Excavating install 2 stop signs, on the North and South sides of 4th Ave NW, seconded by Supervisor Matke. The motion was carried unanimously.

Cedar Beach Drive, Speed Concerns

There was a citizen letter, from Dr. Will Chase, regarding speed on Cedar Beach Drive. Supervisor Matzke stated that the road is not wide enough to do anything to slow traffic. Supervisor Mergen recommended a children at play sign be posted by the homeowner. Supervisor Mergen will reach out the homeowner to discuss this.

Minnesota Ave

There was an agreement for the transfer of jurisdiction and right of way from Olmsted County to Oronoco Township in July 2013, signed by Richard Lyke. The paperwork was never filed by Olmsted County. The County will now file the paperwork.

Supervisor Johanningmeier talked with Joe Palen, City of Oronoco, about concerns of weeds on the East side of Minnesota Ave. Joe Palen acknowledged there is still clean up to do. Supervisor Johanningmeier would like to have the City of Oronoco mow off the weed or pay for the Township to have them sprayed. Supervisor Johanningmeier will continue to work with Joe Palen on this.

Supervisor Matzke is concerned with the extra expense and work on Minnesota Ave because of the City of Oronoco's Waste Water Treatment Facility.

Weed Spraying

Supervisor Johanningmeier contacted North Star Companies and Arrow Tree Works to get estimates on weed spraying. North Star companies estimate is \$186/mile on both sides of the road. Arrow Tree Works submitted an estimate of \$5,000-\$8,000 for 10 miles of road way. Supervisor Johanningmeier would like to have North Star Companies begin spraying the higher traffic areas that have the most weeds. Supervisor Johanningmeier would like about 10 miles of ditch spraying now, and have more done in the fall. He stated that if the Township gets into a cycle of spraying ditches, it would only have to be done once per year.

There was a motion made by Supervisor Mergen to authorize Supervisor Johanningmeier to contract 20 miles of ditch spraying to be done now and in the fall, seconded by Supervisor Matzke. The motion was carried unanimously.

Supervisor Johanningmeier stated that where ditch work was completed, by Schumacher Excavating, on 118th, 90th and 60th St there are areas where no grass is coming in. Schumacher will look into this and reseed if necessary.

Supervisor Johanningmeier stated that there are some areas where the brush along the road way needs to be battled back. He stated that brush spaying along some road ways may be something to consider in the future. Schumacher Excavating is working on the trimming back the trees and brush along the South side of Cedar Beach.

Sunset Bay Road-ditch work

Supervisor Mergen would like to have Schumacher Excavating work on the north side of Sunet Bay Rd. The ditch needs to be cleaned up and reshaped.

There was a motion made by Supervisor Mergen to allow Schumacher Excavating to do ditch work on Sunset Bay Road, seconded by Supervisor Matzke. The motion was carried unanimously.

Minutes Approval

There was a motion by Supervisor Mergen to approve the minutes for June 10, 2024 monthly meeting, seconded by Supervisor Matzke. The motion was carried unanimously.

Treasurer's Report-Brandi Lind

The YTD Statement of Receipts, Disbursements and Balances as of June 30, 2024 shows: receipts \$554,442.60, disbursements \$834,536.05 with an ending balance of \$1,530,063.05.

There was a motion made by Supervisor Johanningmeier to approve the treasurer's report in written form, seconded by Supervisor Mergen. The motion was carried unanimously.

There was a motion made by Supervisor Mergen to take the funds from National Valley Bank and Wells Fargo Bank, at maturity, and roll into the money market account at Fidelity, seconded by Supervisor Johanningmeier. The motion was carried unanimously.

MN DCP

Clerk Schoeder stated that Donna Larsen, Minnesota State Retirement System, reached out to verify users on MN DCP accounts and ask if there were any questions about the Boards MN DCP accounts. The Board has no concerns at this time.

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 July 8, 2024, seconded by Supervisor Matzke. The motion was carried unanimously.

Sunset Bay Septic Construction

Supervisor Mergen suggested that Treasurer Lind contact Anita Gallentine, Minnesota Public Authorities Facility, to find out about funds reimbursement for the Sunet Bay septic construction. Supervisor Mergen stated that there should have been some reimbursement back to the Township with completion of construction. Treasurer Lind will contact [Katelyn Kanuit](#), as Anita has retired. Treasurer Lind reached out to Katelyn in February regarding this and did not receive a response back.

Resolution appointing Election Judges for the August 13, 2024 Primary Election

There was a motion made by Supervisor Mergen to accept the resolution appointing Election Judges for the Primary Election on August 13, 2024, seconded by Supervisor Johanningmeier. The motion was carried unanimously.

OTPAC

Supervisor Matzke stated that OTPAC has been working on extending the moratorium and updating the land use plan for Oronoco Township.

Mankato-Mississippi Transmission Line Project

Supervisor Johanningmeier will attend the meeting for the Mankato-Mississippi Transmission Line at Pine Island High School on Tuesday July 9 at 6pm.

Supervisor Johanningmeier spoke with citizen Penny Robinson, regarding her concerns with the Mankato-Mississippi Transmission Line Project. Ms. Robinson spoke with Ellen Heine, Principal

Siting Agent and Permitting Agent for the Mankato-Mississippi 345kV Transmission Line Project, and was informed that the City of Oronoco and Township Boards have sent a proposal to put the new lines next to the CAPX 2020 which would widen the current corridor. Supervisor Johanningmeier stated that the resolution that was signed January 8, 2024 will be added to the environmental impact statement. Supervisor Matzke stated that was not the intention of the resolution. Supervisor Matzke does not want to the resolution signed January 8, 2024 to continue.

There was a motion made by Supervisor Matzke to rescind the Resolution in support of the MMRT Project Segment 4 Route, seconded by Supervisor Mergen. The motion was carried unanimously.

Clerk Notes

There is a Minnesota Association of Townships District 1 meeting in Caledonia on August 6, 2024.

Board Member Comments

Supervisor Johanningmeier is not able to attend the next OCTOA meeting on July 25, at Haverhill Townhall. He suggested another Supervisor attend to get a feeling about what other townships are thinking about the Floodplain and Shoreland Ordinance with the County.

Supervisor Mergen will not be able to attend the Oronoco Township Meeting on September 9, 2024.

There was a motion made by Supervisor Mergen to adjourn the meeting, seconded by Supervisor Johanningmeier. The motion was carried unanimously. The meeting adjourned at 9:35pm.

Respectfully Submitted:

Clerk Jody Schroeder

Tammy Matzke

Ken Mergen

Joel Johanningmeier