

Oronoco Town Board  
Monthly Meeting Minutes  
February 9, 2026

Minutes of the regularly scheduled meeting of the Oronoco Town Board held on **Monday, February 9, 2026** at 5:30pm at the Oronoco Community Center, located at 115 Second Street SW, Oronoco, Minnesota.

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

Supervisor Matzke, Attorney Ruppe and Cameron Maass, LZFI, were present via Google Meets.

### **Pledge of Allegiance**

**The agenda was accepted with the addition of the Oak Ridge vacation.**

### **LZFI Land Transfer**

Oronoco Township transferred the subject property to Lake Zumbro Forever, Inc. (LZFI) via a Quit Claim Deed in 2025. As specified in the governing contracts, the transfer is subject to deed restrictions. LZFI satisfied all contractual and legal requirements necessary to complete the transfer.

A critical element of the Quit Claim Deed is the designation of the property as "public." Because the land remains in public ownership, it is not subject to acquisition through adverse possession or prescriptive easement. Adjacent property owners have no legal right to use, claim, or acquire any portion of the property, nor can the land be sold or contested under adverse possession principles.

During LZFI's survey of the property, it was identified that an adjacent homeowner may have improvements extending onto the property beyond hardscaping. These improvements may include a permanent structure, such as a portion of a garage or shed.

LZFI contacted Olmsted County to inquire whether a portion of the property being used by the adjacent homeowner could be sold. Olmsted County subsequently contacted the State of Minnesota regarding this inquiry. The Minnesota Department of Natural Resources (DNR) has since raised questions regarding the original transfer of the property to LZFI.

It is believed the State's concern relates to a statutory restriction governing bond-financed property. Minnesota Statute 16A.695, Subdivision 3, provides that property acquired or improved with state bond proceeds may not be sold by a public officer or agency unless the property is no longer needed for its original purpose and the sale is authorized by the Commissioner of Minnesota Management and Budget (MMB).

As a result, the State has requested that LZFI quit claim the property back to Oronoco Township. Following this reconveyance, the State will determine whether the property may be transferred back to LZFI in compliance with statutory requirements.

Attorney Ruppe will coordinate a call with Minnesota Management and Budget Commissioner Roger Behrens, Cameron Maass, and representatives of LZFI to determine the appropriate path forward and resolve the matter.

**There was a motion made by Supervisor Mergen to authorize Attorney Ruppe and Cameron Maass, LZFI, to contact the MN DNR to determine the appropriate path forward to resolve the Lake Zumbro Forever land transfer, seconded by Supervisor Johanningmeier. The motion was carried unanimously.**

### **River Corridor Overlay District**

Attorney Ruppe received an email from Tom Canan, Senior Assistant County Attorney, acknowledging receipt of Ruppe's letter regarding the River Corridor Overlay District. The River Corridor Overlay District Project has been placed on the Olmsted County Board's agenda for March 17, 2026, at 6:00 p.m.

### **Road Vacation**

Supervisor Johanningmeier will work with Attorney Ruppe to vacate the Township's Oak Lodge property and the Oak Lodge Plat. The Township needs to ensure that the platted property information has been corrected with Olmsted County, as the Township does not want to landlock any property owner.

Attorney Ruppe will send the Minnesota Department of Natural Resources (DNR) a certified letter containing the petition, resolution, and notice of public hearing, requesting comments on the proposed road vacation for the Oak Ridge parcel owned by Oronoco Township. Because the property touches public waters, the DNR will have 60 days to respond.

### **Road Report**

Supervisor Mergen was contacted by a resident on Sunset Bay Road who slipped, fell, and broke his femur while getting his mail on January 6, 2026. The resident stated that there was not enough gravel on the road way. Township Road crews were out applying gravel due to icy conditions.

Per MN Statue 466-03, Subdivision 4; Townships are immune from claims regarding snow or ice on highways or public sidewalks, unless the condition was affirmatively caused by the municipality's negligence.

Supervisor Mergen received an email about icy spots on Cedar Beach. Supervisor Mergen stated the icy spots are in shady areas and does not feel more gravel is needed, as there is exposed aggregate showing. These are normal winter road conditions.

### **Minnesota Ave South**

The Township Board received an email from a resident regarding the condition of Minnesota Avenue South. The road is in poor condition and continues to experience heavy truck traffic related to the Oronoco Wastewater Facility. Scott Schumacher recommended digging test holes to determine the depth of the roadway, as it was not designed to accommodate this level of daily traffic. Supervisor Matzke will contact Cain Dolan of Oronoco Public Works to address these concerns and discuss how to proceed.

### **85<sup>th</sup> St Bridge Closure**

Supervisor Mergen will contact John Mies of MnDOT to determine how the Township will be reimbursed for the installation and removal of road closure signs related to damage to the 85th Street Bridge.

### **Annual Meeting Agenda and Levy**

There was discussion regarding the need to increase the levy for 2027. According to the Federal Inflation Calculator, \$1.70 today is required to purchase what \$1.00 would have purchased in 2005. The proposed increase to the General Fund would be \$15,000, representing a 2.5% increase, bringing the total General Fund to \$75,000. The proposed increase to the Road and Bridge Fund is \$60,000, bringing the total fund to \$778,000. Further discussion will take place at the March 9, 2026 meeting.

### **Minutes Approval**

**There was a motion by Supervisor Johanningmeier to approve the minutes for Monday, January 12, 2025, seconded by Supervisor Mergen. The motion was carried unanimously.**

### **Treasurer's Report-Brandi Lind**

The YTD Statement of Receipts, Disbursements and Balances as of February 9, 2026, shows: receipts \$449,799.42, disbursements \$104,237.56 an ending balance of \$1,054,429.89.

**There was a motion made by Supervisor Mergen to approve the treasurers report for February 9, 2026, in written form, seconded by Supervisor Johanningmeier. 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 February 9, 2026, seconded by Supervisor Johanningmeier. The motion was carried unanimously.**

### **OTPAC**

OTPAC is working on implementing a storm water management ordinance. This will be coming to the Township Board for review soon.

The CUP for the 85<sup>th</sup> St Quarry will be discussed at the February 23, 2026 meeting. Erik Olson, MTE Services will be in attendance.

The Township Cooperative Planning Association, TCPA, is discussing setting a minimum fee for Townships or increasing rates.

### **Request for a Second Driveway**

Supervisor Mergen received a request from Mr. Tanner Tunglund for a second driveway. Supervisor Matzke confirmed that, per Oronoco Township Ordinance, only one driveway is permitted. Supervisor Mergen will contact Mr. Tunglund to inform him that a second driveway will not be allowed; however, he may widen his existing driveway if he chooses.

### **Clerk Notes**

The Annual Meeting will be held on Tuesday, March 10, 2026, at 5:00pm. The Annual Meeting notice will be Published on February 28, 2026, in the Rochester Post Bulletin.

There will be no Township Election in March. Residents voted to move Township Elections from March to November. The next Township Election will be held on **Tuesday, November 3, 2026.**

### **Request for Public Information**

Clerk Schroeder received an email from Justin Wenig requesting access to and copies of public records maintained by Oronoco Township.

Per MAT attorney Graham Berg-Moberg, the Township has the legal authority to approve the request, deny it, or approve it subject to reasonable conditions. Certain conditions may be imposed to protect the Township and its taxpayers, particularly where a request appears broad or commercial in nature. Recommended conditions include:

1. Requiring that the request be submitted in writing and clearly identify the specific documents and date ranges requested.
2. Requiring the requester to post a bond or prepay estimated costs, so that Township taxpayers are not responsible for the expense of fulfilling the request.

To determine the appropriate amount, staff should estimate the time required to locate, review, and produce the records and multiply that time by the hourly rate of the employee performing the work. It is important that there be a clear nexus between the actual cost of fulfilling the request and any fees charged, in case the Township's actions are later reviewed by the Legislature or other authorities.

The Board would like Clerk Schroeder to send this request to Township Attorney Ruppe to see how best to move forward.

**There was a motion made by Supervisor Mergen to allow Clerk Schroeder work with Attorney Ruppe on a response to Mr. Wenig's request for public information, seconded by Supervisor Johanningmeier. The motion was carried unanimously.**

### **Road Tour**

The date for the Spring Road tour will be set at the March 9, 2026 meeting.

### **Payroll for February 9, 2026 is Incorrect**

The payroll checks issued by Hemann and Grover **do not** match the CTAS payroll register reports. Specifically, the Social Security and Medicare amounts differ.

Clerk Schroeder contacted Mark Albarado at CTAS for guidance and was informed that the issue stems from an error related to the Paid Family and Medical Leave Act (PFML). The discrepancies were not identified in January because Treasurer Lind was still working in December 2025, and CTAS had not yet been updated for the 2026 payroll year.

Because Oronoco Township is covering the full employer and employee portion of Minnesota Paid Family Leave, the amount that would normally be deducted from employees is instead treated as taxable wages. As a result, the paid leave amount is added to gross wages and subject to taxation. The resulting differences in Social Security and Medicare reflect the paid leave amounts for each employee.

Clerk Schroeder is currently working with Michele Mayo at Hemann and Grover to correct the issue and ensure Social Security and Medicare are withheld accurately. Payroll checks for each employee will be corrected and presented at the March 9, 2026 meeting.

**Board Member Comments**

Supervisor Johanningmeier attended the Gopher to Badger Transmission Line project meeting in Stewartville.

Supervisor Johanningmeier attended the OCTOA meeting. Olmsted County is set to vote on a dangerous dog ordinance.

**Adjourn**

**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 8:15pm.**

Respectfully Submitted:

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Clerk Jody Schroeder

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Tammy Matzke

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Ken Mergen

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Joel Johanningmeier