

MINUTES
MONTHLY ORONOCO TOWN BOARD MEETING
APRIL 6, 2020 5:30 PM

This was a teleconference meeting in response to the Peacetime Emergency Declaration issued by Gov Walz to prevent the transmission of COVID-19.

The **Pledge of Allegiance** was recited.

The monthly Oronoco Town Board Meeting was called to order on April 6, 2020 by Chair Charlie Lacy. Present: Supervisors Charlie Lacy, Ken Mergen and Tammy Matzke, Treasurer Kim Stanton and Clerk Lucy Shonyo.

The **agenda** was accepted as presented.

Agenda Topics

Adopt Resolution 2020-05: Resolution Establishing the Ability to Conduct Open Meetings by Telephone. Charlie Lacy read the resolution aloud. As the presiding officer Chair Lacy finds that it is not prudent to hold in-person town board meetings during this time of pandemic. This resolution allows Oronoco Township to hold public meetings via telephone so long as a health pandemic exists, or an emergency is declared. Ken Mergen made a motion to adopt Resolution 2020-05. Tammy Matzke second, motion carried 3-0. [Lacy – aye, Mergen – aye, Matzke – aye].

OR2020-004MB, applicant Mathy Construction (information from Olmsted County Planning Staff Report)

The request is a Metes & Bounds subdivision of an approximate 24.4 acre non-farm parcel which is part of the land swap for Goose Rock Quarry. The property is in Section 35 of Oronoco Township on the east side of the Zumbro River. The property is in the NE ¼ of the SE ¼ in Section 35 T108N R 14W. The property would be classified as a non-farm parcel. The remnant parcel would be approximately 56 acres and would classify as a farm parcel. There are no intentions to build on the parcel at this time. The land swap is part of the land transactions that are occurring for the Goose Rock Quarry. This is within the River Corridor District, the mineral extraction facility is not intended to expand into this area.

This request meets provisions of Oronoco Township Zoning Ordinance Section 5.04, Subdivision 3, Standards for non-farm parcels:

- The proposed split would be the only non-farm lot within the ¼, ¼. The remnant parcel is 56 acres and qualifies as a farm parcel.
- Only a small portion of the property has soils with a CER over 55.
- A portion of the property contains the special flood hazard area of undetermined base flood elevation known as Zone A. No dwelling will be allowed in the Zone A without a conditional use permit.

OR2020-004MB, applicant Mathy Construction, continued

- No feedlot is within ¼ mile of the proposed property.

County Planning Staff recommends approval of the proposed approximate 26 acre non-farm parcel.

Ken Mergen made a motion to approve OR2020-004MB based on Olmsted County planning staff findings and recommendations. Tammy Matzke second. Motion carried 3-0. [Lacy – aye, Mergen – aye, Matzke – aye]. A township action form was completed indicating approval.

Ryan’s Bay Road Update – The township is in the process of getting appraisals for land-owner compensation for land easement taking in preparation for invoking Minnesota Statute 164.07. A separate qualified appraiser will assess the downed trees on the Sawinski/Hornseth property. The board discussed making last offers to Mr. Frutiger, and Mr. Hornseth and Mr. Sawinski. The board previously rejected an asking price of \$18,500 for the Hornseth/Sawinski parcel. The township needs .194 acres. Ken Mergen made a motion that, pending legal consultation / approval, the township offer Mr. Hornseth and Mr. Sawinski \$4,000 for the land needed for the easement, an offer based on their asking price times the land we need ($\$18,500 \times .194 = \$3,589$). Tammy Matzke second, motion carried 3-0. [Lacy – aye, Mergen – aye, Matzke – aye].

The Frutiger easement was discussed. Mike Zillgitt provided an “exhibit showing the area ...that would be turned back to Frutiger, the remaining road width on his portion of the property, and the area where he would still have access to Sunset Bay Rd.” The width of remaining access [to Sunset Bay Road] is about 33’. Mr. Frutiger previously expressed concern about an existing field drive he wanted preserved. Mike Zillgitt has indicated that this field drive is outside the scope of this project per the construction plans. Given this information about Sunset Bay Road access and the field drive, Charlie Lacy made a motion that, pending legal consultation/approval, the township offer Mr. Frutiger his asking price of \$3,500 and agree to hold downed trees over 6” in diameter for his use. The township will not provide the stub road previously discussed since access is available. Ken Mergen second, motion carried 3-0. [Lacy – aye, Mergen – aye, Matzke – aye].

Road Report – Ken Mergen

Road grading has started. Zumbro Haven and Cedar Beach residents have expressed concern about excess rock on the roads. Sweeping will be done soon.

King’s Park needs grading which was done today.

There are chunks of road material in a yard in the Caper Lane, Ridgecrest area where the shoulder is disintegrating.

Road Report – Ken Mergen, continued

Ken Mergen viewed a retaining wall at Cedar Crest Lane that was damaged by snow being pushed by the plow. The retaining wall is in the ROW. He will talk with Scott Schumacher about pushing snow somewhere else.

The new chevron signs are in place on the Allen property on 18th Ave NW.

Tammy Matzke reports it seems like there are more people just “driving around” in the King’s Park area. Same on 11th Ave.

The April 17th road tour was postponed. A new date will be scheduled at the May 4 meeting.

Parking Ordinance Update – Charlie Lacy

Residents and the board previously asked about a more inclusive parking ordinance. Town attorney Bob Ruppe asked if the board wanted an ordinance that (a) covered all township roads, (b) applied year around, (c) prohibited overnight parking. Generally, (a) yes, (b) yes, (c) yes with possible seasonal exceptions. Charlie Lacy will get back to Bob Ruppe. A draft of the ordinance will be passed through the sheriff’s dept to make sure it is enforceable.

Jaguar Communication – Tammy Matzke

Jaguar Communications has a cable franchise in Oronoco Township and has been purchased by MetroNet. Town attorney Bob Ruppe examined the resolution supplied by Jaguar and recommended the board adopt it. Ken Mergen made a motion to adopt Resolution 2020-06 Approving the Change of Control of Jaguar Communications Inc. Charlie second, motion carried 3-0. [Lacy – aye, Mergen – aye, Matzke – aye].

Century Link – Tammy Matzke

Century Link has sent plans for construction of an upgraded “node” at 10634 4th Ave NW, the King’s Park area. Oronoco Township currently has no utility permitting process or ROW Ordinance. Century Link seems very procedural and responsible. The board agrees they should proceed. Tammy Matzke will contact them.

Utility Permitting – Tammy Matzke

Tammy Matzke distributed a sample ordinance governing utility permitting in township ROWs. The board discussed our needs for a permit application process and an administrator. Mike Zillgitt expressed interest when asked about administrating the process some time ago. It should be cost neutral with the township recovering administrative costs through application fees. This will be on the May agenda.

Administrative Business

Minutes Approval –

Ken Mergen made a motion to approve the **March 2, 2020 monthly meeting minutes**. Tammy Matzke second, motion carried 3-0. [Lacy – aye, Mergen – aye, Matzke – aye].

Tammy Matzke made a motion to approve the **March 10, 2020 annual meeting minutes**. Charlie Lacy second. Motion carried 2-0. [Lacy – aye, Mergen – abstain, Matzke – aye; Ken Mergen was not present at the annual meeting].

Treasurer’s Report – Kim Stanton

The YTD Statement of Receipts, Disbursements and Balances as of March 31, 2020 shows: Receipts \$51,660.73 and Disbursements \$216,031.83 with an ending balance of \$434,597.20. March net payroll (paid in April) totaled \$6,461.27, bills totaled \$10,281.68.

The schedule1 is off by \$1,000 because of check 7047 for \$1,000 that was missing from the Disbursement Register due to dating. Lucy Shonyo will correct her reports and get to Kim Stanton.

Ken Mergen made a motion to approve the treasurer’s report as presented. Tammy Matzke second, motion carried 3-0. [Lacy – aye, Mergen – aye, Matzke – aye].

Approval to Pay Bills - Claims totaling \$10,281.68 and net payroll totaling \$6,461.27 were presented for payment. Payroll costs included the PNP election expenses of about \$4,200 which will be reimbursed by the State of Minnesota. Ken Mergen made a motion to approve claims and payroll payments. Tammy Matzke second, motion carried 3-0. [Lacy – aye, Mergen – aye, Matzke – aye].

OTPAC Report – Charlie Lacy – There was no meeting.

Sheriff Reports of Dog Bites – We got two reports of dog bites. One occurred in another township and one occurred here.

Oronoco Estates – A resident of Oronoco Estates expressed concerns that were relayed to the County Health and County Planning Depts.

Reschedule Bids and Quotes – These were rescheduled for the May 4, 2020 meeting. [Lucy Shonyo learned after the meeting that the board cannot accept sealed bids (for goods and services over \$175,000) in a tele-conference meeting. This must be delayed until an in-person meeting is possible. However written quotes (for goods and services under \$175,000) can be accepted as there is no legal

Reschedule Bids and Quotes, continued

requirement to open quotes in public. They also do not need to be opened at the same time.)

Light at 5th St and CR12 (White Bridge Rd)

The City of Oronoco has asked us to install a light (one that goes on at night, not a stop light) at the corner of 5th St and CR12. Charlie Lacy contacted Olmsted County Public Works and learned that the County will not install the light unless there is a history of accidents. Charlie Lacy will talk with Ryland Eichhorst.

County Property Tax Delay - Olmsted County is considering extending the time citizens can take to pay their first half of property taxes. This in turn will affect tax receipt disbursements to the township.

Board of Appeal & Equalization – The board discussed not holding this local BAE meeting. It was decided holding this local meeting was advantageous for our citizens. The meeting will be on April 20 from 4:30 to 5:00pm. It will be a teleconference meeting. Citizens should call toll-free 844.855.4444, access code 841351 followed by # (pound sign) to join the meeting.

Tammy Matzke made a motion to adjourn at 7:30pm. Ken Mergen second, motion carried 3-0. [Lacy – aye, Mergen – aye, Matzke – aye].

Respectfully Submitted

Lucy Shonyo, Clerk

Charlie Lacy, Chair