

MINUTES
MONTHLY ORONOCO TOWN BOARD MEETING
NOVEMBER 5, 2018 7PM

The **Pledge of Allegiance** was recited.

The monthly Oronoco Town Board Meeting was called to order on November 5, 2018 by Chair Neil Stolp. Supervisors Charlie Lacy and Ken Mergen were present as well as Treasurer Kim Stanton and Clerk Lucy Shonyo.

The **order of agenda** was changed to add the 11th Ave NW discussion to the road report and add Uncle John's liquor license approval and Sargent Carmack to the agenda.

Minutes Approval: Charlie Lacy made a motion to approve the October 1, 2018 minutes of the regular monthly Board meeting. Ken Mergen seconded, motion carried 3-0.

Uncle John's – Neil Stolp made a motion to approve Uncle John's application to Olmsted County for their liquor license renewal. Ken Mergen seconded, motion passed 3-0.

Sargent Carmack from the Olmsted County Sheriff's Dept noted that things were going well in Oronoco Township.

Agenda Topics

Road Report – Scott Schumacher

- The culvert on 60th and 85th is damaged but will hold until spring.
- Shouldering and edging in Zumbro Haven will start tomorrow.
- Blakely Court also needs edging. Schumacher's will check it out.
- 75th St and 11th Ave NW has been marked where the blacktop will be cut and removed. It will revert to a gravel road. The apron off 75th St is in the County ROW and won't be affected.

Bargen Update – They have finished the following black top repair for the season:

- 18th Ave NW between Cty Rd 12 and the Wabasha County line, not including Lakefront Lane NW
- So Minnesota Ave from Cedar Point Lane SE to 100th St NW
- Blakely Court
- Sattre Dr – patch
- Areas of Fisherman's Dr, Zumbro Pines Ln, off Minnesota St by gas station
- Total for this work was \$67,001.00
- Zumbro Haven entrance black top broken up. Neil Stolp will check that Bargen repaired.

MNDOT Reimbursement for 11th Ave NE – Invoices totaling \$58,607.43 for the repair of 11th Ave NE after the Hwy 63 resurfacing project will be sent to MNDOT for reimbursement.

OR2018-001ZC, applicant Brent Beck

- Neil Stolp opened the public hearing for OR2018-001ZC. Kristi Gross, a planner with Olmsted County Planning Dept introduced the facts and county findings.
- The applicant is requesting approval to allow a change of zoning of the existing 4.63 acres from A-3, Agricultural to HC, Highway Commercial. This property is at the intersection of 11th Ave NW and US Highway 63.
- OT-PAC (Oronoco Township Planning Advisory Commission) held a public hearing on this application on Oct 15, 2018. That group approved the requested zone change.
- Approval of this action is measured against criteria found in the Amendment Findings section of Article 4 of the Oronoco Township Zoning Ordinance.
- County Planning determined that the proposal is consistent with the Oronoco Township General Land Use Plan: (a) The proposal would not create a multiple lot subdivision and would not preclude surrounding properties from being developed beyond their current extent; (b) the proposal provides sufficient transportation infrastructure; turn lanes currently exist. County staff suggests that a future conditional use permit on the property might include conditions that would upgrade the portion of the township road adjacent to this parcel; (c) There is no need for shared water or septic at this time; (d) The property contains soils highly susceptible to pollution and as such development should minimize environmental impact; (e) the proposal is not for a multiple lot subdivision so cooperatively owned green space would not apply.
- The proposal is in the public interest since it is consistent with the Land Use Plan.
- Existing infrastructure is adequate to support the proposed zoning change.
- The land use permitted in the Highway Commercial zoning district are compatible with adjacent zoning.
- The proposal would not result in spot zoning since it is compatible with adjacent property and the Land Use Plan.
- A General Development Plan is not needed per the Land Use Plan policies.
- Staff recommends approval of the zone change from A-3 Agricultural to HC Highway Commercial based on the findings stated above.
- Neil Stolp asked three times for comments for or against granting the zone change. One person stated he believed 11th Ave NW could not handle the extra traffic an expanded business would create, and that the entrance from 75th St (Hwy 63) onto 11th Ave NW needed to be widened and improved. Another person expressed concern about the speed of traffic on Hwy 63. A roundabout was suggested.

OR2018-001ZC, applicant Brent Beck, continued

- Neil Stolp made a motion to close the public hearing. Charlie Lacy seconded, motion carried 3-0.
- There was further discussion about 11th Ave NW and the improvement the road required. The road could be widened without buying right of way. The state would have to approve work within their Hwy 63 ROW. It was noted that the requested zone change in front of the Board tonight is separate from the work needed on 11th Ave NW.
- The Oronoco Town Board concurs with the findings of Olmsted County Planning. Ken Mergen made a motion to accept the staff findings and approve OR2018-001ZC. Charlie Lacy seconded, motion carried 3-0.

OR2018-006VAR, applicant Raymond Hansen

- Neil Stolp opened the Public Hearing for OR2018-006VAR.
- Applicant is requesting a variance to allow a building addition onto an existing dwelling which is built within the bluff impact zone.
- Kristi Gross, a planner with Olmsted County Planning Dept introduced the facts and county findings.
- The applicant's property is in the Cedar Beach Special District in the Cedar Beach Subdivision but is not connected to the Cedar Beach community septic system.
- OT-PAC previously approved a conditional use permit to allow the dwelling to elevate the first floor with alternative means other than fill.
- The property is in the General A flood zone. The proposed addition is to compensate for the lost living space below the base flood level and to provide additional living space. The lower level will be used for garage and storage.
- The granting of the variance is recommended by Planning Staff based on these findings: (a) The original dwelling was completed in 2009. The site plan and zoning review made no mention of the bluff impact zone at that time. The new addition needs to be located outside of the toe of the slope; (b) the proposed addition is attempting to comply with floodplain regulations and bluff impact zone regulations; the owner is proposing additional erosion control measures; (c) the addition would replace the lost living space on the lower level and come into compliance with floodplain regulations; (d) the variance will not negatively impact surrounding properties; (e) the variance is the minimum variance necessary to obtain the desired results; (f) additionally, the proposed addition is in compliance with Shoreland District regulations.
- The Board received a revised site plan and main level plan. These plans were received after staff recommendations were made. Per Ms. Gross these plans do not necessitate revised recommendations. This site plan is preferred since it angles the addition away from the bluff.

OR2018-006VAR, applicant Raymond Hansen - continued

- Three persons spoke in favor of granting the variance. No one spoke against.
- Neil Stolp made a motion to close the public hearing. Charlie Lacy seconded, motion carried 3-0.
- The Oronoco Town Board concurs with the findings of Olmsted County Planning. Ken Mergen made a motion to accept the staff findings and approve OR2018-006VAR. Charlie Lacy seconded, motion carried 3-0.

Sunset Bay – Sheila Craig

- Sheila Craig recapped where Oronoco Township is in the tree farm land acquisition process. The landowners submitted a written asking of \$225,000.00 on October 16, 2018. This is the same as their verbal asking at our special meeting held September 20, 2018. The Township's latest offer was \$121,000.00 for +/- 11 acres, 10% over the appraised value of \$110,000.00.
- The Board discussed possible next steps including submitting another offer and starting eminent domain procedures. Looking for an alternative site was also discussed.
- It was agreed the Oronoco Town Board will attend the Zumbro Township meeting on November 19 to discuss. Lucy Shonyo will contact them and post the meeting.
- Lucy Shonyo will ask our township attorney for estimated legal costs of eminent domain.
- The Board will set a date for the public hearing to establish the Subordinate Service District at the December meeting.

Ryan's Bay Road – Darci Tiedeken

This was not discussed as Ms. Tiedeken could not be present.

Animal Noise Ordinance

This topic was moved the December agenda.

Mailbox Stands

The Board expressed concern about mailbox posts made from bricks and mortar and other materials in the township road right of ways that present safety hazards. OT-PAC will examine this issue.

Administrative Business

The **Treasurer's Report** in written form showed the YTD Statement of Receipts, Disbursements and Balances as of October 31, 2018: Receipts \$458,221.97 and Disbursements \$554,275.24 with an ending balance of \$301,805.21. October payroll totaled \$1,903.23, bills totaled \$70,520.90.

Administrative Business, Treasurer’s Report, continued

Kim Stanton will investigate CD and money market options. Neil Stolp made a motion to accept the Treasurer’s report as presented. Ken Mergen seconded, motion carried 3-0.

Approval to Pay Bills - Claims totaling \$70,520.90 and payroll totaling \$1,903.23 were presented for payment. Ken Mergen made a motion to approve claims and payroll payments. Charlie Lacy seconded, motion carried 3-0.

OPAC Report – Charlie Lacy

- The discussion about whether a permitting process for ROW / utility permitting is needed, and if yes, who would administer the process continues.
- OT-PAC approved the zone change OR2018-001ZC, applicant Brent Beck, at their September meeting.

Podium Rules – Oronoco Township guidelines for citizen participation in Town Board meetings will be put on the podium before each meeting. These differ from Oronoco City guidelines which are also on the podium.

Comments from the Board or Public:

- There was a van set on fire and destroyed on 44th Ave. The VIN was not readable.
- The audit of the Pine Island Fire District has not yet occurred.
- There is state funding available for broadband.
- September Building Permits for single family homes – 0
- ORI# is still unsettled.
- 2018 Township Road Mileage Certification was sent to Public Works October 12th.

Ken Mergen made a motion to adjourn at 9:30 pm. Charlie Lacy seconded, motion carried 3-0.

Respectfully Submitted

Lucy Shonyo, Clerk

Neil Stolp, Chair