

MINUTES
MONTHLY ORONOCO TOWN BOARD MEETING
OCTOBER 1, 2018 7PM

The **Pledge of Allegiance** was recited.

The monthly Oronoco Town Board Meeting was called to order on October 1, 2018 by Chair Neil Stolp. Supervisor Charlie Lacy was present as well as Treasurer Kim Stanton and Clerk Lucy Shonyo. Supervisor Ken Mergen was absent.

The **order of agenda** was changed to move the Oronoco Auto Parts discussion after the road report.

Minutes Approval: Charlie Lacy made a motion to approve the September 4, 2018 minutes of the regular monthly Board meeting. Neil Stolp seconded, motion carried 2-0. Charlie Lacy made a motion to approve the minutes of a Special Meeting held September 20, 2018. Neil Stolp seconded, motion carried 2-0.

Agenda Topics

Road Report – Scott Schumacher

- 11th Ave NE is done. Rock and chloride were applied last week. This township road was a detour route during Hwy 63 work this summer.
- Evergreen Acres – a citizen complained about dirt on their property.
- Zumbro Haven – roads show wear on the sides. Eric Potter, 1204 Zumbro Pines, has complained of rocks on his lawn.
- Sattre Road NW – rock has washed off; edges and crevices need work.
- 11th Ave NE, where it approaches 75th St NW – the blacktop will revert to gravel as it is not an engineered blacktop road.

Fisherman’s Inn – Charlie Lacy made a motion to approve Fisherman’s Inn application to Olmsted County for their liquor license renewal. Neil Stolp seconded, motion carried 2-0.

Oronoco Auto Parts / Cross Town Auto – Charlie Lacy reported Olmsted County conducted a site visit and no violations were found.

- It was verified that the furnace has not been moved to the township property and has not been used. The furnace is permitted by the MPCA but could not be moved to or used on the township site without triggering conditional use permits (CUP).
- The grandfathered business is a “legal, non-conforming business”, and no CUP is needed for their current operation.
- The “best” outcome for the township might be for them to move / use the furnace (on the township site) and operate under CUP(s).

Oronoco Auto Parts / Cross Town Auto - continued

- Oronoco Township can offer no relief to citizens in this matter. Charlie Lacy believes Olmsted County's process was thorough and fair.
- Some citizens expressed their disappointments, noting impact on neighborhood property values, pollution and fumes, and the view that the current business has been "tweaked" so much from its original business that it should no longer qualify to be grandfathered; that it is now a "totaling different business".
- It has been determined that the legal definition of a salvage yard allows for the current activities of the business.

OR2018-004VAR, applicants Fredrick and Renae Birch

- Neil Stolp opened the OR2018-004VAR public hearing. Kristi Gross, a planner with Olmsted County Planning Dept introduced the facts and county findings.
- The applicants are requesting an addition to an existing dwelling that do not meet the required setbacks to the road right of way.
- County Planning determined there are extraordinary conditions in that the shallowness and irregularity of the applicant's lot does not allow for set-backs to be meet and do a building addition.
- This extraordinary condition is not created by the landowner as their dwelling was built in 1976, before current zoning regulations.
- The request is reasonable as it will allow more living space in the dwelling.
- The variance will not negatively impact surrounding properties.
- The variance is not inconsistent with the comprehensive plan as the comprehensive plan does not address a variance such as this.
- Neil Stolp asked three times for comments for or against granting the variance. One person indicated there was "no issue".
- Neil Stolp made a motion to close the public hearing. Charlie Lacy seconded, motion carried 2-0.
- The Oronoco Town Board concurred with the findings of Olmsted County Planning. Charlie Lacy made a motion to accept the staff findings and approve variance OR2018-004VAR. Neil Stolp seconded, motion carried 2-0.

OR2018-001MB, applicants Blaine and Chelsie Bertsinger

- Applicants are requesting a Metes & Bounds subdivision of 2 acres from a 38.63 acre site in Section 8 of Oronoco Township to build a house and shed at 7100 E. White Bridge Road.
- Neil Stolp made a motion to approve OR2018-001MB. Charlie Lacy seconded, motion carried 2-0.

OR2018-002MB, applicant Scott O'Reilly

- Applicant / landowner is requesting to create a 15 acre non-farm parcel and a 35 acre farm parcel from an existing 50 acre farm parcel. The property is zoned A-2, Agricultural. Property is in Section 8 of Oronoco Township, and borders the City of Oronoco.
- Standards for non-farm lots or dwellings are met.
- Neil Stolp made a motion to approve OR2018-002MB with the condition that the property will not contain a township road. Charlie Lacy seconded, motion carried 2-0.

OR2018-003MB, applicant Troy Rubin

- Applicant Troy Rubin is requesting to divide property owned by Connie Randall. The request is to create proposed Lot A, approximately one acre and attach it to property across the street owned by Troy Rubin; and create proposed Lot B, approximately .85 acres and attach it to property across the street owned by Melissa and Ken Mergen. Property is considered a non-farm parcel in the A-2, Agricultural. Parcels are located east of Sunset Bay Rd NE in Section 2 of Oronoco Township.
- The proposed Lot A and Lot B do not meet general district requirements of the A-2 district, but the proposed subdivisions will not create additional dwelling locations, but rather garage space, and in the case of Mr. Rubin, his drainfield is in part of Lot A to be divided. County Planning notes that "lot combination forms will be required to be submitted with the deeds for recording the subdivisions to ensure that the parcels are combined as proposed."
- Charlie Lacey made a motion to approve OR2018-003MB. Neil Stolp seconded, motion carried 2-0.

The Board thanked Kristi Gross for her on-going, consistent and professional assistance. Neil Stolp added that he wanted her and the County to know that some County Depts are not using the most current maps available.

Kings Park and Cedar Beach Septic Systems - Operation and Maintenance Fees (O&M)

- Kim Stanton had income and expense statements for King's Park and Cedar Beach septic systems and recommends that Oronoco Township keep O&M fees the same.
- Neil Stolp made a motion to keep King's Park O&M fees at \$425.00. Charlie Lacy seconded, motion carried 2-0. This is pursuant to Resolution No OR111014A, dated Nov 10, 2014.
- Charlie Lacy made a motion to keep Cedar Beach O&M fees at \$475.00. Neil Stolp seconded, motion carried 2-0. This is pursuant to Resolution No OR10217, dated Oct 2, 2017.

Sunset Bay Septic – Sheila Craig

The Small Community Grant application has been submitted to Public Facilities Authority. The work of researching property owners' deeds by Kennedy & Graven is a work in progress. These answers to questions raised at the Sept 20, 2018 special meeting were received:

- Per PFA, it is reasonable that access roads be eligible for funding. Final determination will be made by MPCA.
- Land would need to be surveyed, then legally divided into septic and road parcels. Survey costs are not eligible for funding.
- PFA believes existing trees used as a living fence could be justification to pay more for the land needed for the septic system. A cost estimate of a metal fence would be needed. MPCA has determined a living fence is viable for part of the property.
- Eminent domain legal costs are estimated at \$60,000.00. This expense would be reimbursable, in part or fully, by PFA.

A goal for the November meeting is to prepare for the creation of the SSD (Special Service District) and schedule the public hearing.

Ryan's Bay Road – Neil Stolp and others received a letter from Darci Tiedeken who lives on Ryan's Bay Road. She has discussed safety issues and possible funding with local lawmakers and asked to schedule a meeting at her home. Lucy Shonyo will invite her to a town board meeting. The board is interested in this discussion but the meeting must be a public meeting.

Administrative Business

The **Treasurer's Report** in written form showed the YTD Statement of Receipts, Disbursements and Balances as of September 30, 2018: Receipts \$454,239.96 and Disbursements \$465,226.59 with an ending balance of \$386,871.85. September payroll totaled \$2,222.06, bills totaled \$87,117.70, with disbursements totaling \$89,339.76. Neil Stolp made a motion to accept the Treasurer's report as presented. Charlie Lacy seconded, motion carried 2-0.

Kim Stanton noted there was a problem with the 2017 year-end report sent to the state auditor relating to incorrect account numbers used in CTAS. The report was corrected and sent back to the State Auditor.

A motion was made by Charlie Lacy to authorize the payment of the **11th Ave NE chloride invoice** before the next meeting to expedite MNDOT reimbursement. Neil Stolp seconded, motion carried 2-0.

Approval to Pay Bills - Claims totaling \$87,117.70 and payroll totaling \$2,222.06 were presented for payment. Neil Stolp made a motion to approve claims and payroll payments. Charlie Lacy seconded, motion carried 2-0.

OPAC Report – Charlie Lacy

- There was a discussion about whether a permitting process for ROW / utility permitting is needed, and if yes, who would administer the process. The County is not interested in being a part of this.
- Olmsted County Planning Department is holding a Land Use training session for members of the Oronoco Township Planning Advisory Commission and the Oronoco Town Board on October 29.

Reprioritize Road Projects – 2019 projects will be Thunderbluff Road, Sattre Drive, White Birch Court. Projects and the extent of work will depend in part on the potential Ryan’s Bay road project.

Forfeited Land – Charlie Lacy made a motion to approve the classification and sale of forfeited property located in Oronoco Township. Neil Stolp seconded, motion carried 2-0.

Appointment of election judges for General Election – Clerk Lucy Shonyo presented this motion for Board action: That the following persons be potential appointees as election judges for the election to be held Nov 6, 2018, pending each person’s completion of election judge training: Barbara Armbruster, Amy Britain, Wade Clark, Lucinda Clements, Richard Emerson, Mary Fuller, Judy Haglund, Kathleen Hawkins, Michael Hawkins, Leisa Luis-Grill, Anuradha Luke, Rachel Stanton, Peggy Williams, Beverly Wittlief, Gail Rucker. Lucy Shonyo recommends she and Rachel Stanton be appointed co-head judges. Neil Stolp made the above motion, Charlie Lacy seconded, motion carried 2-0.

2018 Township Road Mileage Certification - Neil Stolp made additions and corrections to this report received from the Olmsted County Public Works.

Comments from the Board or Public:

- August Building Permits for single family homes – 1
- Couri & Ruppe Legal Seminar, New Haven Town Hall, Saturday Oct. 13

Charlie Lacy made a motion to adjourn at 10:00 pm. Neil Stolp seconded, motion carried 2-0.

Respectfully Submitted

Lucy Shonyo, Clerk

Neil Stolp, Chair