

MINUTES
MONTHLY ORONOCO TOWN BOARD MEETING
APRIL 2, 2018 7PM

Before the meeting opened Ken Mergen took the Oath of Office as a Supervisor, administered by Clerk Lucy Shonyo. Re-elected Clerk Lucy Shonyo took the Oath of Office March 23, 2018 administered by notary Neil Stolp.

The Pledge of Allegiance was recited.

The monthly Oronoco Town Board Meeting was called to order on April 2, 2018 by Chairman Neil Stolp. Supervisors Charlie Lacy and Ken Mergen were present as well as Treasurer Kim Stanton and Clerk Lucy Shonyo.

The Supervisors elected Neil Stolp chair by ballot. A motion was made by Charlie Lacy to name Neil Stolp Chair of the Town Board. Ken Mergen seconded, motion carried 3-0.

Charlie Lacy made a motion to approve the March 12, 2018 minutes. Ken Mergen seconded, motion carried 3-0.

The order of agenda was accepted as presented.

The Treasurer's report in written form showed the monthly "Statement of Receipts, Disbursements and Balances" as of March 31, 2018: Receipts \$46,282.71 and Disbursements \$120,857.85 with an ending balance of \$323,283.34. The \$1.00 discrepancy between the bank statement and the Schedule 1 has been corrected. Payment was received from People's Coop for taxes mistakenly paid on the Cedar Beach account. Kim Stanton continues working with the MPFA (MN Public Facilities Authority) to reconcile the \$22,055 deficit in the Cedar Beach Septic Construction account. He has identified some unsubmitted claims that approximate that amount. Charlie Lacy made a motion to accept the Treasurer's report as presented. Ken Mergen seconded, motion carried 3-0.

Charlie Lacy noted the March OPAC meeting was cancelled. There was discussion about OPAC's need to meet to discuss By-Laws and members' terms.

Road Report – Scott Schumacher reported routine road work and a quiet March. The blocked culvert at 11th Ave and 81st St was opened. Blading will continue and sweeping will start soon, all weather permitting.

The bills were presented for payment, totaling \$84,930.21. Ken Mergen asked about the People's Coop bills for Kings Park and Cedar Beach. These charges are to power the community septic systems, but the Township recovers these costs in Operation and Maintenance fees charged to property owners. Neil Stolp made a motion to approve bills payment. Charlie Lacy seconded, motion carried 3-0.

OLD BUSINESS:

Sunset Bay Septic – Sheila Craig was present to update the Board.

- The CAR (Community Assessment Report) has been submitted to MPCA. Wenck and Sheila Craig will review the CAR with Sunset Bay property owners on Tuesday, April 17, 7pm, at the Oronoco Community Center.
- Sheila Craig distributed cost estimates per cluster alternative, No 2: all 25 Sunset Bay properties, No. 3: the 19 Sunset Bay properties with old or non-complaint systems, and No 4: all 110 Sunset Bay and Ryans Bay (Ryans Bay = Zumbro Township) properties. A joint system (No 4) would be the least expensive option. Also presented were estimated per-connection costs dependent on the grant money available.
- A joint system that crosses Township and County jurisdictions presents many legal and logistical challenges that the Oronoco and Zumbro Town Boards need to discuss. Sheila Craig suggests a "Community of the Whole" discussion where the process and challenges are discussed, but no decisions made.
- Each Township will need their own attorney. The Board agreed that Troy Gilchrist with Kennedy & Graven will represent Oronoco Township in Sunset Bay Septic matters. The Board gave permission to Sheila Craig to talk with Troy Gilchrist on Oronoco Township's behalf. Troy Gilchrist has worked with Oronoco Township on both Kings Park and Cedar Beach Septic projects.
- A Special Subordinate District (SSD) needs to be established to allow special assessments, and a Joint Powers Agreement between the townships will be needed to establish policies governing two jurisdictions in a shared project.
- The community system would be on land located in Oronoco Township. Questions around construction, and payment of operation and maintenance costs going into the future need to be established.
- MPCA and MPFA are aware of the challenging situation and are willing to work with the joint system if that is chosen.
- The potential Ryans Bay road project is separate from the septic project. The two projects can co-exist. Road engineering and construction and septic engineering and construction must be coordinated.

NEW BUSINESS

Public Hearing – Variance Request OR2018-001VAR, applicant Rick Billings

Neil Stolp moved to open the Oronoco Board of Adjustment Public Hearing OR2018-001VAR, applicant Rick Billings. Charlie seconded, motion carried 3-0. Kristi Gross from Olmsted County Planning presented the variance and staff findings. The applicant is requesting two variances from Oronoco Township Zoning Ordinances Section 10.22, B:

1. To allow an accessory building of 2,400 SF instead of the permitted 1,500 SF, a variance of 900 SF.
2. To allow a building 22' high instead of the permitted 15'.

The County's initial findings and recommendations were to deny both variance requests, since the criteria for granting both variance requests were not met.

Mr. Billings addressed the Board explaining his reasons for needing a building this size. He bought the property in part because the developer told him a building this size was permitted. He also stated that the building would not be a detriment to the property or neighborhood. Neil Stolp asked three times for comments for or against the variance. No one spoke for or against. Neil Stolp made a motion to close the Public Hearing. Ken Mergen seconded, motion carried 3-0.

The Board discussed the variance requests. The property is large enough (4.5 acres) to house a large outbuilding, and there has been no opposition expressed by neighbors. It was noted that approval may lead to more variance requests for large out buildings. Ms. Gross noted that while that may be true, granting variances (or not) is a case by case decision based on the specific property, facts and law.

Ms. Gross noted that the Oronoco Board of Adjustment (Town Board) could grant the variances if the Board found that not granting them would cause undue hardship for the property owner. Based on this Ms. Gross issued amended findings (abbreviated):

- The size, topography and vegetative cover of the property constitute the extraordinary conditions or circumstances, that do not apply to other lands within the neighborhood or the same class of zoning district.
- The extraordinary conditions or circumstance are unique to the topography, size and vegetative cover of the property and not created by the landowner.
- The request is reasonable given the size, topography and vegetative cover of the property. The garage would be tucked into the hillside and covered by trees and not a looming structure over the neighborhood.
- The granting of this variance request would not be of substantial detriment to adjacent properties and does appear to be detrimental to the public welfare.

Public Hearing – Variance Request OR2018-001VAR, applicant Rick Billings, continued

- The request is in harmony with the general purpose and intent of the ordinance. The proposed structure will not alter the character of the neighborhood.
- The comprehensive plan does not address accessory building sizes.

Neil Stolp made a motion to approve variance request OR2018-001VAR to allow a 40' x 60' foot building on Mr. Billings' property based on the amended findings. Charlie Lacy seconded, motion carried 3-0.

Charlie Lacy made a motion to approve variance request OR2018-001VAR to allow the out building on Mr. Billings' property to exceed 15' in height based on the amended findings. Ken Mergen seconded, motion carried 3-0.

Sealed Bids and Written Quotes – At 8:15pm the Board opened the bids and quotes received.

Sealed bids: One bid was received from Schumacher's Excavating for road repair and maintenance, and all-season maintenance per specifications in Oronoco Township's legal ad. Neil Stolp made a motion to accept the bid from Schumacher Excavating. Charlie Lacy seconded, motion carried 3-0.

Written Quotes were received from Bruening Rock Products, Inc., Envirotech Services, Inc., Freeborn County Co-op Oil, Northern Salt Inc., Quality Propane of MN, and Roberson Lime & Rock, Inc.

Neil Stolp made a motion to accept the quote from Roberson Lime & Rock, Inc., and name them the primary rock supplier based on the Township's satisfaction with past product and service. Charlie seconded, motion carried 3-0.

Neil Stolp made a motion to accept the quote from Quality Propane of MN, and name them the primary chloride supplier based on the Township's satisfaction with past product and service. Ken Mergen seconded, motion carried 3-0.

[The sealed bid and written quotes received are duplicated in their entirety as an addendum to these minutes.]

Banking Policies – Treasurer Kim Stanton outlined action that was necessary to update Oronoco Township's banking policies: 1. Decide if Pine Island Bank is to remain the Township's depository, 2. update signature cards for the checking account, 3. add approved signatures to the money market account, and 4. indicate who is to have access to the Township's safe deposit box.

On Kim Stanton's recommendation, Neil Stolp made a motion to retain Pine Island Bank as Oronoco Township's depository. Charlie Lacy seconded, motion carried 3-0.

Banking Policies continued:

Charlie Lacy made a motion that these persons be approved signers for Oronoco Township at Pine Island Bank for checking and money market accounts so long as they hold elected Oronoco or New Haven Township positions: Neil Stolp, Charlie Lacy, Ken Mergen, Kim Stanton, Lucy Shonyo, Deputy Clerk Dale Thomforde, New Haven Township and Deputy Treasurer Bob Figy, New Haven Township. Ken Mergen seconded, motion carried 3-0. Board members updated Pine Island Bank signature cards.

Ken Mergen moved that Kim Stanton and Lucy Shonyo have access to Oronoco Township's safe deposit box at Pine Island Bank so long as they hold elected Oronoco Township positions. Charlie Lacy seconded, motion carried 3-0.

Oronoco Food Shelf Contract – The contract with the Oronoco Food Shelf was approved by Township citizens at the Annual Meeting held March 13, 2018. At that meeting citizens increased the contract amount from \$50 per opening to \$60 per opening, to a maximum of 25 open days, totaling a maximum of \$1,500.00. The "Contract For Services" was signed by Neil Stolp, notarized by Lucy Shonyo. It was previously signed by Jeff Gibson, Oronoco Food Shelf Treasurer. The contract term is 4/1/2018 - 3/31/2019.

Execute Documents to Allow Oronoco Township to Collect Share of Fines Collected for Roadway Violations on Roads Passing Through the Township – After submission of the initiating form, three documents were received from the Bureau of Criminal Apprehension for the Board to execute. They were signed by Neil Stolp and notarized by Lucy Shonyo. Documents are:

- State of Minnesota Joint Powers Agreement Authorized Agency
- Court Data Services Subscriber Amendment to CJDN Subscriber Agreement
- **Resolution 2018 – 03 Resolution Approving State of Minnesota Joint Powers Agreement With the Township of Oronoco On Behalf of Its Prosecuting Attorney**

These were submitted with the guidance of Mike Couri from Couri & Ruppe, P.L.L.P.

Appreciation Dinner for Richard Lyke – The Board discussed a social gathering to express appreciation to Richard Lyke for 27 years as an Oronoco Town Board Supervisor.

Reorganization Meeting Agenda – This is a Special Meeting to be held Monday, April 23, 7pm, at the Oronoco Community Center. The agenda will be posted by April 18.

Couri & Ruppe Law Firm – Neil Stolp and Lucy Shonyo interviewed Mike Couri and Bob Ruppe from Couri & Ruppe, P.L.L.P. They are very experienced in township law and come highly recommended. The Board examined a Proposal for Legal Services submitted by Mr. Couri and Mr. Ruppe. Neil Stolp made a motion to utilize the legal services of Couri & Ruppe, P.L.L.P. on an as-needed basis. Charlie Lacy seconded, motion carried 3-0.

Adopt Vice-Chair Resolution and Select Vice-Chair – Ken Mergen made a motion to adopt **Resolution 2018 – 04 Resolution Appointing Vice-Chair Person on the Town Board**. Neil Stolp seconded, motion carried 3-0. After the position was established, Ken Mergen made a motion that Charlie Lacy be the Vice-Chair. Neil Stolp seconded, motion carried 3-0.

Dates for the Joint Meeting with Zumbro Township – Two dates for the joint meeting were agreed upon. Lucy Shonyo will contact Dori Klein, Zumbro Township Clerk.

Comments from the Board or Public:

- First Responders – no March report
- February Building Permits – none
- Board of Appeal & Equalization will meet April 16th, 4:30 to 5pm at the Oronoco Community Center.
- There will be a Special Meeting of the Board on Monday, April 23 at 7pm. The agenda will be posted (Post Office, Community Center, website) by Wed, April 18.
- MN Association of Townships is again offering 6 - \$1000 scholarships to high school juniors. Deadline is May 1, 2018. See <http://mntownships.org/about-mat/minnesota-association-of-townships-scholarship-program/> for more info and application.
- Spring road restrictions are now in effect.
- Oronoco and Mazeppa signs delineating township boundaries were posted on the north end of Postier's Point / 18th Ave NW.
- Per Scott Schumacher, Oronoco Township has been maintaining about .5 mile of Ash Road belonging to Pine Island. Pine Island will start maintaining.

At 9:55 pm Neil Stolp made a motion to adjourn. Ken Mergen seconded, motion carried 3-0.

Respectfully Submitted

Lucy Shonyo, Clerk

Neil Stolp, Chair