

Rochester Township

Board Meeting Minutes

August 13, 2020

Meeting was called to order at 7:00 pm by Chairman Jamie Neisen.

Members present - Jeff Orth, Matthew Kitzmann, Jamie Neisen, Brian Zmolek and Randy Staver

Guests – Mr. & Mrs. Herring, Mark Cochran, Pat McGowan, Dean Thompson, Roger Ihrke and 11 members of the public

Minutes – Jeff Orth moved and Brian Mueller seconded approval of the minutes from July 9, 2020 with a correction noted by Jamie Neisen. All voted in favor and the motion carried.

Deputy's Report – Deputy Dean Thompson reviewed the call report of 101 calls for service.

Call for Other Agenda Items –

- Takeover of road – Mayowood Hills South Fourth
- Accept Environmental Assessment Worksheet (EAW)
- ROW maintenance
- CARES funding

Old Business:

Herring RTIUP-17-01 Revocation – Kyle Herring spoke and summarized actions he has taken since appearing before the Board in July. Emails between Mr. Herring and Roger Ihrke were provided to the Board in which several new conditions were proposed. Mr. Herring said that he had tried to secure a \$25,000 performance bond but had been rejected. Roger had suggested that Mr. Herring could alternatively seek a bank line of credit which would be in the townships name. Mr. Herring said he had not yet had a chance to follow up.

Roger outlined options the Board could consider including 1) modifying the conditions and continuing the current agreement, 2) do nothing, 3) give 60 days in which to clean up the site (no new material could be accepted during this time) after which the Board could revisit the topic and consider creating a revised agreement with conditions or 4) revoke the permit.

Board members expressed concern that a viable business plan does not appear to be in place that would address various site issues. Roger noted another option the Board could consider in giving Mr. Herring six months to clean up the site or allow the township to come in and clean the site after which a new agreement could be created. Roger did not feel that simply adding new conditions at this juncture would be productive and would not address the underlying issues.

The public hearing was closed. Jeff Orth made a motion that Mr. Herring must bring a \$25,000 six month performance bond to the next meeting in September. Brian Mueller seconded. All voted in favor and the motion carried. Jeff Orth made a motion that the current site must be

cleaned up by processing or controlled burning by October 1st. Brian Mueller seconded. All voted in favor and the motion carried.

Senator Carla Nelson - Sen. Carl Nelson entered the meeting and asked for permission to briefly address the Board. Sen. Nelson provided a legislative update and an overview of CARES funding that the State of Minnesota has received which will be shared with townships.

Mr. & Mrs. Hutchins; driveway / farm entrance access - 4820 31st Ave SW - Jeff Orth and Jamie Neisen visited the property site to review the access request. It was determined that 31st Avenue SW is listed as a major urban arterial corridor upgrade on Olmsted County GIS website and as a primary collector roadway by ROCOG. Driveway criteria were reviewed based on roadway definitions. A question was raised whether the culvert will need to be replaced to provide an appropriate size. This will be evaluated. Matt Kitzmann moved to allow the requested access and to evaluate the culvert for appropriate size. Brian Zmolek seconded. All voted in favor and the motion carried.

Future township meeting space - Board members were asked about their thoughts about using the Cascade town hall space for monthly board meetings. Cascade township has graciously allowed Rochester township to use the space for free with the only caveats being availability and that the township takes care to clean / sanitize the space when finished. Clerk Randy Staver will inquire as to availability in the future.

Jamie Neisen stated that he is still researching sound systems. CARES funds may be used to offset the expense due to open meeting laws and the need to offer remote meeting access to our residents

Matt Kitzmann talked about pricing for a service to perform special / extra cleaning at the Rochester town hall which would involve common areas, bathrooms and the office on the second floor. Brian Mueller moved to procure a cleaning service to clean the town hall once each week and the decision would be evaluated on a month to month basis. Jamie Neisen seconded. After further discussion the motion was withdrawn. Pat McGowan agreed that he will do the extra cleaning twice each month for \$150 per month. Jeff Orth moved to accept the proposal. Brian Zmolek seconded. All voted in favor and the motion carried.

New Business:

GDP and rezone – Millie Meadows Second – Mark Welch presented and reviewed some project specifics for roads and access. He also talked about space being allocated in the development for community space / ‘tot lot’. Roger Ihrke presented feedback from the Planning & Zoning Commission for Board consideration. Jamie Neisen asked that the community space be increased to 0.5 acres. Jeff Orth moved to accept the General Development Plan (GDP). Brian Mueller seconded. All voted in favor and the motion carried. Jeff Orth moved to approve the re-zone request from A2 to R1. Brian Zmolek seconded. All voted in favor and the motion carried.

Township credit card policy - Clerk Randy Staver brought forward a proposal to the Board to consider procuring a credit card for the township similar to what Cascade township has done. A credit card is used for incidental purchases throughout the month such as office supplies, postage and class registrations. Cascade has a policy associated with their credit card as well as a limit on total purchases. The amount is paid in full each month and no interest expense incurred. Clerk Staver said he will bring a similar policy forward for Board adoption. Jeff Orth made a motion to allow the clerk to procure one card for the township. Brian Mueller seconded. All voted in favor and the motion carried.

Information Items – Multiple informational items were covered including:

- Township record filing and archiving: Clerk Randy Staver reported that he had visited with both Sara Rudquist and Lois Freed regarding efforts to archive township records for Cascade township. Lois has performed much of the work working an average of 10 hours per week. She has been working on the task for about three years. It has been suggested that Rochester township similarly hire Lois to perform records archival for the township. Clerk Staver said that he had performed some high level perusal of township records and suggested to the Board that he would like to be involved initially. He further stated that he would begin the task more deliberately after the first of the year once we are past election activities.
- Forfeited land sale– Clerk Randy Staver referred to a letter received from Olmsted County itemizing various parcels of land that have been forfeited. This is a routine statement and allows governing bodies the first opportunity to purchase parcels if they so desire. No action was taken on the letter.

New Agenda Items

Takeover of road – Mayowood Hills South Fourth – Mark Cochran informed the Board that requirements have been met to allow the township to take ownership of the road associated with the development. Mark presented a resolution for acceptance. This will reduce the bond required from 125% to 25%. Jeff Orth moved to adopt resolution RES2020_08_01. Brian Mueller seconded. All voted in favor and the motion carried.

Accept Environmental Assessment Worksheet (EAW) – Roger Ihrke talked about the EAW for the Mayowood Estates development. Roger explained why an EAW is needed and asked the Board to formally recognize the need. Brian Mueller moved that the township board should recognize the need for the EAW and that it needs to be pursued. Jeff Orth seconded. All voted in favor and the motion carried.

ROW maintenance – Mark Cochran spoke about roadside maintenance and some confusion arising from the permissions and responsibilities for property owners and those of the township. Mark referred to ordinance 2012-6-1 which specifies township right of way guidelines. Mark stated that he often carries copies of the ordinance to give to township residents. Clerk Randy Staver said he would put a copy of the original ordinance on the township website for access by township residents.

CARES funding – Jamie Neisen gave an update of what he has learned as far as CARES funds available to the township, the kinds of expenses for which funds may be used, and the

reimbursement process. Potential funds in excess of \$45,000 are available. Jamie asked the Board for approval to start the process needed if the township seeks funds. The process begins by submitting the Coronavirus Relief Fund Certification Form which must be submitted before September 15th. Brian Mueller moved to allow the Clerk to begin the process by submitting the form. Brian Zmolek seconded. All voted in favor and the motion carried.

Treasurer's Report – Treasurer Randy Staver reported and stated that the regular bank account is now back to a more reasonable balance now that the township has received the first half of the property taxes amounting to \$574,356.09. He pointed out one large claim in excess of \$150,000 that is designated to Rochester Sand and Gravel. This is a normal expenditure and was simply pointed out for Board awareness. Finally, the clerk noted that the township has received reimbursement from the county in the amount of \$2,317.25 which is reimbursement in full for expenses associated with conducting the Presidential Primary in March. The amount is largely for expenses associated with election judge wages.

Rochester Township Claims – Brian Mueller moved and Brian Zmolek seconded to accept and pay Rochester Township claims #4589-4608 in the amount of \$200,834.81. Motion carried 4-0 with Jeff Orth abstaining.

JPB Claims – Jeff Orth moved and Brian Zmolek seconded to accept and pay Joint Powers Board claims #5195-5221 and the Rochester Township share in the amount of \$23,708.22, and a payroll share of \$14,907.87. Motion carried 4-0 with Brian Mueller abstaining.

Road Maintenance Supervisor Report – Mark Cochran reported.

- Mark talked about ongoing roadwork and other routine activities.
- Mark noted that Mike Reiland left employment with the township and that Pat McGowan has been hired to fill the position. Pat was in attendance and introduced himself.

TCPA Report – Nothing to report.

Board of Adjustment Report – Nothing to report.

Planning and Zoning Commission Report – Nothing to report.

Upcoming Meetings –

- October 23, 2020 – Joint Powers Board – 9:00 am – Cascade Town Hall

Meeting Adjourned – Jeff Orth moved and Brian Mueller seconded to adjourn. All voted in favor. Meeting adjourned at 10:15 pm

Respectfully Submitted,

Randy Staver, Clerk / Treasurer

Jamie Neisen, Chairman