

Rochester Township

Board Meeting Minutes

January 14, 2021

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

Members present - Matthew Kitzmann, Jamie Neisen, Brian Zmolek (7:10 pm) , Brian Mueller and Randy Staver; Jeff Orth (remote)

Guests – Roger Ihrke, Dean Thompson

Minutes – Jeff Orth moved to approve the minutes for the December 10, 2020 meeting. Brian Mueller seconded. All voted in favor (4-0) and the motion passed.

Deputy's Report – Deputy Dean Thompson reviewed the call report of 42 calls for service.

Old Business:

Telephone / Internet System –

- Randy Staver reported on other leads he had pursued with other providers but none offered service to the town hall. For now, we will continue with the current service providers.

Speed limits – Residential Roadway Speed Zone – RES2021_01_02 –

- Brandon Theobald spoke regarding the proposed resolution he had researched and drafted based on input from MAT. He noted that the changes may not necessarily result in a noticeable reduction in observed speeds.
- Jamie Neisen noted that purchase of proposed signage would be about \$2,400.
- Matt Kitzmann moved to adopt RES2021_01_02. Brian Zmolek seconded. All voted in favor and the motion passed.

Local Road Improvement Program –

- Brandon Theobald spoke regarding the road improvement grant availability. He advised that a Meadow Crossing Road upgrade could be a potential project. If the Board is interested, Brandon could put together scope and cost of the project. The deadline for submission is the first week in March. Cost to assemble the materials and documentation would be about \$5,000.
- Jamie asked, with consideration of the date for the February town board meeting, if there is enough time to pull together information and present to the county board for required approval ahead of the grant deadline. Brandon indicated it should be possible.
- Jeff Orth moved to direct staff and Brandon to assemble a grant application for a local road improvement project. Brian Zmolek seconded. All voted in favor and the motion passed.

New Business:

Meadow Lakes West Development –

- Jamie Neisen began the discussion regarding the Meadow Lakes West proposed development. The area is on the SE corner of an area bounded by Country Club Road (CSAH 34) and 45th Avenue SW. His recommendation is that the city of Rochester take ownership of 45th Avenue from CSAH 34, south to 8th Street SW once the development has been completed.
- The development is a city approved project. Given the additional traffic and wear on the road, the Board discussed whether the city should take ownership of the section of 45th Avenue that runs adjacent to the development, south to 8th Street SW. Land on the west side of 45th Avenue is a farm field. Concerns were also raised regarding culverts located along 45th Avenue and potential water issues occurring as a result of new development.
- Brandon Theobald provided information regarding traffic.
- Matt Kitzmann moved to request that the City of Rochester take ownership of 45th Avenue SW from CSAH 34 south to 8th Street SW. Brian Zmolek seconded. All voted in favor and the motion passed.

Amended GDP; Mayowood Estates –

- Roger Ihrke presented a proposed revised GDP that changes the configuration from 48 to 66 lots. The Planning and Zoning Commission has discussed the request. Discussion at P&Z included whether the proposal fits with other development in the area, whether this is the best use of land, and concerns about a reduced average lot size. The Planning and Zoning Commission recommends approval of the revised GDP allowing 66 lots and also recommended an upgrade to Meadow Crossing Road. Jamie Neisen, as a member of the P&Z, had voted against the revised GDP. Brian Zmolek moved to adopt the revised GDP. Brian Mueller seconded. Members voted in approval 4-1 with Jamie Neisen voting nay.

Re-establish Board of Appeal & Equalization – RES2021_01_01 –

- Jamie Neisen provided an overview of what the equalization board does. He also noted the he and Brian Zmolek have completed the necessary education to serve if an equalization board is re-established. Jamie also noted how several other townships and cities in Olmsted county use the open book process. Byron and Stewartville also use the open book process.
- Based on the skills required to assess property values, Jamie stated that Olmsted county is in a better position to administer the process, i.e. open book.
- Jamie recommended that Rochester township also use the open book process. The proposed resolution re-establishing a Board of Appeal & Equalization was determined not to be needed.

2630 Wildrose Lane SW –

- Jamie Neisen spoke regarding concerns he had heard from neighbors regarding upkeep of a vacant lot. Roger Ihrke presented a letter he had drafted. Brian Zmolek moved to ask Roger to send out the letter. Matt Kitzmann seconded. All voted in favor and the motion passed.

Meadow Crossing Road SW; possible widening –

- Jeff Orth had mentioned earlier that there may be some cost savings to use fill from an adjoining project to widen Meadow Crossing Road. Jamie Neisen noted that it may be aesthetically unappealing to stockpile fill for an undetermined amount of time. Brandon Theobald spoke regarding benefits of widening the roadway and potentially adding trails and other amenities. The Board asked for a clarification in the language and determined that the earlier motion regarding Meadow Crossing Road should encompass this additional text.

MS4 Annual Inspection & Report –

- Randy Staver provided background as to who performed work in the past. Brandon Theobald was asked to comment what services their firm can provide. The Board deliberated whether WSB should perform field work as well as report submission or just field work. Mark Cochran stated that it takes about a half day to do inspections although inspections occur throughout the year as projects are undertaken. Brian Mueller moved to have WSB complete field inspections and complete and submit necessary documentation on behalf of the township. Matt Kitzmann seconded. All voted in favor and the motion passed.

Town Hall Lease – TCPA Space –

- Jamie Neisen spoke regarding the proposed TCPA space lease. Specifically, section 4 of the agreement states in part, “In the event that this lease is terminated prior to the Expiration Date for any reason, Lessor shall pay Lessee Eight Hundred Thirty-Three and 33/100 Dollars (\$833.33) for each month that had been remaining from the date of termination until the Expiration Date.” Board members indicated that early termination would be very unlikely. Jamie suggested removing that statement entirely and replace it with language that states, “In the event that Rochester Township should vacate, sell or otherwise move from the current site, Rochester Township will ensure that TCPA space is accommodated in equal measure in a new physical location at the same rental fee”.
- Further discussion occurred regarding the agreement that stipulates the percentages of TCPA contributions from the constituent townships. Roger Ihrke responded that the agreement that added Viola township is the most recent. Roger further explained that any disbursements are based on the amount of revenue each entity brings in.
- Jamie Neisen moved to accept the agreement including the removal and replacement of language in section 4 as discussed. Matt Kitzmann seconded. All voted in favor and the motion passed.

Review RES2020_11_01 – Snowplowing for Millie Meadow Estates phase 1 –

- Review of the previously adopted snowplowing resolution was presented based on the developers assertion that the development passed the threshold of 30% whereby the township should take ownership of the road and any snowplowing. Jamie Neisen asked Roger Ihrke to define what ‘substantially completed’ means and whether it means lots sold or that have actually been developed. The developer has stated that 12 lots have been developed with 6 occupied and 6 under construction for a total of 12. The 30% threshold equates to 9 lots developed.

- Roger advised to be consistent in interpreting the adopted language which would mean the development has not yet reached the 30% threshold. Jamie noted that there are other consideration as well such as whether a roadway has been sufficiently constructed to standards that would permit the township to take ownership.
- The Board agreed that the 30% threshold has not yet been met, that the township should not take ownership, and that the previously adopted resolution should stand.

Board of Audit – set date –

- The annual Board of Audit will occur on Tuesday, January 26, 2021 at 8:00 am at the town hall. Brian Mueller and Jamie Neisen will participate. Jeff Orth noted that the audit committee should compare some bid documents against actual billings.

2021 Budget – draft –

- Randy Staver presented a draft budget worksheet and asked for Board input in setting the budget for 2022. Changes were noted and a draft budget will be presented for approval at the meeting in February.

Election Judges Appointment – RES2021_01_03 –

- The Board decided that Jeff Orth, Brian Mueller and Randy Staver will serve as election judges for 2021.

Absentee Ballot Board Appointment – RES2021_01_04 –

- The Board decided that Jeff Orth, Brian Mueller and Randy Staver will serve as absentee ballot board members for 2021.

Information Items –

- None.

New Agenda Items:

- Roger Ihrke presented information regarding the Connelly property where the developer is asking for a letter of support regarding a land use plan amendment. Roger asked for authorization to draft and send a letter of support. Jeff Orth moved to approve. Matt Kitzmann seconded. All voted in favor and the motion passed.

Reports:

Treasurer’s Report –

- Treasurer Randy Staver reported. The second half of tax levy receipts have been received.
- With regard to the escrow accounts, members asked that the treasurer verify that a payment had not already been made for the Cairnbrae project.
- Brian Mueller moved approval of the treasurer’s report. Jeff Orth seconded. All voted in favor and the motion passed.

Rochester Township Claims – Brian Zmolek moved and Brian Mueller seconded to accept and pay Rochester Township claims #4710-4724 in the amount of \$28,031.81. All voted in favor and the motion passed.

JPB Claims – Matt Kitzmann moved and Brian Mueller seconded to accept and pay Joint Powers Board claims #5335-5361 and the Rochester Township share in the amount of \$22,851.71, and a payroll share of \$14,160.45.16. All voted in favor and the motion passed.

Road Maintenance Supervisor Report –

- Mark Cochran stated that the road crew continues to take advantage of nice winter weather. They are filling some time by doing other work such as brush burning.

TCPA Report –

- Nothing else to report.

Board of Adjustment Report – There was no meeting.

Planning and Zoning Commission Report – Nothing else to report.

Upcoming Meetings –

- None

Meeting Adjourned – Jamie Neisen moved to adjourn. Brian Mueller seconded. All voted in favor. Meeting adjourned at 10:00 pm.

Respectfully Submitted,

Randy Staver, Clerk / Treasurer

Jamie Neisen, Chairman