

Rochester Township
Board Meeting Minutes
March 12, 2020

Meeting was called to order at 7:00 pm by Chairman Jeff Orth.

Members present - Jeff Orth, Douglas Butler, Brian Mueller, Matthew Kitzmann, Jamie Neisen and Randy Staver

Guests - Mark Cochran, Deputy Tracey Pagel, Deputy Dean Thompson, eight public members

Minutes – Doug Butler moved to accept the February 13, 2020 minutes. Matt Kitzmann seconded. All voted in favor and the motion carried.

Deputy's Report - Deputy Tracey Pagel reviewed the call report of 30 calls. Deputy Dean Thompson was introduced as Deputy Pagel's replacement.

MATIT Insurance Valuation – The Board is being requested to select property insurance based on replacement value or an agreed upon value. Matt Kitzmann had followed up regarding the two options and recommended Exhibit A which provides replacement value. Matt noted that he learned that we are not limited if changes occur and / or costs go up. Matt Kitzmann moved to select Exhibit A (Resolution 2020-03-01). Doug Butler seconded. All voted in favor and the motion carried.

Matt Kitzmann moved to accept a \$2,500 deductible (Resolution 2020-03-02). Jamie Neisen seconded. All voted in favor and the motion carried.

Land Use Plan Amendment (LUPA) – Millie Meadow Estates – Mark Welch presented information about a LUPA where Olmsted county originally approved the north 80 acres and they are looking for the plan amendment so that the developer can move forward. He asked if something similar to what had been done for the Connelly property could be done here. Roger Ihrke stated that the land use plan has not been updated yet and that the developer is simply looking for some permissions. Roger offered to draft a resolution. Brian Mueller moved to approve. Doug Butler seconded. All voted in favor and the motion carried.

Roger further discussed the Connelly property and stated that the developer is looking for dates when activity can begin. Bill Tointon spoke about the impact of a potential decision of the Rochester School District to move forward with a school in that area. Roger said that a township representative should attend an upcoming meeting on the topic. Doug Butler moved to authorize Jeff Orth to attend on behalf of the board. Jamie Neisen seconded. All voted in favor and the motion carried.

Auditing Contract / Proposal – Clerk Randy Staver noted for the Board that our current audit contract with Smith Schafer ends with the 2019 audit. Should the Board wish to have Smith Schafer complete the 2020 audit, the expected cost will be \$6,350. Past practice has been to do a multi-year contract. Matt Kitzmann moved to ask Smith Schafer for a 5 year proposal for performance of auditing services. Jamie Neisen seconded. All voted in favor and the motion carried. The Board also asked that

information be provided that shows how cost is split between Rochester, Cascade and the Joint Powers Board.

Information Items – Multiple informational items were covered including:

- Notification of the Olmsted County Township Officers annual banquet.
- An annexation request has been received from Frank Kottschade. Board members asked why Rochester township is receiving it. The response was that part of the property lies in the township. Doug Butler moved to approve the request. Brian Mueller seconded. All voted in favor and the motion carried.
- As required, notice is given of the upcoming Board of Appeal and Equalization meeting on April 13th. A notice will also be placed on the township web site. Training for those serving on the board is available online and at least one supervisor needs to attend the meeting. Doug Butler agreed to attend.

Herring Property – David Dripps attended and spoke that he does not agree with comments made at the January meeting that the property owner is in compliance. He is concerned if the owner seeks a burn permit and how a controlled burn will be managed. Roger Irhke noted he had visited the property and saw more wood chips than originally thought now that snow cover is receding. Brian Mueller asked what options the owner has. Roger responded that the owner could give away the wood chips but that he likely wants to sell them which may not be realistic. It will probably cost the owner to get rid of the chips.

Board members stated that some Board members and staff should visit the site before the township would grant a burn permit. If a burn permit is issued, Mark Cochran stated that they are usually only for a two week period, which he thought should be plenty of time in this instance.

Moehnke Property – Bill Tointon from WSB and Edward Clark, the developer, presented information on development of the Moehnke property. Specifically, there is a question regarding the need for a secondary access and whether a traffic study needs to take place. The developer acknowledges that he will need to pay for any study based on terms in the development agreement and he is just looking for next steps.

A traffic study was done in 2006 and found that the existing road can accommodate 1,500 trips per day. Mr. Tointon doesn't know exactly where that number comes from and in his opinion he thinks it could handle as many as 5,000 trips per day.

Roger Irhke noted that the township is the designated authority and as such, needs to determine if they want a traffic study. Based on a memo received from the county engineer, the county is requiring a traffic study at this time.

Neighbors in attendance expressed that they simply want good development and Board members noted that, historically, the township has preferred limited development. Attendees said that they are not against new roads per se but just want them to be safe and done responsibly. Jeff Orth stated that the township has been a resource for people who prefer large lots with an urban lifestyle even though that tends to run counter to current urban planning philosophy.

Jamie Neisen said that it is clear that the developer would stand the cost of any study but asked if one was needed. Jeff Orth said that it sounds like a study is needed based on the different traffic capacity numbers we are hearing. Brian Mueller asked whether we could simply use a 2017 traffic study and would the county accept that. Based on the memo received from the county it sounds like they would accept.

The Board could force a more comprehensive study or waive the need and accept the 2017 information. A more in-depth study would be more expensive and take approximately 5 weeks whereas a shorter study could likely be done in 3 weeks.

Jamie Neisen made a motion to ask SEH to use the 2017 study information and extrapolate the data. Matt Kitzmann seconded. All voted in favor and the motion carried

Von Wald Residence – The Board recommendation is that the township should not assume management responsibilities for the Von Wald residence. Doug Butler reviewed a letter that will be sent to the County Board.

Right of Way Tree Removal – Further discussion occurred about brush and tree removal in Right of Ways and when can it be taken by the township. Roger stated that in any subdivision that is platted the township owns anything in the ROW and there isn't a problem if we remove. On prescription roads the township can remove any tree with a trunk diameter of 6 inches or less. The township gives up the right to remove trees larger than 6 inches.

Treasurer's Report – Brian Mueller moved to approve the Treasurer's report with a balance of \$726,666.75. Matt Kitzmann seconded. All voted in favor and the motion passed.

Rochester Township Claims – Brian Meuller moved and Matt Kitzmann seconded to accept and pay Rochester Township claims #4478-4488 in the amount of \$24,135.70. All voted in favor and the motion carried.

JPB Claims – Matt Kitzmann moved and Doug Butler seconded to accept and pay Joint Powers Board claims #5056-5082 and the Rochester Township share in the amount of \$21,409.44, and a payroll share of \$11,591.75. All voted in favor and the motion passed.

Road Maintenance Supervisor Report – Mark Cochran noted several items in his report.

- The road tour is scheduled for Wednesday, March 25th beginning at 8:00 am.
- We have not received the bill yet for repair of the bent plow on the truck.
- The annual meeting went well as far as setup and conduct of the meeting.
- Mark noted an issue with some trees along 45th Street that he will talk more about during the road tour.
- The township has about 21 miles of paved road. Weight restrictions went into effect about a week ago.
- Mark would like to get going on some tree cutting and spoke about ways he will notify property owners in the area. A notification can be put on the township web site and Mark will use door hanger cards. It was suggested that we also use postcard mailers. Mark will work with Roger on some ideas.

TCPA Report – Jamie Neisen reported that they had met yesterday and as part of the meeting discussed a 15 year option. Documents are needed to request bids and the architect does not have a template. Once a document is drafted, we will then solicit bids. We are hoping to start the project this spring. The board discussed that the flag pole will need to be relocated which is another consideration.

Board of Adjustment Report - Did not meet.

Planning and Zoning Commission Report – Did not meet.

Board Chair – Brian Mueller moved to approve Doug Butler as the Board chair for the upcoming year. Matt Kitzmann seconded. All voted in favor and the motion passed

Upcoming Meetings –

- March 21, 2020 5:30 pm – OCTOA Annual Banquet – Rochester VFW
- March 25, 2020 time 8:00 am – Road Tour
- April 1, 2020 – Township Lobby Day
- April 9, 2020 7:00 pm – Board Meeting
- April 13, 2020 9:00 am – Board of Appeal and Equalization – Government Center

Meeting Adjourned – Doug Butler moved and Matt Kitzmann seconded to adjourn. All voted in favor. Meeting adjourned at 10:50 pm.

Respectfully Submitted,

Randy Staver, Clerk / Treasurer

Jeff Orth, Chairman