

Rochester Township

Board Meeting Minutes

September 10, 2020

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

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

Guests – Mark Cochran, Dean Thompson, Roger Ihrke and 6 public members. A roll call attendance was taken. Jeff Orth entered the meeting at 7:05.

Minutes – Matt Kitzmann moved and Jeff Orth seconded approval of the minutes from August 13, 2020. All voted in favor and the motion carried.

Deputy's Report – Deputy Dean Thompson reviewed the call report of 68 calls for service. He also reviewed the results of the 8th Street SW traffic study. Board members commented that the report is very thorough and expressed appreciation for the work. No immediate actions to occur at this time.

Call for Other Agenda Items –

- Metes and bounds request by Roger Ihrke

Old Business:

Herring RTIUP-17-01 Revocation – Kyle Herring spoke and updated the Board. A signed agreement has been provided outlining actions to be taken and a timeline. Mr. Herring is still trying to obtain a bank letter of credit in the amount of \$25,000 and naming the township as the beneficiary. The Board accepted the agreement as presented.

Right of Way (ROW) Maintenance – Two people spoke regarding their efforts to plant vegetation and remove noxious materials. They stated that this year the township mowed much further into the Right of Way (ROW) and ruined some of their work. While they agree with the strategy to control noxious weeds, they would like the township to use discretion in mowing where property owners are making an effort to maintain the ROW. Jeff Orth stated that it is problematic for the person mowing to know what may be mowed. He used the example of volunteer trees. Further, he stated that the township has a responsibility for ROW maintenance.

Mark Cochran spoke and presented for review the entire legal text associated with ROW maintenance. He stated that planting activity in the ROW is prohibited to begin with. Jeff Orth used the example that farmers are prohibited from planting crops in ditches. He reiterated that the township has a responsibility and mowing in the ROW is largely a safety measure. He also stated that he would have a concern about precedents being set as far as which standards the township would choose to enforce and in which parts of the township.

For mowing and brush trees, Mark will continue to follow the township ROW ordinance. As requested by property owners, signs that say 'Do Not Spray ' or 'Do Not Mow' may be purchased from the township at a cost of \$136.50. Signs will be installed by the road crew at property pin locations. Mark intends to provide time and date stamped photos with rationale for mowing / spraying. Otherwise, mowing and spraying will continue based on need and time available. Letters will be sent to homeowners if there is observance of a noxious weed issue.

Future Township Meeting Space – Jamie Neisen updated the Board on his research into equipment that may be used to conduct remote meetings. In the meantime, Rochester Township will continue to use the Cascade Township facility for monthly board meetings.

New Business:

Representative Visit – Nels Pierson, who is the 26B legislative representative, spoke briefly and introduced himself. He provided information about CARES funding, the extension of the Governors emergency powers and the bonding bill.

Roof Repair – Matt Kitzmann presented a quote from Schwickerts for town hall roof repairs with two options. Option 1 would remove and replace caulk selectively at a cost of \$385. Option 2 would remove and replace caulk along the entire 100' of ridge cap at a cost of \$4,425. Matt recommended option 2. Brian Mueller moved to approve selection of option 2 for the roof repair. Jeff Orth seconded. All voted in favor and the motion carried.

Crop Spraying – An email had been received from a resident who expressed concern about lack of notification when helicopter crop spraying is to occur. Jamie Neisen stated that he had spoken with the MAT attorney as well as Matt Flynn on the County Commission. Townships do not get involved in these issues given the licensing requirements. Jamie said he will email the resident and let her know she should contact the Department of Agriculture as they are the expert resource. He will also encourage her to reach out to the farmer and simply ask that she be notified when spraying will occur.

Telephone / Meeting System & CARES Funds – Jamie Neisen presented a conference system proposal from Sim Sound & Video, Inc. The proposal is split into three parts – part 1 (wireless desktop microphone for conferencing) cost would be \$20,631.41, part 2 (wireless microphone for conferencing alternate) cost would be \$16,247.96 and part 3 (wired microphone for conferencing alternate) cost would be \$11,152.81. This company installed Cascade's system. Jamie also received a quote from Sound and Media with \$18,700 being the quoted price. It has fewer components and is more portable. Jeff Orth asked whether the township should be looking more toward the future and improvements that have a broader benefit such as installing an air cleansing system. Jeff agreed to get an analysis from an HVAC company. Jamie said that he will also do some additional research on sound systems and bring back for review.

Clerk Randy Staver reviewed information pertaining to CARES / COVID funding. There are two separate funding sources comprised of \$45,775.00 which has already been received through the Federal government and \$2,094.65 which may be received through Olmsted County for

reimbursement for PPE supplies. In both cases, unused funds will need to be returned. The question was raised how much of the \$2,094.65 to request for the time being. Brian Mueller made a motion to request the entire amount. Brian Zmolek seconded. All voted in favor and the motion carried.

Information Items – Multiple informational items were covered including:

- **Events:** Clerk Randy Staver informed the Board of two upcoming events. The first is a series of legislative and research committee meetings occurring September 21-23. This is an opportunity to discuss policy matters with the township association. The second event is the OCTOA annual meeting to be held on September 24th beginning at 7:30 pm at Cascade town hall. They are requesting that only two members from each township attend – the clerk / treasurer and a board supervisor. Clerk Staver plans to attend as well as Brian Zmolek.

New Agenda Items

Metes and Bounds – Roger Ihrke presented a metes and bounds application on behalf of Mark Hanson who is the developer of the Millie Meadows Estate project. There is an old house on the property which he would like to renovate. There can only be one house and as such he needs to reconfigure the 35 acre parcel. This couldn't be handled prior to recent re-zoning. Brian Mueller moved to approve the application. Matt Kitzmann seconded. All voted in favor and the motion carried.

Treasurer's Report – Treasurer Randy Staver reported that there was nothing particular noteworthy for the previous months financial activity. He stated that payments for the West Hill maintenance have been coming in. Brian Mueller moved to approve the Treasurer's report with a balance of \$711,893.02. Matt Kitzmann seconded. All voted in favor and the motion passed.

Treasurer Randy Staver provided background about how development projects escrow funds have been maintained in the past. Historically, each project was set up as a separate savings account. We currently have four savings accounts and are about to add a fifth due to the Mayowood Estates projects. This becomes unwieldy and potentially results in bank fees if there is no account activity. Randy asked if there would be any dissent if the accounts were merged into a single account. He provided a sample document that will still allow reporting of the funds on an individual basis. There were no objections so Randy will work with Premier Bank to clean up the accounts.

Treasurer Randy Staver updated the Board on the previous month's discussion about obtaining a credit card for the township. He presented a credit card policy for consideration by the Board which mirrors the policy adopted by Cascade Township. The Board decided to proceed and obtain a single credit card to be held by the Clerk / Treasurer. Brian Mueller moved to adopt the policy as presented. Jeff Orth seconded. All voted in favor and the motion passed.

Rochester Township Claims – A question was raised about expenses associated with rental of roadway saw equipment. Mark Cochran stated that the saw is rented about seven times a year. Board members asked whether it might be more cost justifiable to purchase a saw as a joint powers piece of equipment. The topic will be brought up at the next Joint Powers Board

meeting. Brian Zmolek moved and Jeff Orth seconded to accept and pay Rochester Township claims #4609-4635 in the amount of \$32,815.45. All voted in favor and the motion passed.

JPB Claims – Matt Kitzmann moved and Jeff Orth seconded to accept and pay Joint Powers Board claims #5223-5249 and the Rochester Township share in the amount of \$22,611.85, and a payroll share of \$11,911.02. All voted in favor and the motion passed.

Road Maintenance Supervisor Report – Mark Cochran reported.

- Mark commented on a headwall located on 8th Street SW. It is currently 17 foot in dimension and causing issues with silt collection. Mark recommends removal of the drainage pipe and reshaping the driveway back to its 2019 design. This would include removing the headwall and shaping the approaches back to a 4 to 1 slope. This may include removing the blacktop which was added to widen the driveway. He asked if Roger Ihrke would send a letter to the property owner.
- Mark noted that work continues on trees along 45th Avenue and 8th Street but that most seasonal work has been completed.
- Mark commented that the township should have a policy for private trees that encroach into the ROW. A letter should be sent to the property owner notifying them of a certain number of days to resolve the issue otherwise the township will take care of it and bill the property owner accordingly. It was determined that such letters should be issued by the township clerk.

TCPA Report – Jeff Orth reported that the planning group met yesterday (9/9/2020) and reviewed bids. John Johnson is taking a lead in finding suitable contractors. It is anticipated the project will start yet this year and the project budget is \$150,000 - \$175,000.

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

Respectfully Submitted,

Randy Staver, Clerk / Treasurer

Jamie Neisen, Chairman