

Rochester Township

Board Meeting Minutes

January 12, 2023

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

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

Guests – Jered Staton, Bill Tointon, Jason Kappers, Pat McGowan, Dean Thompson, Darrin Groteboer and two members of the public.

Minutes – Jamie Neisen moved to approve the minutes for the December 8, 2022 meeting. Nathan Clarke seconded. All voted in favor and the motion passed.

Deputy's Report – Deputy Dean Thompson reviewed the call report of 35 calls for service.

Pavilion Estates / Rookery Lawsuit –

- Randy Staver reported that we have received an email from our attorney that outlines a time frame for the expected court proceedings.
- Nathan Clarke asked about a request that was made to have the Save the Rookery parties reimburse the township for legal expenses. Matt Kitzmann commented that the taxpayers are already paying some of the expense and he feels it isn't appropriate to ask them to pay further.
- There was uncertainty whether the township even has the authority to ask for reimbursement. Legal counsel is being provided via MATIT and MATIT is paying the expense. As such, Brian Zmolek thinks this sort of request is outside the purview of the township. There was also uncertainty as to exactly who raised the reimbursement question.
- Nathan will research further as follow up.

2630 Wild Rose Lane SW –

- Randy outlined a telephone conversation he had on 01/12/2023 with the realtor representing a potential buyer. They are requesting a meeting simply to exchange information and would like to keep the discussion private. It was explained that they could only meet with two supervisors. If more were present then the meeting would need to be published and would be open to the public.
- Board members had hoped the potential buyer, his attorney or the realtor would

have been present for this meeting. Board members also expressed concern regarding a private meeting and lack of transparency.

- Nathan Clarke asked whether the property can be inspected and appraised. Brian Zmolek asked why the township taxpayers should pay to have a property inspected that the township doesn't own. Nathan stated that it would be good to have a sense of the property value which might in turn suggest whether it will sell in a reasonable timeframe and provide some idea of how much longer before the township sees resolution.
- Based on comments from Roger Ihrke, the Board agreed to hold a meeting before the next board meeting. Participants will include the buyer, the realtor, their attorney (if they wish), the township clerk and a TCPA representative. Nathan Clarke and Matt Kitzmann will participate as supervisors. It was made clear that the two supervisors cannot make any promises or give assurances on behalf of the Board. For example, no promises may be made whether any variances might be granted. The main objective will be to listen.

Land Use Planning Workgroup –

- Nathan Clarke reported and said he had received some expert feedback about the Olmsted County land use plan. Due to travel and other commitments, there wasn't enough time to review and prepare. Nathan will report further next month.

Metes & Bounds – Darrin Groteboer –

- Jered Staton gave an overview of the request and intended uses. He also provided some history regarding previous board actions related to this property. Staff recommends approval.
- Brian Zmolek moved approval of the request agreement. Matt Kitzmann seconded. All voted in favor and the motion passed.

Annexation – Scenic Oaks West –

- TCPA staff presented information related to an annexation in Scenic Oaks West. It was noted that the township does not vote on annexations but does receive some compensation.

Audio / Video System –

- Matt Kitzmann reviewed a revised proposal provided by the vendor. The equipment list was modified such that the total cost would be significantly less. The topic and information will be discussed at the annual meeting.

Township Land – Meadow Crossing Land –

- Jamie Neisen spoke regarding some Meadow Crossing land and asked who is the owner. TCPA staff noted that the land is considered easement and is jointly

owned by the adjoining property owners. It was thought at one time that this would become a roadway.

Election Judges Appointment – RES2023_01_01 –

- Randy Staver presented a resolution for appointment of election judges for the upcoming annual election. Nathan Clarke and Jamie Neisen volunteered to serve as judges.
- Brian Zmolek moved approval of the resolution. Jamie Neisen seconded. All voted in favor and the motion passed.

Absentee Ballot Board Appointment – RES2023_01_02 –

- Randy Staver presented a resolution for appointment of election judges for the upcoming annual election. Matt Kitzmann and Jamie Neisen volunteered to serve as appointees.
- Brian Zmolek moved approval of the resolution. Nathan Clarke seconded. All voted in favor and the motion passed.

2023 / 2024 Budget - Draft –

- Randy Staver presented a review of 2022 financial activity.
- The Board will hold a meeting on Thursday, January 26th beginning at 7:30 pm. The purpose of the meeting is to conduct the annual board audit followed by discussion of the proposed budget for 2024. The Board will vote on the budget at the February meeting followed by presentation to township voters at the annual meeting to be held in March.

Bank Change –

- Randy Staver stated that he is continuing to work with ONB bank to set up accounts and then he will proceed with transferring funds from Premier. Randy distributed documents to capture required board member information to set up the accounts. It will likely take a couple of months to get everything set up.

Millie Meadows 3rd Mailbox Placement –

- Jered Staton and Jason Kappers presented a plan for mailbox placement and road bump out that was approved as part of the final plat. Pat McGowan spoke and said that while the bump out does create some additional work, he likes the proposal. He noted that in the future this will create additional cost for road maintenance. Jeff Orth commented that the proposed layout is safer. The home owners association will be responsible for clearing the sidewalk.
- Matt Kitzmann proposed eliminating the east-west sidewalk and the HOA would clear a single 10 foot path to the mailboxes.

Royal Oaks Phase 1 Development Agreement –

- Roger Ihrke spoke and stated that changes have been made as requested and staff is recommending approval. The agreement had been previously distributed to the Board.
- Jamie Neisen pointed to two sections of the agreement where he would like some edits. The section that speaks to ‘substantially completed’ is vague and he suggested language similar to what has been incorporated in other recent development agreements. He would also like to see more exact language related to the warranty period after project completion. Jered Staton said that he will get those changes made.
- Matt Kitzmann moved approval of the development agreement with the two changes. Brian Zmolek seconded. All voted in favor and the motion passed.

Property Next Door –

- The parcel immediately to the south of the town hall property is for sale at a price of \$130,000. It is zoned as a special district and has limited uses as well as a portion of unusable land. There was discussion whether the township might be interested in purchasing the lot for possible future use. However, members didn’t feel that real estate investment is in the purview of the township given that there is no specific intended use. Also, a certain balance is maintained between Rochester and Cascade townships for expenditures such as insurance. If Rochester has additional land and/or buildings, it potentially creates an imbalance in the cost sharing.

Reports:

Treasurer’s Report –

- Treasurer Randy Staver reported. He noted the amounts for designated funds for ARPA and Griffin Construction for the road project in Lilly 4.
- Total cost for the shop floor repair was \$34,772.50. That will be paid next month.
- The deadline for obligating ARPA funds is 12/31/2024 and the deadline for actual expenditure of funds is 12/31/2026.
- Jamie Neisen moved approval of the treasurer’s report. Nathan Clarke seconded. All voted in favor and the motion passed.

Rochester Township Claims – Jamie Neisen moved and Matt Kitzmann seconded to accept and pay Rochester Township claims #5211-5226 in the amount of \$55,576.15. All voted in favor and the motion passed. Jamie Neisen moved and Matt Kitzmann seconded to accept and pay Rochester Township claims #5227 in the amount of \$2,503.67. All voted in favor and the motion passed.

JPB Claims – Matt Kitzmann moved and Nathan Clarke seconded to accept and pay

Joint Powers Board claims #6036-6067 and the Rochester Township share in the amount of \$46,093.34, and a payroll share of \$24,228.85. All voted in favor and the motion passed.

Randy Staver noted that he has not had a chance yet to speak with Sara Rudquist about the shared joint powers administrative role.

Road Maintenance Supervisor Report –

- Several plowing events recently.
- One of the plow drivers has been terminated due to an inability to perform all expected duties. Pat is reviewing potential replacement candidates.
- Pat noted that fuel costs are very high.
- The new electronic speed signs have been installed although he has not tried capturing data yet. Pat noted that they would like to reinforce the sign mountings. Neighbors in the area are appreciative of the work.
- Pat said it has been noticed that some persons have been taking large quantities of sand / salt from the bins. Deputy Thompson said he has seen it as well but it is difficult to enforce anything since there appears to be no clear township policy. After discussion, Pat was asked to create signage that indicates only township residents may take the product and limited to one 5 gallon pail. The posted signage would also give the Sheriff's staff something to enforce. It was also suggested that the township may wish to install security cameras.

TCPA Report –

- Jeff Orth reported and said that Roger Ihrke will conclude his work with TCPA on June 30th of this year. Jeff further stated that their next question will involve David Meir's position since he also wants to retire in the near future.

Board of Adjustment Report –

- No meeting this month.

Planning and Zoning Commission Report –

- Jamie Neisen reported and said that the final plat for Millie Meadow Third was reviewed at the last meeting.

Board Chair Report –

- Nothing else to report.

Upcoming Meetings –

- Planning and Zoning Commission – February 7, 2023 – 7:00 pm.

Meeting Adjourned – Jamie Neisen moved to adjourn the meeting. Nathan Clarke seconded. All voted in favor and the motion passed. Meeting was adjourned at 10:45 pm.

Respectfully Submitted,

Randy Staver, Clerk / Treasurer

Jeff Orth, Chairman