

Rochester Township
Board Meeting Minutes
April 13, 2023

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

Members present - Matthew Kitzmann, Jamie Neisen, Nathan Clarke, Jeff Orth, Michael Melford and Randy Staver.

Guests – Pat McGowan, Dean Thompson, Ed Clark, Jason Kappers, Jered Staton, Roger Ihrke, Kevin Torgerson, Brian Mueller, Arthur Handleman and four members of the public.

Minutes – Nathan Clarke moved to approve the minutes for the March 9, 2023 meeting. Jamie Neisen seconded. All voted in favor and the motion passed.

Deputy's Report – Deputy Dean Thompson reviewed the call report of 43 calls for service. There was some discussion about ways to control the deer population. A question was also asked about the amount of dumping that occurs. Pat McGowan said that the road crew will often take care of those items. Sheriff Torgerson was present and provided an update for the board. He discussed the high-level organization of the department and 21 recent staff changes which were partially driven by retirements. He introduced Brian Howard, Chief Deputy, and Kelly Lee, Captain of Patrol Division, who also gave brief reports. The sheriff also noted that the law enforcement contract is coming up for renewal and Brian Howard will be in touch with Randy.

Pavilion Estates / Rookery Lawsuit –

- There was no new information to share.

2630 Wild Rose Lane SW –

- There was no new information to share.

Land Use Planning Workgroup –

- Nathan Clarke reported and said there was no new information to share this month. He did note that Michael Melford is a member of the group along with Nathan and Jamie Neisen. Since Michael is now elected, that will mean there will be a quorum of supervisors whenever the group meets. As such, the meeting must be posted. The meetings will be posted on the website and townhall bulletin board at least three days ahead of the meeting date. The

supervisors will meet physically at the townhall. Other public participants can attend in person or join by telephone if the conference service is used.

- Roger Ihrke pointed out that any decisions made, because of the quorum, essentially become town board actions. Given the complexity created, Jamie Neisen agreed to step off the group so that there would no longer be a quorum.

Mailbox Issue –

- Matt Kitzmann talked about a fairly expensive mailbox that had been damaged and the homeowner was asking for the township to replace it. After review at the site, it was determined that the mailbox post was about ten years old and fairly rotted. The homeowner understands and will replace the mailbox with guidance from Pat on perhaps a better location.

Stormwater Ordinance –

- This item remains tabled since it must be addressed at the same time as the revised subdivision ordinance is addressed.

Mayo Woodlands 4th Final Plat –

- Jered Staton reported with an overview of the project and said that the Planning & Zoning Commission approved the final plat at their last meeting. There is still some discussion ongoing about placement of mailboxes. Current policy would require placement in an outlot and one parking space provided. It was noted that the development agreement for the project must also be approved. Jamie Neisen moved approval of the development agreement. Matt Kitzmann seconded. All voted in favor and the motion passed. Jamie Neisen moved approval of the final plat. Matt Kitzmann seconded. All voted in favor and the motion passed.

Subdivision Ordinance –

- Jered Staton reported and said that the Planning & Zoning Commission tabled this item at their last meeting. Jamie noted that one desired change is that preliminary plats will also be heard by the township board as well as the Planning & Zoning Commission.

Mailbox Policy –

- Jered Staton reported and said that the Planning & Zoning Commission tabled this item at their last meeting. The commission feels that the language should be incorporated into section 6 of the subdivision ordinance versus as a standalone ordinance.

Board of Adjustment – Revision –

- The board reviewed revised language proposed for the zoning ordinance relative to the Board of Adjustment. The revision would establish the township board as the Board of Adjustment versus it being a standalone body. Nathan Clarke moved to approve the revised language. Jamie Neisen seconded. All voted in favor and the motion passed.

Road Tour Report –

- The annual road tour occurred on March 27th and a report has been provided separately. Jamie Neisen moved approval with a minor change to say ‘reconstruction of 45th Avenue SW / Ettenmoor’. Nathan Clarke seconded. All voted in favor and the motion passed.

Annual Reorganization –

- Randy Staver provided a draft copy of the reorganization document. After discussion, Jamie Neisen was selected as chair for 2023-24. Other changes are reflected in the 2023 reorganization document.
- Jamie Neisen moved approval of the 2023 reorganization document. Nathan Clarke seconded. All voted in favor and the motion passed.

West Hills 2023 Amounts –

- Randy Staver provided a history of West Hill payments from previous years. The rate for 2022 was \$400 per household. Matt Kitzmann moved to set the 2023 rate at \$440 per household. Nathan Clarke seconded. All voted in favor and the motion passed. Matt Kitzmann asked that a brief rationale be documented for any year-to-year changes.

Snow Plowing – RES2023_04_01 – Woodland Valley Estates –

- Jamie Neisen moved approval of the resolution. Matt Kitzmann seconded. All voted in favor and the motion passed. Sara Rudquist will do the invoicing on behalf of Joint Powers.

Clerk / Treasurer Job Description –

- The Board had previously discussed the idea of appointing an assistant clerk / treasurer. Randy Staver distributed a copy of the current clerk / treasurer job description and a supporting task list.
- Randy noted a discussion he had with Sara Rudquist on the topic. Sara does not feel having an assistant is very workable. Instead, she has agreed with the Cascade board that whenever she decides to quit, she will provide six months’ notice which would allow her to work with the new clerk / treasurer for three months and then serve as a resource for another three months.
- Randy’s recommendation was to leave the position as is and not pursue an

assistant position.

Sound System –

- Given the expiration of the Governor’s emergency order related to COVID, remote meetings for township supervisors are no longer an option. The town board meetings must be in person. In addition, use of the dial in feature of Free Conference has waned significantly.
- Jamie Neisen moved to formally require in person meetings and to stop usage of the dial in feature. Nathan Clarke seconded. All voted in favor and the motion passed. Matt Kitzmann said that he will disassemble the sound equipment and store it.

Willow Creek Area Transportation Study –

- Jeff Orth presented a brief overview of a transportation study being conducted by ROCOG. There is a desire for Rochester Township individuals to participate in the work group study.

Nuisance Ordinance –

- Matt Kitzmann and Nathan Clarke gave an overview of discussions they had with Peter Tiede regarding creating a nuisance ordinance. They asked permission from the board to ask Peter to draft an ordinance. Jamie Neisen asked whether the board should first ask TCPA to see if they could draft language.
- A concern was noted that any ordinance adopted might be viewed as targeting properties currently being discussed. Peter had said that any properties currently being discussed could be given a grace period before the ordinance would apply.
- Nathan Clarke moved to investigate drafting an ordinance and giving Nathan Clarke and Matt Kitzmann authority to work with TCPA and, as necessary, MAT and Peter Tiede. Jamie Neisen seconded. All voted in favor and the motion passed.
- Randy Staver had provided some sample language used by the City of Rochester. He was asked to forward that information to Peter.

Certificate of Election / Oath –

- Randy Staver reported that the 2023 annual election process has been completed with certificates issued and oaths taken by newly elected / re-elected board supervisors.

Reports:

Treasurer’s Report –

- Treasurer Randy Staver reported. He stated that the change in banks from Premier to ONB Bank has been completed. All Premier accounts have been

closed. He noted that interest income increased significantly as was expected with a little over \$3,200 received last month.

- The external audit is nearly complete with the onsite review completed earlier in the week. Once Smith Schafer has the draft report, a meeting will be set up to review. One or two supervisors along with the treasurer participate in that meeting. The formal public presentation to the entire board will likely occur at the June meeting after which Smith Schafer formally submits the township audit to the State. Nathan Clarke indicated that he would like to be involved in the draft audit review.
- Randy reported that he and Sara Rudquist met to discuss the division of Joint Powers clerk / treasurer duties as requested by the boards. Tasks have been divided and the split work began this month.
- Randy reported that the new office PC has been delivered and is in process of being set up.
- Jamie Neisen moved approval of the treasurer's report. Michael Melford seconded. All voted in favor and the motion passed.

Rochester Township Claims – Matt Kitzmann moved and Nathan Clarke seconded to accept and pay Rochester Township claims #5264-5284 in the amount of \$56,959.55. All voted in favor and the motion passed.

JPB Claims – Jamie Neisen moved and Nathan Clarke seconded to accept and pay Joint Powers Board claims #6141-6175 and the Rochester Township share in the amount of \$34,291.64, and a payroll share of \$17,824.64. All voted in favor and the motion passed.

Road Maintenance Supervisor Report –

- Spring cleanup work has begun including tree trimming.
- Pat brought in a part time person to help out.
- Several signs were replaced.
- Preparing for construction season.

TCPA Report –

- Jeff Orth reported and provided some historical financial information.

Board of Appeals & Adjustment Report –

- No meeting this month.

Planning and Zoning Commission Report –

- No more information other than what was provided earlier.

Board Chair Report –

- Nothing else to report.

Upcoming Meetings –

- Planning and Zoning Commission – May 9, 2023 – 7:00 pm.

Meeting Adjourned – Jamie Neisen moved to adjourn the meeting. Michael Melford seconded. All voted in favor and the motion passed. Meeting was adjourned at 11:45 pm.

Respectfully Submitted,

Randy Staver, Clerk / Treasurer

Jeff Orth, Chairman