

## **Rochester Township**

### **Board Meeting Minutes**

### **October 13, 2022**

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

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

**Guests** – Bill Tointon, Jason Kappers, Roger Ihrke, Pat McGowan, Dean Thompson, Jeff Broberg and seven members of the public.

**Minutes** – Jamie Neisen moved to approve the minutes for the September 8, 2022 meeting with one correction as noted by Jamie regarding speed signs versus speed trailers. Matt Kitzmann seconded. All voted in favor and the motion passed.

**Deputy's Report** – Deputy Dean Thompson reviewed the call report of 42 calls for service. In response to a question last month, Dean provided some historical crash data for the intersection of 40<sup>th</sup> St. SW and County Road 8.

#### **Rookery Lawsuit –**

- Randy Staver reported based on information from Paul Reuvers. The court recently supported the townships motion for summary judgement and denied the plaintiff's motion.
- There is no update on the second lawsuit that relates to the township decision approving the preliminary plat. Outside legal counsel is in process of responding to the complaint.

#### **2630 Wild Rose Lane SW –**

- Nathan Clarke led a neighborhood meeting on the topic with Jeff Orth also participating. As a result of the discussion, Peter Tiede will draft a document that stipulates a path forward for an acceptable conclusion. Clear expectations and a timeline will be included. The Board will review the document once drafted.
- A question was asked about what might be a reasonable timeline. Roger Ihrke responded that a building could take as long as four years but that normally construction will take 12 to 18 months.

#### **Audio / Video System –**

- Matt Kitzmann provided an update and a price quote he has received for board

room electronics including displays and wireless audio equipment. Directional or voice activated microphones could be problematic if there are multiple conversations occurring. There is also allowance to use the shop area as overflow meeting space in case of a large audience. Estimated cost for the system as proposed would be \$38,965.77. The company representative was not able to attend. The Board asked that the person attend the next meeting for questions and further discussion.

### **Shop Floor –**

- The repair and refurbishment of the shop floor has been completed. The contractor ran into a significant issue with the drainage trough in that it was badly deteriorated and required an extensive rebuild. This will add to the original \$24,000 cost of the project. Randy Staver had sent photos of the project to the supervisors.

### **Speed Signs –**

- Jamie Neisen provided an update and presented three price quotes he has obtained. He is recommending the first option since it has a modem installed that will allow more efficient transfer of data collected. The equipment is solar powered and total cost is \$4,746.00.
- Nathan Clarke offered a comment he had heard from a resident, who was present, that they didn't think one unit would be sufficient. He stated that due to visibility on areas such as a hill, one direction of traffic might not see the sign.
- The idea of using speed tables was discussed but they can be problematic for snow removal.
- A question was raised whether there are things in the ROW such as trees that inhibit visibility and perhaps exacerbate the speed issue.
- A solution will likely take multiple tactics such as signs and speed tables or other measures. Nathan noted that the township could purchase one sign and see if it makes a positive difference. If so, then perhaps another sign could be purchased.
- Pat McGowan stated that a moveable rubber speed strip he looked at cost approximately \$15,000. It needs to be sufficient quality to handle road traffic and needs to be removed in the winter for plowing purposes.
- It was noted that likely most of the vehicles speeding are service related and not residents of the immediate area.
- One resident proposed that two signs should be purchased (one for each direction) as well as a moveable speed strip.
- Matt Kitzmann pointed out that data should be collected so we understand whether solutions implemented have the intended effect.
- Jamie offered that he could speak with the company to see if there might be a

discount if multiple signs are purchased. Brian Zmolek moved that one speed sign should be purchased. He also stated that the township could borrow the county sign as a secondary. After discussion Brian modified his motion that the township should purchase two of the signs. Jamie Neisen seconded. All voted in favor and the motion passed.

#### **Land Use Planning Workgroup –**

- No report this month.

#### **Metes & Bounds – Millie Meadow Estates Second –**

- Roger Ihrke presented the staff report for the proposed change and recommends approval. Brian Zmolek moved to approve the request and Matt Kitzmann seconded. All voted in favor and the motion passed.

#### **Metes & Bounds – Lot Line Shift – Fye / Steffen –**

- Roger Ihrke presented the staff report and recommendation for approval.
- Matt Kitzmann moved to approve the change and Brian Zmolek seconded. All voted in favor and the motion passed.

#### **Royal Oaks – GDP – Res R22-01-03A; Zone Change – Res R22-01-03B; Traffic Impact Report – Res R22-01-04A; Environmental Impact Report (EAW) – Res R22-01-05A –**

- Roger Ihrke presented a summary of the report. He asked that the Board first consider accepting the EAW report and then consider the remaining requests.
- Nathan asked Roger to expand on what is being requested for approval. Roger stated that the EAW would point to whether a full Environmental Impact Study (EIS) is needed. Adopting the resolution of a negative declaration would mean the Board accepts the report that a full EIS is not required.
- A member of the public noted a general question whether an EAW is unbiased given that the consultant performing the work is paid by the developer.
- Jeff Broberg offered additional comments on the EAW. Nathan questioned what the Board's role is and whether approval of an EAW is a foregone conclusion. Jeff Broberg noted that as part of the EAW process there is a public review component.
- Matt Kitzmann moved to approve Res R22-01-05A and Brian Zmolek seconded. The motion passed 4-1 with Nathan Clarke voting nay.
- Jamie Neisen expressed some concern with the traffic impact report mainly since the Board has not had enough time to review the information.
- Bill Tointon spoke and provided some additional information in response to some questions that had been raised at the Planning & Zoning Commission meeting. Additional insight was provided by Dan Groteboer and Arthur Handelman about

future road connections. It was decided to delay action on the traffic impact resolution until the next meeting to see if clearer resolution language can be drafted.

- Roger presented information on the proposed GDP and zone change.
- Brian Zmolek moved to approve Res R22-01-03B and Matt Kitzmann seconded. The motion passed 4-1 with Nathan Clarke voting nay.
- Jamie Neisen asked what latitude the township has to moderate the speed limit on Meadow Crossing Road. Roger responded that it is dependent on traffic volumes and how a road is designated. Brian Zmolek moved to approve Res R22-01-03A based on the updated GDP and Matt Kitzmann seconded. The motion passed 4-1 with Nathan Clarke voting nay.

#### **Millie Meadow Third GDP – Res R22-01-02A; Zone Change – Res R22-01-02B –**

- Roger Ihrke presented the staff report and recommendation for approval.
- Jamie Neisen moved approval of the proposed GDP resolution and Brian Zmolek seconded. All voted in favor and the motion passed. Jamie Neisen moved approval of the proposed zone change resolution and Matt Kitzmann seconded. All voted in favor and the motion passed.

#### **Zoning Ordinance Change – Re-use of Historic Structures –**

- Roger Ihrke provided proposed text for the zoning ordinance to address re-use of historic structures.
- Matt Kitzmann moved to adopt the proposed language and asked that Roger draft an appropriate resolution. Jamie Neisen seconded. All voted in favor and the motion passed.

#### **Road Acceptance – Millie Meadow Estates Second –**

- This item is premature and does not require action at this time.

#### **2022 Road Mileage Certification –**

- Olmsted County provided a report to the township indicating a total of 29.61 miles of certified roadway. Pat McGowan spoke and stated he agrees with the total mileage. Jamie Neisen moved approval of the 2022 road mileage certification and Brian Zmolek seconded. All voted in favor and the motion passed. The clerk will file the approved report with Olmsted County.

#### **ARPA Funds Usage – Res 2022\_10\_01 –**

- Randy Staver provided an explanation as received from MAT as to why the resolution is needed. Jamie Neisen moved approval of the resolution and Nathan Clarke seconded. All voted in favor and the motion passed.

### **Accepting Dedication of Land for a Town Road – Res 2022\_10\_01 –**

- Brian Zmolek moved approval and Jamie Neisen seconded. All voted in favor and the motion passed.

### **Investments – Reserve Funds –**

- Based on discussion at the last meeting plus additional information provided by Jamie Neisen, Randy Staver reported that there are many banks offering straightforward checking accounts at approximately 2%. This is considerably more than the 0.30% received at our current bank. Roger Ihrke provided insight as to how TCPA handles fund reserves. They invest in CD's through a brokerage firm.
- Jamie suggested using the money market fund strategy. Randy was asked to research FDIC insurance limits to see what protections we have currently
- Jamie Neisen moved to allow the treasurer to move the reserve funds based on FDIC insured limits. Matt Kitzmann seconded. All voted in favor and the motion passed.

### **Credit Card –**

- There are some purchases where the Board would like to use a credit card such as the recent purchase of shop floor grates. But the current limit on the credit card is \$1,000. Matt Kitzmann moved to have the treasurer see if the credit limit can be raised to \$10,000. Jamie Neisen seconded. All voted in favor and the motion passed.

### **Royal Oaks – Environmental Impact Report (EAW) – Res R22-01-05A –**

- Roger Ihrke re-entered the meeting and stated there was some erroneous language in the findings portion of the EAW that had been adopted earlier in the meeting. He presented a corrected version. Matt Kitzmann moved to rescind the earlier adopted resolution and adopt the newly proposed resolution. Brian Zmolek seconded. The motion passed 4-1 with Nathan Clarke voting nay.

### **Reports:**

#### **Treasurer's Report –**

- Treasurer Randy Staver reported. He noted additional detail provided for the main checking account to allow for significant designated funds including ARPA funds and funds designated for a road construction project. He also noted an expenditure this month of \$318,968.03 to Griffin Construction for the road project in Lilly 4. This project is expected to be completed by the end of October.
- Jamie Neisen moved approval of the treasurer's report. Matt Kitzmann seconded. All voted in favor and the motion passed.

**Rochester Township Claims** – Brian Zmolek moved and Nathan Clarke seconded to accept and pay Rochester Township claims #5126-5144 in the amount of \$357,249.79. All voted in favor and the motion passed.

**JPB Claims** – Jamie Neisen moved and Brian Zmolek seconded to accept and pay Joint Powers Board claims #5944-5970 and the Rochester Township share in the amount of \$21,657.51, and a payroll share of \$10,309.16. All voted in favor and the motion passed.

**Road Maintenance Supervisor Report –**

- Issue with signs being placed inappropriately in the Pavilion Estates development area. Pat picked up the signs.
- Lilly 4 road work is done.
- Preparing trucks for plowing.
- It was suggested that the township have a professional service inspection performed on heating and air conditioning equipment twice a year – spring and fall. Matt was asked to work with Tonna to get pricing.

**TCPA Report –**

- Jeff Orth reported. Rochester township continues to provide the most work for TCPA.
- There are two candidates for Roger’s position who have been interviewed. Roger is reviewing the candidates. They are also looking for an administrative / clerical person. The clerical person would be an employee of TCPA.

**Board of Adjustment Report –**

- No meeting this month.

**Planning and Zoning Commission Report –**

- Nothing reported beyond what was stated earlier.

**Board Chair Report –**

- Nothing else to report. Jeff responds to questions from Pat as needed and things are going well.

**Upcoming Meetings –**

- Planning and Zoning Commission – November 7, 2022 – 7:00 pm.
- Joint Powers Board – October 21, 2022 – 9:00 am – Cascade town hall

**Meeting Adjourned** – Jamie Neisen moved to adjourn the meeting. Brian Zmolek seconded. All voted in favor and the motion passed. Meeting was adjourned at 11:25

pm.

Respectfully Submitted,

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Randy Staver, Clerk / Treasurer

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Jeff Orth, Chairman