

Rochester Township

Board Meeting Minutes

December 8, 2022

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, Roger Ihrke, Jason Kappers, Pat McGowan, Dean Thompson, Bill Tointon, Jeff Broberg, Brian Mueller, Dan Groteboer and four members of the public.

Minutes – Jamie Neisen moved to approve the minutes for the November 10, 2022. Brian Zmolek seconded. All voted in favor and the motion passed.

Deputy's Report – Deputy Dean Thompson reviewed the call report of 37 calls for service. Jeff Orth asked that we review the list of names on the Custom Alarm call list.

Pavilion Estates / Rookery Lawsuit –

- Randy Staver reported that there has been no update received.

2630 Wild Rose Lane SW –

- Jeff Orth reported that we have heard that the property has been sold to another individual. No details are known. TCPA staff have not been contacted yet as far as any questions or requests for any permits. Board members expressed interest in any plans for the property and timeline. Roger noted that a building permit expires after 180 days if no activity has taken place.

Land Use Planning Workgroup –

- Nathan Clarke reported that the group has met once. Introductions and discussion occurred. The group asked for more clarity of the objective and goals for the group. Nathan will be working on that.
- Roger Ihrke was asked where Cascade township is at in reviewing their ordinances. That process is still underway as well. Roger also stated that there have been discussions with other townships about formulating a comprehensive land use plan across all of the townships.
- A question was raised about placing a moratorium on new development. Roger responded that there is a time limit of a maximum of 30 months but that progress also needs to be demonstrated.

- There was some discussion whether we completely understand what the township is undertaking and the complexity so that resources and time are not expended unnecessarily.
- Roger further elaborated on Olmsted County and City of Rochester growth plans and how those impact land use and development. Historically, Rochester Township has hosted large lot developments and the city has deferred to that strategy. However, if the township were to stop developing large lots for a period of time and the city wanted to expand, the city would quite likely expand using small lot developments.

Audio / Video System –

- Matt Kitzmann provided additional information regarding an audio / video system after having further conversation with the vendor. Matt had asked if the current system could minimally be upgraded to a wireless system. That is not an option. However, they did re-work the proposal to reduce the cost quite a bit by eliminating certain options.

Pavilion Estates – Development Agreement –

- Roger Ihrke spoke and presented a development agreement which has been reviewed by the developer, planning staff, and the township attorney.
- A question was raised regarding protection of certain resources including trees and wildlife. Bill Tointon spoke and pointed out language in the agreement that addresses a wildlife corridor and protections.
- Nathan Clarke asked questions about protections used during development so that things like unnecessary run-off don't occur. Jeff Broberg responded that those protections are very much part of a project.
- Nathan asked questions about cash versus a bond or letter of credit and escrow funds. Roger elaborated on the process and different purposes of the funds. A performance bond is required before any grading permits are issued. Randy Staver explained how escrow funds are separately used in payment of project expenses.
- Roger said that in the future, they may list all three options in a development agreement and the one selected is specifically highlighted although the preference seemed to be to select a performance bond which has been the past practice.
- Brian Zmolek moved approval of the development agreement. Matt Kitzmann seconded. All voted in favor and the motion passed.

Pavilion Estates – Final Plat –

- Roger Ihrke presented the staff report and background information. He noted that the Planning & Zoning Commission voted to approve the final plat 5-0. Staff

recommends approval.

- Matt Kitzmann moved to approve the final plat. Jamie Neisen seconded. The motion passed 4-1 with Nathan Clarke voting nay.

Designate Annual Polling Place – RES2022_12_01 –

- Randy Staver presented the resolution that must be approved annually stipulating the town hall as the township polling location. The resolution is required even if the polling location is not changing.
- Jamie Neisen moved approval of the resolution. Brian Zmolek seconded. All voted in favor and the motion passed.

2023 Meeting Calendar –

- Randy Staver presented the proposed meeting calendar for 2023. He noted that the Board needs to set a date for the annual Board of Audit and budget discussion.
- Jamie Neisen moved approval of the 2023 meeting schedule and setting a date of January 26, 2023 at 7:00 pm for the Board of Audit meeting and budget discussion. Matt Kitzmann seconded. All voted in favor and the motion passed.

Notice of Township Office for Election 2023 –

- Randy Staver noted the two township supervisor positions that will be open in 2023. The seats are currently held by Jeff Orth and Brian Zmolek. Randy presented the notice that will be published in the legal section of the Post Bulletin.

Investment – Reserve Funds –

- Randy Staver presented information he had gathered regarding banking services at ONB Bank. The account proposed by ONB is considered a community services account. Randy outlined details related to the account and emphasized the difference in interest earned. The current bank for the township pays 0.30% on checking balances whereas ONB is paying 0.50%. A key difference is that ONB is currently paying 3.04% on savings account balances versus 0.01% at Premier. The township could keep the majority of funds in a savings account and earn considerably more interest. Funds are easily transferable between checking and savings which would permit smooth payment of claims.
- Jamie Neisen moved that the township should transfer all funds from Premier Bank to ONB Bank and directed the clerk / treasurer to work on the necessary steps. Brian Zmolek seconded. All voted in favor and the motion passed.

Holiday Celebration –

- Jeff Orth wanted to discuss having a holiday celebration similar to what has been

done in the past. Those celebrations were held jointly with Cascade Township. Board members, staff and spouses were invited. Board members paid for their own meal and their spouse and the townships paid for the staff meals. Randy was asked to talk to Sara Rudquist and see what input the Cascade board might have.

Royal Oak Farms –

- Roger commented on the project and discussion that occurred at the Planning & Zoning Commission. They are now waiting for the development agreement to ensure everything is in order before the project begins. There was discussion as to which financial coverage should be required – performance bond, cash or letter of credit.
- Matt Kitzmann moved to request a performance bond for this project. Brian Zmolek seconded. All voted in favor and the motion passed.

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.
- Jamie Neisen moved approval of the treasurer’s report. Brian Zmolek 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 #5150-5194 in the amount of \$158,237.74. 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 #6003-6034 and the Rochester Township share in the amount of \$32,714.11, and a payroll share of \$12,768.04. All voted in favor and the motion passed.

Matt Kitzmann talked about a recent discussion with Cascade Township regarding the split of work associated with Joint Powers Board (JPB). The work used to be split equally between the two township clerks. Sara Rudquist has been performing the work entirely over the past three years. There is discussion now whether to split the work again. Randy was asked to meet with Sara to get a better idea of what the work entails and how it could be split.

Road Maintenance Supervisor Report –

- Various equipment repairs are being handled as needed.
- Pat talked about recent snow events and how issues were handled.

- The new staff person is working out well.

TCPA Report –

- Jeff Orth reported. The next meeting is next week.

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.

Upcoming Meetings –

- Planning and Zoning Commission – January 10, 2023 – 7:00 pm.

Meeting Adjourned – Jamie Neisen moved to adjourn the meeting. Brian Zmolek seconded. All voted in favor and the motion passed. Meeting was adjourned at 10:30 pm.

Respectfully Submitted,

Randy Staver, Clerk / Treasurer

Jeff Orth, Chairman