

## **Rochester Township**

### **Board Meeting Minutes**

**December 9, 2021**

**Meeting was called to order at 7:00 pm by Chairman Matt Kitzmann.**

**Members present** - Matthew Kitzmann, Jamie Neisen, Brian Zmolek, Brian Mueller, Jeff Orth (absent) and Sara Rudquist

**Guests** – Mark Cochran, Roger Ihrke, Dean Thompson, and four members of the public.

**Minutes** – Jamie Neisen moved to approve the minutes for the November 10, 2021 meeting. Brian Mueller seconded. All voted in favor (4-0) and the motion passed.

**Deputy's Report** – Deputy Dean Thompson reviewed the call report of 37 calls for service. Dean noted that the county received the two speed trailers and are getting them ready for use, so let him know if there are areas that need to be monitored.

### **Old Business:**

#### **Joint Powers Employee Benefits**

- Jamie reminded the Board that he is researching this topic and that there is no work group. There is no update at this time.

#### **Ordinance Updates**

- The Board reviewed the Cascade Access Management and Driveway Ordinances. Jamie Neisen asked whether diagrams created by G3 could be used in a Rochester version of the ordinances. Roger Ihrke stated that this isn't a problem. Roger further stated that it would be preferable for JPB staff if both townships adopted similar ordinances.

7:12pm – Jeff Orth arrived.

- Jamie Neisen moved that Roger review the documents and add Rochester Township in the applicable spots. Roger said that he can have a version for review at the next meeting. Roger further suggested that the Board, while not required, may wish to have a public hearing to allow for comments. If the Board wishes to hold a public hearing, Roger will advertise accordingly.
- Brian Mueller seconded the motion. Jamie amended the motion to include

scheduling a public hearing at the January meeting. Brian Mueller affirmed his second. All voted in favor and the motion passed.

### **Engineering Consulting Support Work Group**

- No update this month.

### **Road Mileage Certification List**

- It was reported that the clerk had forwarded to Olmsted county Public Works notice of some roads missing from the road certification list. We are still waiting on confirmation from the county and the revised total road miles.

### **New Business:**

#### **Metes & Bounds Request – Dan Penz –**

- Roger Ihrke reported. He stated that Mr. Penz had recently subdivided his property into 3 parcels. He also owns 40 acres to the north. He would like to re-subdivide one of the three parcels into 4 parcels. One of those parcels would allow access to the property to the north. All parcels are less than 20 acres in size and buildable. The intent is to combine parcel #1 with the property to the north creating about 49 acres in that parcel. Each parcel is zoned A3, therefore buildable.
- Based on questions from the Board, Roger explained how driveways and access points would work. Each are served by the same road and cul-de-sac.
- Jeff Orth moved to approve the metes and bounds subdivision with staff findings. Brian Zmolek seconded. All voted in favor and motion passed.

#### **Zone Change – A-4 Agricultural to R-A Rural Residential – Yaggy –**

- The Planning Commission held their meeting last Tuesday on this topic. No one from the public attended the public hearing. A connection agreement needed to be entered into with the city of Rochester which the city approved last week. Essentially, there is a specified timeframe where the developer must connect to the services. Historically, the city waits until such time as a septic system needs to be replaced.
- Roger Ihrke stated that this change is consistent with city plan and allows for the zone change. Roger further stated that findings are in the staff report and asked that those be included in a motion. He also stated that a GDP is not required since it is only one lot.
- Jamie asked the developer if there are plans to connect to city water or put in a well. The developer responded that there are no definitive plans at this time.
- Brian Zmolek asked if any connection agreement would follow the property in case of a sale. Roger said that the agreement would follow as would the zone change.

- Brian Zmolek moved approval of the zone change with staff findings. Brian Mueller seconded. All voted in favor and the motion passed.

#### **RES2021\_12\_012 – Designate Annual Polling Location –**

- Jeff Orth moved approval of the resolution. Jamie Neisen seconded. All voted in favor and the motion passed.

#### **2022 Meeting Calendar –**

- Jamie Neisen moved approval of the proposed calendar. Jeff Orth seconded. All voted in favor and the motion passed.

#### **Notice of Town Offices for Election 2022 –**

- The clerk reported that notice of the 2022 election has been advertised in the Post Bulletin. The information has also been posted to the township website.

#### **20 Year Road Maintenance Plan –**

- Mark Cochran presented road information that he and Pat McGowen had created. Mark noted that the plan is fluid and that we are getting better longevity out of newer roads. Road repair is going well although there are a couple of roads that need attention next year since they are almost unplowable. Mark said that there are ROW issues that will need to be addressed.
- Jamie Neisen asked about differences in road treatment. Mark explained the differences and how they affect road longevity.
- Matt Kitzmann asked for further clarification on a roadway complete redo. Mark said that this would involve ditch work, tree removal, and making a cul de sac. Mark reiterated that the plan is fluid and it could change by 3 to 10 years.
- Mark said he has spoken with Rochester Sand and Gravel and that mix prices will go up by \$10 per ton, a 20% increase, in 2022. Absorbing an increase like that is not possible without using reserve funds or not doing as much work.
- Matt Kitzmann asked what has happened historically. Jeff Orth responded that it is a dilemma and has often involved a combination of using reserves and/or doing less work. He stated that the unknown is how well a particular road will hold up. Having a particularly bad winter could have an impact. He further said that the last thing the township wants to have happen is that a road reverts to gravel. Matt agreed and said that this had happened in another township and residents are not happy.

#### **Information Items:**

##### **Staff education –**

- Mark Cochran said that he has been training Pat in addition to MNSHA and MS4 training. More information will be coming once Brandon Theobold presents the

mitigation plan. Duties will be assigned so that all staff are clear on responsibilities. Pat McGowen stated he will attend a MS4 meeting via Zoom in December. Pat said he will need MNSHA training again since it has been 7 years.

- Jamie Neisen commented that it looks like training has been very thorough.
- Based on the recent storm, Pat noted certain areas such as Weather Hills that need early attention. Jeff Orth asked about the brine tank on the one ton truck. Pat said that they have it operational. We receive brine from Olmsted county in exchange for salt. Mark said that we have a 300 gallon tank. Brine does not have any value for pretreatment. Higher value is received when used to wet the salt.
- Jamie asked how many trucks go out. Mark said 2 trucks in Rochester township and 2 trucks in Cascade and the blade in Rochester. They all start at the same time in both townships.

### **Township growth –**

- Jamie Neisen commented that there are several developments coming in the future. He asked if we have any plans for future roads? How do we assess the needs? How does that impact road plowing? Do we respond as needed or plan ahead by doing things like perhaps adding a plow truck?
- Roger Ihrke responded that TCPA has seen general development plans for 150 – 200 homes in the next 6 months although how many actually get started is an unknown. With the information we have we can expect at least 200. Roger agreed that it is a good idea to plan. Road needs will only increase as the number of households increase. Jamie asked how long it takes currently to plow all roads. Mark responded that it depends on the storm but usually about 3-4 hours. With return visits full completion takes about 8 hours.
- Jeff Orth commented that paved roads take the most resources and the township loses roads as areas are annexed. He said that it is important to appropriately set expectations. Mark said that we receive occasional complaints but residents appear to be generally satisfied.
- Jamie asked about timing for snowplowing and Jeff responded that the road crew does a good job.
- Mark commented that residents get used to certain times. The road crew does the hills first and then sometimes the flat neighborhoods get switched based on conditions. Some areas are high on the list regardless.
- Jeff stated that it is important to set expectations but we also don't want drivers in trucks for extended periods of time.
- Brian Zmolek asked if we need to have a plan with regard to growth. Jamie responded that the Board will need to keep this in mind during budget discussions. Others commented that costs increase as additional development

occurs. Mark offered that at some point the township may wish to consider 2 shifts and double utilization of the trucks.

### **New Agenda Items:**

- Matt – Save the Rookery Lawsuit. Matt was served legal papers today related to the lawsuit. He has been in contact with our legal counsel. We expect to hear in the next few days who will be representing the township.
- TCPA Resolution. Jeff Orth commented on the agreement stating that it is not controversial and routine. It was discussed at the November meeting and formalizes the working relationship. Jeff Orth moved to accept the TCPA membership agreement. Brian Mueller seconded. All voted in favor and the motion passed.

### **Reports:**

#### **Treasurer's Report –**

- Deputy Treasurer Sara Rudquist reported. Jamie Neisen moved approval of the treasurer's report. Jeff Orth seconded. All voted in favor and the motion passed.
- Escrow fund receipts of \$16,204 and \$1,915 are transfers from the savings account where development funds are held in escrow.
- The township received an additional \$3,297 in ARPA funds. As was noted earlier, ARPA funds are already designated so if any township did not apply for their funds, the remaining funds are then split among the townships that did apply and they receive a proportional amount.

**Rochester Township Claims** – Brian Mueller moved and Brian Zmolek seconded to accept and pay Rochester Township claims #4910-4924 in the amount of \$146,076.58. All voted in favor and the motion passed.

**JPB Claims** – Jamie Neisen moved and Jeff Orth seconded to accept and pay Joint Powers Board claims #5651-5685 and the Rochester Township share in the amount of \$29,189.83, and a payroll share of \$13,644.07. All voted in favor and the motion passed with Brian Mueller abstaining.

#### **Road Maintenance Supervisor Report –**

- Mark Cochran reported. He said that all billing has done for culverts and all the snow removal billed out. Training is going well. Brandon from whks continues to work on the MS4 plan. Brandon has also offered that whks can assist with more inspections if the township wishes. Jeff Orth asked if this was a reasonable thing to request and Pat responded yes.

- Mark stated that he is happy to be looking forward to retirement. He expressed his thanks in working for the township.
- Jamie Neisen asked if Pat is aware of certain topics like Clark's road. Mark responded that there is a punch list plan that involves either saw cutting or milling. Mark said that monitoring will be required and that whks is willing to help. The city of Kasson hired them to do it all. He noted that the more we do ourselves, the more we save the developers, which encourages future development.
- Matt Kitzmann asked about the transition. Pat said he and Mark have toured all the roads, the 20 year plan assembly helped in his understanding, and that much training has been completed or is scheduled. He is feeling comfortable with the transition.
- Jeff Orth asked if we are using the wet blade. Pat responded no since someone needs to be certified and no one is currently. Jeff commented that the township owns it jointly with Olmsted county. Mark commented that the township agreed not to use it due to the roughness of the cut. We were receiving complaints and decided not to use it any more in the residential areas. Mark commented that it works well when used appropriately such as in the city of Dover. Jeff asked that we be aware of opportunities to share.
- Matt Kitzmann asked about the open position. Mark stated that he has found an individual that worked for MN Energy for 17 years. We are waiting for him to complete his current work. He has been working on Friday's for training. He will get his pre-employment physical this week. He has his class A license.

#### **TCPA Report –**

- Jeff Orth was unable to attend the meeting yesterday. He noted that this has been a record year for TCPA with \$116,306.60 in fees generated on projects valued at \$8.598 million.
- Roger Ihrke stated that TCPA is in good shape and keeping busy. They were able to pay off debt and still retain funds to pursue hiring of a third person. TCPA also refunded the original township contributions when TCPA started. Development continues at a strong pace. Staff is waiting to see how much suburban development land is assigned to Rochester township when Olmsted county issues their revised general development plan.
- Roger said that work continues to find his replacement. They will be working with the League of Minnesota Cities and Minnesota Association of Townships and their respective websites to spread the message.
- Brian Zmolek asked about the status of the county GDP. Roger responded that there will hopefully be a presentation made to the county board by February. There continue to be concerns about urban / suburban development and the divisions for each. Interest on the part of developers will be a factor. The county

had indicated they would not update the maps until such time as a petition is received to add land. There may be such a request in January.

**Board of Adjustment Report –**

- No meeting this month

**Planning and Zoning Commission Report –**

- Jamie Neisen noted that an item that came up is posting Planning and Zoning minutes on the website to be consistent with Cascades practice. The clerk will be asked to follow up. Brian Zmolek noted that minutes would need to be approved before they are posted. Roger Ihrke commented that it is important to reflect in the minutes only what was discussed at the meeting.
- Roger stated that he still thinks the Board approved a 2 acre minimum lot size.

**Board Chair Report –**

- Matt Kitzmann said that he took care of a complaint where a dog had been hit and was laying in the ditch.
- Jeff Orth said that it is common to receive complaints of a dead deer in a yard. Although not technically in the ROW, Jeff said his practice has been to ask the road crew to take care of it as a service to residents.

**Upcoming Meetings –**

- Planning and Zoning Commission – January 11, 2022 – 7:00 pm

**Meeting Adjourned** – Brian Mueller moved to adjourn the meeting. Jamie Neisen seconded. All voted in favor and the motion passed. Meeting was adjourned at 8:43 pm.

Respectfully Submitted,

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Sara Rudquist, Deputy Clerk / Treasurer

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Matt Kitzmann, Chairman