

TOWN OF ORROCK
Regular Monthly Meeting and Board of Audit Meeting
Wednesday, January 30, 2013 7:00pm

The Orrock Township Board met in regular session and for the Board of Audit, on Wednesday January 30th, 2013 at 7:00pm, at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota.

Supervisors Jeff Jones, Mike Meier & Corrie Silverberg, Treasurer Laura Jones and Clerk Brenda Kimberly-Maas were in attendance.
Chairman Charles Gotzian and Supervisor Michael Eisinger were absent.
Supervisor Jeff Jones presided over the meeting in Charles Gotzian's absence.
Several citizens were also in attendance.

The meeting was called to order by **Supervisor J.Jones**, with the reciting of the Pledge of Allegiance at **7:00pm**.

Motion/Second to accept the January agenda: **Silverberg/Meier**
Approved by: J.Jones, Meier and Silverberg
Motion Carries.

Motion/Second to approve December regular meeting minutes by: **Meier/Silverberg**
Approved by: J.Jones, Meier and Silverberg
Motion Carries.

SHERIFF'S REPORT:

Sheriff Joel Brott was in attendance and provided the board and gallery with The Sheriff Department's annual report for Orrock Township.

BIG LAKE FIRE REPORT:

Supervisor Mike Meier updated the board with information about the Big Lake Fire Department (BLFD). The department is looking to sell a parcel in Knick Knack Knoll that has a deep well on it. The department no longer has any use for the well.

JOINT COMMUNITY MEETING REPORT:

Supervisor Mike Meier updated the board with information about the meeting that took place with members of ISD 727, Big Lake Township, the City of Big Lake, Sherburne County and Orrock Township. He felt that it was a very informative meeting. In that meeting he learned that Co. Rd 15 will be milled and replaced in three sections over a period of three years 2013 - 2015. The work will begin from the north at Co. Rd 4 and move south. The plan is to enhance the road by widening it, putting in turn lanes and passing on the right zones. Supervisor Meier also clarified that there was misprinted information in the paper. It was printed that he was running for re-election, but his term is not up. During the joint meeting he mentioned that two seats were up for re-election, the supervisors who hold those seats are running and encouraged Orrock citizens to get involved with their local government.

OPEN FORUM

The board heard from Shane Berg: 25154 - 164th St. NW, Big Lake, MN 55309 was present and asked to address the board. He was wondering who dispatched the plows in late December when the snow fall didn't meet the 2" threshold. He questioned the reasons for dispatching the plows when that threshold wasn't met. It had snowed 1 ½" on 12/26 and plows were out on 12/28. Corrie Silverberg addressed this particular situation and stated that due to a high volume of resident calls of poor/slippery roads, the plows were dispatched to salt/sand and clean up areas that needed attention, such as intersections. Members of the board and audience discussed the dispatching of plows. It was determined that sometimes the board and/or road committee needs to use its own discretion on sending plows out, depending on the weather and road conditions. The conversation of whether the policy should reduce the threshold to 1 ½

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inches of snow for dispatch of plows. It was determined that this should be brought up to the citizens at the annual meeting.

The board heard from State Representative Jim Newberger: Jim gave the board and audience updates on what is being worked on at the state level. He encouraged the attendees to get informed on issues being discussed and write to their representative(s) and voice their opinions and concerns. Jim invited his constituents to visit him and left business cards so people could contact him.

OLD BUSINESS:

TRI-COUNTY HUMANE SOCIETY CONTRACT:

Clerk Kimberly-Maas presented information about other township's ordinances as well as county ordinances. There are no ordinances or policies in other townships or at the county level that are designed to address found and/or feral cats.

*The decided to **No further action taken by the board.***

the contract for housing cats, with Tri-County Humane Society.

No further action taken by the board.

PLANNING AND ZONING LIAISON:

The board decided that they would prefer to have the liaison be a board member. It was also decided to have an alternate liaison.

Motion/Second to recommend Mike Meier as the Orrock Township primary liaison and Corrie Silverberg as the Orrock Township alternate liaison, to the Sherburne County Planning and Zoning Committee by: **J.Jones/Meier**

Approved by: J.Jones, Meier and Silverberg

Motion Carries.

PAYROLL TAX RECOVERY:

Supervisor Silverberg updated the board with information about the reclamation of the employee's portion of the SSI taxes paid by the township. Prior to the original court date, Mr. Jeff Nagorski reimbursed the township the amount of employee portion SSI taxes that were paid by Orrock Township into his account. In conciliation court the judgment was in favor for the township in the suits filed against Mr. Ron Dolly and Mr. Greg Westgaard. Ron Dolly presented his payment in full, during the day of January 30, 2013, prior to the meetings start. Greg Westgaard had sent two separate checks in the amount of \$25 each, with a letter asking that the township accept a payment plan of \$25 a month until the total amount was repaid to the township. Supervisor Silverberg contacted the township attorney in regard to this payment plan and was advised not to have the checks deposited before discussing this plan with the board. Therefore the checks remained uncashed. The cases against Mr. Jerry Peterson were heard on January 30, 2013 and any decision made by the judge wouldn't be known until the February meeting. The board discussed the payment plan suggested by Greg Westgaard. It was decided that this payment plan was not acceptable to the board. Laura Jones suggested that perhaps a different payment plan option be presented to Greg Westgaard. Further discussion was made on an acceptable term for repayment.

Motion to demand payment in full from Greg Westgaard by Tuesday February 26th, 2013 by: **Silverberg**

Treasurer Jones voiced her concerns on the date suggested and thoughts that the repayment be extended to a later date.

Second: Meier

Approved by: J.Jones, Meier and Silverberg

Motion Carries.

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PETITION TO VACATE 239TH AVE:

Clerk Kimberly-Maas requested that a motion be made to rescind the motion to vacate 239th Ave. NW that had been made in September 2012. This would ensure that the process had been done correctly and legally.

Motion/Second to rescind the motion made in 2009 to accept the petition to vacate 239th Ave. NW, which was presented to Supervisor Eisinger by Wayne Chermack on behalf of a concerned citizen: **J.Jones/Silverberg**
Approved by: J.Jones, Meier and Silverberg
Motion Carries.

NEW BUSINESS

ELECTIONS - ACCEPTANCE OF JUDGES:

The board heard from Clerk Kimberly-Maas: Clerk Kimberly-Maas informed the board that the list of judges which was previously accepted needed to be revised. This was due to the fact that Supervisor Silverberg is running to retain his seat on the board and neither he nor his wife, are eligible to serve as judges for the Annual Township Election.

The Board accepted the revised list of election judges for the Annual Township Election.

Motion/Second to accept the revised list of judges for the Annual Township Election:
Silverberg/Meier
Approved by: J.Jones, Meier and Silverberg
Motion Carries.

Clerk Kimberly-Maas also informed the board that there is one (1) candidate who filed to run for seat "C", currently held by Corrie Silverberg, two (2) candidates running for seat "D", currently held by Charles Gotzian and one(1) who filed for the treasurer position.

ANNUAL CLEAN-UP DAY:

The board heard from Clerk Kimberly-Maas: Clerk Kimberly-Maas noted that annual clean-up day was set for Saturday, May 18th, 2013. Orrock Township needs to provide six (6) volunteers. Supervisors J.Jones, Meier and Silverberg volunteered, as did Treasurer Jones. Citizens Kathy and Mike Pruchnicki also volunteered to help.

BOARD OF APPEAL AND EQUALIZATION MEETING:

The board heard from Clerk Kimberly-Maas: Clerk Kimberly-Maas informed the board that the Appeal and Equalization meeting is scheduled for April 3, 2013 at 4:00PM. Currently, Chair Gotzian is the only board member who is certified as trained for this process. Supervisor J.Jones stated that he would attend classes for future meetings.

ACKNOWLEDGEMENT OF CITIZEN VOLUNTEERS:

*The board heard from Clerk Kimberly-Maas: Clerk Kimberly-Maas received an email from Chair Gotzian who wished to have these citizens acknowledged for their willingness to assist Charlie in his efforts to fix the Orrock #1 truck, plow and sander. Michael Eisinger, Paul Gotzian and Eric Peterson were thanked for their assistance. **No further action taken by the board.***

RESOLUTION TO DISSOLVE BECKER/ORROCK TWP. PLOW AGREEMENT:

Supervisor J.Jones: Supervisor J.Jones explained the current agreement/resolution that had been signed in 2005. The resolution was an exchange of maintenance for certain roads that start in Orrock Township and continue into Becker Township. The exchange was an even mileage exchange, but the time to plow the roads that were assigned to Orrock took far longer to plow because they are curvy and some end in cul-de-sacs.

Motion/Second to approve Resolution R-20130130 – Resolution Dissolving the

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Agreement for the Exchange of Snow Removal Maintenance Responsibilities for Certain Township Roads Along the Becker-Orrock Town Line: **Silverberg/Meier**

Approved by: J. Jones, Meier and Silverberg

Motion Carries

APPLICATION FOR EXCAVATION PERMIT

The board heard from Clerk Kimberly-Maas: Clerk Kimberly-Maas presented the board with information received for an Excavation Permit from a local utility company. She wanted the board to look over the information before she issued the permit. The board had no concerns and the permit was issued.

FEEDLOT ZONING ORDINANCE AMENDMENT:

*The board heard from Supervisor Meier: Supervisor Meier commented that the Sherburne County Planning and Zoning Board met after the December township meeting. He was unable to obtain a copy of the accepted ordinance, but thought that the recommendations that had been made by the Feedlot Committee had been adopted. **No action required.***

APPROVAL OF PAY CLAIMS*/CONSENT AGENDA

CURRENT PAY CLAIMS (AS SUBMITTED BY TREASURER):

Motion/Second to approve the current pay claims: **Silverberg/Meier**

Approved by: Meier/Silverberg

Abstaining: J. Jones abstained from voting on L. Jones Pay Claim

Motion Carries.

TREASURER'S REPORT

Treasurer Laura Jones noted that the revenue from the sale of the plow trucks and equipment had posted to the accounts.

General Fund: \$89,056.81

Road & Bridge: \$ 703,094.01

Fire: \$97,770.93

Capital Improvements: \$190,260.74

Escrows:

Heritage Hills: \$0

Pine Cone: \$1,066.25

Woodlands of Livonia: \$4,653.75

Savannah Meadows: \$6,612.61

Shores Of Eagle Lake: \$95,567.19

Woods of Eagle Lake: \$506.82

Pine Point: \$4,500.00

Lonesome Oak: \$500.00

Thunderbuck: \$4,182.50

Horseshoe Estates: \$20,700.00

Timberquest: \$20,160.00

Deer Crossing: \$1,000.00

Donahue Estates: \$3,161.25

Jacob's Ridge: (\$11.25)

Harmony Village: \$0.00

Motion/Second to accept the Treasurer's Report date ending 12/31/2012:

Meier/Silverberg

Approved by: J.Jones Meier and Silverberg

Motion Carries.

BOARD OF AUDIT

Treasurer Laura Jones and Clerk Kimberly-Maas presented the Board and the public who were in attendance with financial data from Year Ending 12/31/2012 for their consideration and approval. The Board of Audit is to make levy recommendations to the board for the Annual Meeting. The Financial Committee met and their recommendation was for the levy to be set at roughly \$450,000.000 for the tax year 2014.

Motion/Second to accept the Board of Audit Report for year ending 12/31/2012 as presented and the proposed levy amount of roughly \$450,000: **Silverberg/Meier**

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Approved by: J.Jones Meier and Silverberg
Motion Carries.

ROAD COMMITTEE REPORT

Township Engineer Ross Abel addressed the board: Chair Gotzian had asked Ross to look into options that the board had when a single petitioner came to the board requesting an improvement or upgrade of township roads that service that petitioner. Ross reported that there are a few options for this type of situation. There are two simple ways to approach this type of request:

- 1. MN Chapter rules 429 where the improvement(s) are done and costs are assessed to the property owners who are benefitted by the improvement(s). This option would need to have the township's attorney involved.*
- 2. The board can also use its developer's agreement powers. This option would also need to have the township's attorney involved, but this method has fewer steps than the first option and allows the township to require escrow money from the benefitted properties prior to work being started.*

No action required/taken

LAST CALL FOR BUSINESS FOR THE MONTHLY TOWNSHIP BOARD MEETING

Supervisor Silverberg made a request that the board allot \$150 - \$200 for the purchase of some snow shovels and other tools that need to be replaced.

Clerk Kimberly-Maas also made a request for some funds to be spent for office supplies.

Motion/Second to allow up to \$200 be spent for office supplies and \$200 for tools and equipment: **J.Jones/Silverberg**

Approved by: J. Jones, Meier and Silverberg

Motion Carries

ADJOURNMENT

Motion/Second to adjourn the January Regular Monthly and Board of Audit Meeting at 8:42PM, on Wednesday, January 30th, 2013: **Silverberg/Meier**

Approved by: J. Jones, Meier and Silverberg

Motion carried adjourning the January 30th, 2013 Monthly Town and Board of Audit Meeting, at 8:42PM.

Respectfully Submitted,

Brenda Kimberly-Maas
Orrock Township Clerk

Accepted this the _____ day of _____, 2012, by the Orrock Township Board of Supervisors.

Chairperson

Attest: _____

Town Clerk