



REGULAR MONTHLY MEETING
WEDNESDAY, OCTOBER 28, 2015 7:00PM

The Orrock Township Board met in regular session, on Wednesday October 28, 2015 at 7:00PM, at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota. The meeting was called to order by Chair Gotzian, at 7:00PM, and the Pledge of Allegiance was recited.

Supervisors Bryan Adams, Charles Gotzian, Bob Hassett, Eric Peterson and Corrie Silverberg, Treasurer Laura Jones and Clerk Brenda Kimberly-Maas were in attendance. Town Engineer Mike Nielson, a number of residents and observers were also present.

APPROVAL OF OCTOBER REGULAR MEETING AGENDA:

Bryan Adams requested the addition of Storm Drain – Eagle Lake as item ‘d’ under Old Business Charles Gotzian requested moving The Geurts comments as the last item under New Business.

Motion/Second to accept the October Agenda with the those changes by: Gotzian/Silverberg

Approved: Adams, Gotzian, Hassett, Peterson and Silverberg

Opposed by: None

Abstaining: None

Motion Carries

APPROVAL OF SEPTEMBER MINUTES:

Motion/Second to accept the September Regular Meeting Minutes, as presented by: Silverberg/Adams

Approved: Adams, Gotzian, Hassett, Peterson and Silverberg

Opposed by: None

Abstaining: None

Motion Carries

APPROVAL OF SPECIAL MEETING MINUTES:

Motion/Second to accept the Special Meeting Minutes, as presented by: Adams/Silverberg

Approved: Adams, Gotzian and Silverberg

Opposed by: None

Abstaining: Hassett and Peterson

Motion Carries

NEW BUSINESS:

UPDATE FROM STATE REPRESENTATIVE JIM NEWBERGER:

State Representative Jim Newberger addressed the Board and gallery on items from the 2015 MN legislative session. Of note: Jim continues to work to keep Sherco Power Plants running, as they produce 60% of all electricity generated in Minnesota. He has concerns on the number of oil trains that pass through the area. He created an amendment which passed. The amendment granted \$400,000 to the St. Cloud Fire Department to re-establish an Emergency Responder Team, in the event there is an oil train accident. He also reported there is a \$2Billion surplus in MN. This is due to “overbilling”. His preferences for the money are 1. Refund to the residents – he noted that is unlikely. 2. Use the surplus as a small business tax relief. 3. Funnel the money back into road and bridge funds. He also addressed the current cutting of trees in the Sand Dunes State Forest. He does not support the clear cutting and would like to have it stop. He felt there was a communication failure between the DNR and Orrock residents. He would like the DNR partner with local community on the plan. It is unlikely to change until the next session, when he will bring the topic up for discussion. He noted the money from the timber harvest is NOT funding schools, since the land from where the trees are being cut, are not School Trust Land.

When timber is harvested from the School Trust Land, the income from the harvest is placed into a state wide fund and divided up between all the school districts in the State. The harvest contracts are set for the current cutting effort, but, Jim assured the residents he would bring up the timber harvest and changes to the long range Sand Dunes State Forest in the 2016 session.

Rep. Newberger was asked to look into additional DNR/State Aid (NOT grant money), for Orrock road maintenance, as much of the land in Orrock is tied up by Sand Dunes State Forest. And to contact a DNR representative in the matter of getting State Land dead falls in the Town ROW cleaned up by DNR personnel. Jim agreed to follow up on these matters.

Clerk Kimberly-Maas is working with the DNR to schedule a round table discussion about the timber harvest.

MYSTIC RIDGE FINAL PLAT:

Mike Nielson reported the Final Plat had reviewed by WSB, all of the requirements had been met and he recommends the Board approve the Final Plat of Mystic Ridge.

THE BOARD APPROVED THE FINAL PLAT ON THE RECOMMENDATION OF WSB.

SHERBURNE COUNTY P&Z LIAISON:

Bryan Adams and Corrie Silverberg would like to continue as the liaison and alternate representing Orrock Township on the County Planning and Zoning Committee.

THE BOARD AGREED TO HAVE BRYAN ADAMS & CORRIE SILVERBERG SERVE AS LIAISON/ALTERNATE ON THE COUNTY P&Z COMMITTEE.

MAT ANNUAL CONVENTION ATTENDANCE:

Bryan Adams requested Board Approval for attendance to the Annual MAT training.

Motion/Second to authorize the any Board member who wishes to attend MAT Annual Training by:

Gotzian/Silverberg

Approved: Adams, Gotzian, Hassett, Peterson and Silverberg

Opposed by: None

Abstaining: None

Motion Carries

RESIDENT CONCERNS - SAND DUNES STATE FOREST HARVEST:

Ron and Judy Geurts addressed the Board with concerns they have about the timber harvest being done in the Sand Dunes State Forest. Items of concern were clear cutting, burning and use of herbicides to return the area to a prairie situation. They feel the efforts of the USFWS to re-establish Oak Savannah on the Sherburne National Wildlife Refuge is adequate for the area. The Sand Dunes State Forest should not be clear cut to add to the prairie. Judy noted trees add property value and she felt that more importance has been put on rare wildlife species than the human species.

Heather Carlson addressed the Board. She told of her health concerns and how the use of chemicals and fire are detrimental to her well-being as well as others.

Chair Gotzian thanked everyone for attending. He noted the Board really has no governance over the DNR. And reminded everyone of the round table meeting being planned assuring them when the time is finalized, there will be notification so all interested parties may attend.

ROADS

ROAD ENGINEER:

243RD PROJECT:

Mike Nielson addressed the Board with updates on the 243rd Ave NW construction project. Two culverts were also unearthed during the excavation process. They were removed and a single culvert installed to equalize the ponds on either side of the road. This phase of the project is complete. It did over run the budget by \$5500. This was due to some additional repairs on 80' of roadway. The patching work slated for 2016, will be reduced, the net of the project should be well under budget.

Mike also felt the Board needed to keep the repaired section at a 5-ton limit and reevaluate it after the overlay is completed in 2016.

ROAD CONSTRUCTION STANDARDS UPDATE:

Mike Nielson put together some information on construction standards for the Board. Due to the length of the meeting the Board was requested to bring the information home and review it for discussion in November.

TABLED UNTIL NOVEMBER

SIGN RETRO-REFLECTIVITY STANDARDS – SIGN REPLACEMENT POLICY:

Mike Nielson had sent MNDOT Retro-reflectivity standards and MAT Sign Replacement Policy Template to the Board for review. There are three steps to meet the requirements: 1. Inspection – he recommends one or two Supervisors review the reflectivity criteria, tour the town at night and note the signs in need of replacement. 2. Replacement Schedule – he recommends replacing the most important signs first (Stop, Yield etc.). Then divide the Town into quadrants and replace each quadrant one per year initially. 3. Adopt a Sign Replacement Policy. MAT template and a sample policy were given to the Board for consideration/revision. Mike also noted there are some signs which are able to be eliminated instead of replaced. By statute a driver must yield at a “T” intersection, those signs could be eliminated. As well as, Children At Play signs, which have been studied at length and found ineffective. He also noted newly installed signs should be stickered, logged and put into the schedule.

Bob Hassett informed the Board his inventory of signs placed on the roads and in the shed was complete. He will compile the information in spreadsheet form and it will be distributed.

Chair Gotzian asked a listing of signs to be removed be written and given to Darryl Waletzko so he can take them down. Clerk Kimberly-Maas will revise the MAT template policy with Orrock information, for the Board to review in November.

REVISIT POLICY IN NOVEMBER

TAX BASE/LEVY REPORT:

Gary Goldsmith was in attendance to present to the Board, his levy analysis study. Earlier in 2015, Gary volunteered to generate a report to assist in the efforts of informing constituents of the available tax base from which the Township can collect taxes, as well as have accurate information when writing grants and apply for additional road and bridge funding. Gary collected data from all ten Sherburne County townships in many areas including tax-base, levy amounts and payment in lieu of taxes. Items of interest were in seven of the ten townships the office of Clerk and Treasurer are appointed and in some instances they are combined positions. The reason given to him was to allow for continuity in those administrative positions. He also found many townships have normal office hours.

- Net Tax Capacity of Orrock is on the “poorer” side of the townships.
- Tax Rates in Orrock must be higher to get the same amount of money as “richer” townships.
- Orrock’s overall Tax Rate is a bit below average compared to the other townships.

Essentially, for every \$1 of levy money needed in Orrock, the property owner is charged \$2+ . Compared to \$1 in levy equals \$1 property tax in Big Lake Township.

Gary found some mistyping in his report which he will correct. Once he has it revised, he will send the clean copy to Clerk Kimberly-Maas. The report will be available for public review and will also be on hand for the 2016 Annual Meeting.

Corrie Silverberg noted the information really hit home the fact our need to find other means to pay for maintaining roads in Orrock Township, if the Township is going to maintain the roads at the recommended levels. Clerk Kimberly-Maas commented on the point made by the information showing for every \$1 in Levy money needed, the homeowner needs to be charged \$2 in property taxes when compared to Big Lake Township.

Gary suggested the next steps should be to find out why some townships have had to raise their levies so high (specifically Becker and Livonia), what other townships are facing, why costs per mile between townships vary so much and

To translate tax rates and tax base into actual dollars. Treasurer Jones stated she would contact Diane Arnold to get the actual dollar amounts for the tax rate and tax base numbers. Corrie also requested Treasurer Jones ask Diane, for a simple equation to demonstrate how increasing the levy will affect the constituent, at the Annual Meeting.

The Board thanked Gary, for his efforts to generate the informative study.

181ST ST NW REPAIRS:

Darryl Waletzko updated the Board on the repair on 181st St. He found 40-45 decomposing stumps as far as 12’. All of the rotting material was removed, new class 5 fill was installed and bituminous was laid. There was a bit of an overrun of the estimated cost, due to the number of stumps which were buried and removed.

Clerk Kimberly-Maas stated she had learned that an area 100’ to the north of this work was where stumps had been found and the repairs made previously. Chair Gotzian noted the possibility of other areas under the road where stumps may unknowingly be buried, which could cause future road problems.

255TH AVE WEIGHT RESTRICTION:

Steve Karel from the USFWS was present to request the ability to allow the lumber harvester contractor to use 255th Ave NW. The Board agreed to grant a permit to Sylva Corporation, Inc. with the stipulation of a \$5000 bond be given to the

Township, in case the road suffers damage from the trucks. Representatives from the Township and the Contractor will inspect the road in the next day or two to ensure both parties are in agreement of the roads status prior to logging. After the permit expires, the road will be inspected and damages which are caused by the logging trucks will be noted and payment for repairs will be made by Sylvan. A \$5000 bond will be held in escrow, by the Town for any immediate repairs needed. Town Counsel will be contacted for advice on an Agreement, as well. Clerk Kimberly-Maas created a Temporary Overweight Permit. Copies were given to Sylva Corporation, Inc. , Sherburne County Sheriff's department and one has been filed in the office of the Town's Clerk. Trucks Hauling signs will also be posted by the Contractor.

Steve Karel, Refuge Manager, USFWS offered his assistance to the Town with future Federal Grant writing.

GRADING OF GRAVEL ROAD:

The one road that had not been graded earlier was 180th St. NW, south of CSAH 4. There is minimal need for grading. Darryl will smooth out the rough areas with his skid loader.

INSTALLATION OF SIGNS: Darryl has installed the "Welcome" , "Weight Restriction" and chevron signs.

RIGHT OF WAY POLICY:

Supervisors Adams and Silverberg have been working on the Ordinance on file. Revisions were suggested and presented to the Board for review. The question was did the Board need to define the ROW. The Board agreed to have definitions added. Brian will make the Revisions and have them available for the Board in November.

FOLLOW-UP IN NOVEMBER

POTHOLE REPAIR:

Clerk Kimberly-Maas addressed the Board on the status of the contract for pothole repair. There are a few remaining to be patched.

FOLLOW-UP IN NOVEMBER

OLD BUSINESS:

MATIT VALUATIONS RESOLUTIONS:

The Board adopt the MATIT Resolution accepting the Replacement cost coverage and for the increase of the deductible for MATIT.

Motion/Second to adopt MATIT Valuation Resolution and Deductible of \$2500 Resolution by:

Gotzian/Peterson

Approved: Adams, Gotzian, Hassett, Peterson and Silverberg

Opposed by: None

Abstaining: None

Motion Carries

MARK KURTZ DRAINAGE CONCERNS:

Resident Mark Kurtz had contacted the Board with concerns of drainage from the roads through his property. Mark has made modifications to his land already. However there is still run-off during heavy rains. Mike Nielson and Supervisor Adams looked at the area. To remedy the problem a catchbasin type drain and pipe into an existing wetland would resolve the problem. The cost would be \$30,000 or more. The situation will be monitored, as the resident has made some landscape changes to eliminate some of the problem.

NO FURTHER ACTION NEEDED AT THIS TIME

EXTENSION OF CONTRACTS:

The Board discussed the matter of extending contracts for normal services. Currently the plowing contract is valid through the 2017-18 snow season (until May 2018). The Board felt the other contract which should be extended is the mowing contract. There have been no concerns with Darryl Waletzko's mowing and the Board wishes to extend his contract for mowing through the 2017 growing season. Then have the Plowing and Mowing RFPs let out for 5-year contracts. The contracts would follow the Joint Road Agreement with Big Lake Township for 229th Ave. NW.

Motion/Second to extend Darryl Waletzko LLC mowing contract through the 2017 growing season. Future plowing and mowing RFPs will be let for 5-year terms by: Hassett/Adams

Approved: Adams, Gotzian, Hassett, Peterson and Silverberg

Opposed: None

Abstaining: None

Motion Carries

EAGLE LAKE DRAINAGE CONCERNS:

Supervisor Adams noted the drainage concerns on Big Eagle Point have been discussed for the past couple of months. There is a pond that overflows on 232nd and 188th. We don't have an easement allowing us to release the overflow to the lake. To fix the situation could cost \$20,000 - \$50,000. Cleaning the drains annually, pull the silt out of the ditch at the same time. Inspection/cleaning drains will be added to the road tour checklist.

TREASURER'S BUSINESS

APPROVAL OF CONSENT AGENDA

Motion/Second to approve the October Consent Agenda as presented by Treasurer Jones by:

Silverberg/Gotzian

Approved: Adams, Gotzian, Hassett, Peterson and Silverberg

Opposed: None

Abstaining: None

Motion Carries

TREASURER'S REPORT

Treasurer Jones noted a check which wasn't from our account had cleared. The Bank was made aware of the error. Our account was credited the amount and will be reflected in the November statement.

Treasurer Jones read the balance sheet.

General Fund: \$ 55,654.48	Road & Bridge: \$ 462,391.01
Fire: \$61,830.46	Capital Reserve: \$139,253.24
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 10/23/2015 by: Gotzian/Hassett

Approved: Adams, Gotzian, Hassett, Peterson and Silverberg

Opposed: None

Abstaining: None

Motion Carries

LAST CALL FOR BUSINESS

Andrew Matthews, introduced himself to the Board. Mr. Matthews will be running for the State Senate seat currently held by Dave Brown, in 2016. Senator Brown is retiring at the end of his term. He asked to be invited to the round table discussion, as well.

Supervisor Hassett requested the Board members turn on their GPS if taking photos from their phone. This will allow the pictures to be attached to maps. Thereby giving us better means to see where concerns are within the Township.

Chair Gotzian asked the Board for input on the size of a white board on which topics/projects and their assignment will be listed. The Board felt a mountable 4'x 6' size would be best. The board will be purchased.

ADJOURNMENT

Motion/Second to adjourn the October Monthly Meeting at 9:30PM, on Wednesday, October 28, 2015: Gotzian/Peterson

Approved: Adams, Gotzian, Hassett, Peterson and Silverberg

Abstaining: None

Opposed: None

Motion carried adjourning the October Monthly Meeting, on Wednesday, October 28, 2015 at 9:30PM.

Respectfully Submitted,
Brenda Kimberly-Maas
Orrock Township Clerk

Accepted this 18th day of November, 2015, by the Orrock Township Board of Supervisors.

Chairperson

Attest: _____
Town Clerk