



REGULAR MONTHLY  
MEETING  
WEDNESDAY DECEMBER 28, 2016 7:00PM

The Orrock Township Board met in regular session, on Wednesday December 28, 2016 at 7:00PM, at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota. The meeting was called to order by Chair Gotzian and the Pledge of Allegiance was recited.

Supervisors Bryan Adams, Charles Gotzian, Bob Hassett, Corrie Silverberg, Treasurer Laura Jones, Clerk Brenda Kimberly-Maas and Plowing Contractor Darryl Waletzko, were in attendance. Twenty-eight residents and observers were also present, including Andrew Witter – Sherburne County Public Works, John Korzeniowski – MN DNR and Bob Hammar – resident of 233<sup>rd</sup> Ave, section 35.

APPROVAL OF DECEMBER MEETING AGENDA

Motion/Second to accept December Agenda by: Gotzian/Hassett  
Approved: Adams, Gotzian, Hassett and Silverberg  
Opposed by: None  
Abstaining: None  
Motion Prevails

APPROVAL OF NOVEMBER REGULAR MEETING MINUTES:

Motion/Second to approve November Regular Meeting Minutes, as presented by: Silverberg/Hassett  
Approved: Adams, Gotzian, Hassett and Silverberg  
Opposed by: None  
Abstaining: None  
Motion Prevails

APPROVAL OF SPECIAL ROAD MEETING MINUTES:

Motion/Second to approve Special Road Meeting Minutes, as presented by: Adams/Silverberg  
Approved: Adams, Gotzian, Hassett and Silverberg  
Opposed by: None  
Abstaining: None  
Motion Prevails

OLD BUSINESS

TRIMMING UPDATE – Darryl reported all of the trimming work has been completed. He told the Board they may wish to consider trimming further into the right of way.

PLOWING – Problem area of 233<sup>rd</sup> at CSAH 15 identified as a problematic area. Darryl will continue to give the intersection attention. Chair Gotzian noted if residents don't see product, it is because the product being used this season is salt only.

REVISED SNOW AND ICE CONTROL POLICY – The Board requested two edits. Clerk Kimberly-Maas will make the changes.

Motion/Second to approve Snow and Ice Control Policy – P-20161228 with revisions by:  
Silverberg/Hassett  
Approved: Adams, Gotzian, Hassett and Silverberg  
Opposed by: None  
Abstaining: None  
Motion Prevails

BIG EAGLE LAKE SEDIMENT TRAP STUDY – Supervisor Adams reported the Big Eagle Lake sediment trap design is complete. The design includes the Storm Septor device to catch storm water and filter out the sediment. The device is capable of capturing 80% of the suspended solids. Cost estimate is \$40,000, 75% of which may be reimbursed by Sherburne County Soil and Water Conservation District. The Board is waiting to receive a letter from SWCD, prior to making commitment to proceed.

FOLLOW UP WHEN LETTER RECEIVED

233<sup>RD</sup> AVE. NW THROUGH SECTIONS 35 & 36 – Supervisor Hassett addressed the Board with regard to the segment of 233<sup>rd</sup> Ave. NW which runs through sections 35 & 36. He reminded the attendees the Town doesn't own the road easement or right of way easements, the Board's view that Orrock taxpayers should not shoulder the cost to maintain a State owned road should they pay the asking price of \$57,650, for those easements. He informed the Board he had inquired with Andrew Witter, Sherburne County Public Works Director and County Engineer, to see if the County would be interested in acquiring the easements and make the road a county road. Andrew informed the Board, the road doesn't meet the requirements for it to be considered becoming a county road. Andrew gave information on the criteria and history of how State Park Road Account funds have historically been utilized to maintain and upgrade the segments. He suggested having the SPRA continue to be fully funded, would be of benefit to the Town, should the Board decide to ask Representative Newberger to help in acquiring the easements. SPRA funds are available for State Park roads and roads which lead into State Parks.

Supervisor Hassett introduced Bob Hammar, resident living on 233<sup>rd</sup> Ave in section 35. Bob gave information on the history of the segment of 233<sup>rd</sup> Ave, which he discovered. Of note was when former town engineer, Bill Moonen, realized the easements did not belong to the Town while working on the rebuild done in 2008. Bill spoke with the area Forester, at the time, who in turn spoke with the State real estate office. He was told the concern would be addressed at a later date, by the State real estate office. Mr. Hammar also found evidence the lands in section 35 and 36 were privately held in the early 1900's and had maps showing the road was in place, during that time. He had not been able to track down Road Orders for the same time frame.

Bryan Adams will research to see if he can locate the Road Orders.

John Korzeniowski took the floor. He educated the Board and audience how sections 16 and 36 in each Township, were given to each State, by the Federal government, when the State was founded. At the time, this was how the State was able to start public schools. Often the State sold sections of the Trust Land, to quickly gain funds. However, if the land went into foreclosure before it was paid off, the land reverted to State ownership. This is what happened to much of the land in section 36 – 1931.

All three guests felt the Board, Representative Newberger, Mr. Vande Linde – School Trust Administration and Mr. Korzeniowski should work together to resolve the easement issue.

Bob Hassett noted Rep. Newberger is looking for direction from the Board on whether they are interested in taking acquisition of the easements and road, should he become involved. Supervisor Silverberg reminded the Board the Town's counsel stated most towns are looking to reduce their road obligation, not increase it. Supervisor Adams stated, on a financial basis this may be so. But he felt with daily traffic counts averaging 266 (3 day average) and 234 (4 day average), the road is an integral part of the Town's transportation system.

Motion/Second for the Town continue maintaining 233<sup>rd</sup> Ave. NW through sections 35 & 36 providing the easements are obtained at no cost to the Township by: Adams/Hassett

Approved: Adams and Hassett

Opposed by: Gotzian and Silverberg

Abstaining: None

Motion Fails

Supervisor Silverberg stated his main concerns are the cost of brushing, cutting and trimming the easements to the appropriate distance from the road edge and the cost to maintain the road due to the way the road runs (curves and hills). Darryl Waletzko felt it would cost about the same amount to get the right of way cleared properly, as was spent in 2016 in trimming - \$28,000. This revelation eased Corrie's mind. Bob Hammar suggested the Town look into what it would take to participate in the "Adopt a Highway" program.

Motion/Second for the Board to request Representative Jim Newberger's assistance with Legislative action to obtain road and right of way easements, for segments of 233<sup>rd</sup> Ave. NW which run through State Land, in sections 35 and 36, at no cost or for \$1 and for the continuation of fully funding State Park Road

Account by: Hassett/Adams

Approved: Adams, Hassett and Silverberg

Opposed by: None

Abstaining: Gotzian

Motion Prevails

TREASURER’S BUSINESS

APPROVAL OF CONSENT AGENDA

Motion/Second to approve the Claims/Consent Agenda by: Silverberg/Hassett  
Approved: Adams, Gotzian, Hassett and Silverberg  
Opposed by: None  
Abstaining: None  
Motion Prevails

TREASURER’S REPORT

Treasurer Jones reported the fund Balances as of November 30, 2016:

General Fund: \$ 55,878.60	Road & Bridge: \$ 262,285.60
Fire: \$ 71,967.05	Capital Reserve: \$139,373.35
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	Mystic Ridge: <\$1414.50>

Motion/Second to accept the Treasurer’s Report date ending 11/30/2016 by:  
Adams/Silverberg  
Approved: Adams, Gotzian, Hassett and Silverberg  
Opposed by: None  
Abstaining: None  
Motion Prevails

ADJOURNMENT

Motion/Second to adjourn the December Monthly Meeting at 8:42PM, on Wednesday December 28, 2016  
by: Gotzian/Adams  
Approved: Adams, Gotzian, Hassett and Silverberg  
Opposed by: None  
Abstaining: None  
Motion Prevails adjourning the December Monthly Meeting, on Wednesday December 28, 2016 at  
8:42PM.

Respectfully Submitted,  
Brenda Kimberly-Maas  
Orrock Township Clerk

Accepted this 25<sup>th</sup> day of January 2017, by the Orrock Township Board of Supervisors.

\_\_\_\_\_  
Chairperson

Attest: \_\_\_\_\_  
Town Clerk