



Regular Meeting  
Wednesday November 30, 2022 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday November 30, 2022 at the Orrock Town Hall, 26401 180th St. NW, Big Lake, Minnesota.

In attendance were Chair Bryan Adams, Supervisors Paul Ellinger, Gregg Felber, Gary Goldsmith, Bob Hassett, Clerk Chris Weber and Janine Arnold. Also, in attendance were Sergeant Geoff Dowty, Town Engineer Kevin Kruger, Darryl Waletzko, four audience members and the Patriot News.

A quorum was present, the meeting was called to order by Chair Bryan Adams, at 7:00PM and the Pledge of Allegiance to the United States of America was recited.

#### **Meeting Agenda Approval**

Chair Adams added agenda item 5.1 Dispersed Camping in Sand Dunes State Forest.

Motion/Second to accept the meeting agenda with the addition of 5.1 by: Ellinger/Felber. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None.

Motion prevailed, and the meeting proceeded in accordance with the agenda as presented.

#### **Approval of Meeting Minutes**

Motion/Second to approve the October Regular Meeting Minutes by: Ellinger/Felber. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

Supervisor Felber requested that the minutes reflect any big discussions.

Motion/Second to approve the Board of Canvass Meeting Minutes by: Hassett/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

#### **Sheriff's Report**

Sergeant Geoff Dowty reported that there were 69 traffic stops in October 2022 and 90 in October 2021. Extra patrol was requested at 233<sup>rd</sup> and Hidden Ponds development. There was one warrant arrest, one property damage accident, a DWI from a traffic complaint and an incident that started in the North Sand Dunes. The incident in the North Sand Dunes off 253<sup>rd</sup> Avenue NW that started out as a domestic and ended up as a personal injury accident at the intersection of South CR4 and CR5. The offender has several felony charges in Sherburne County for the incident.

#### **Appointment of Interim Treasurer**

##### Treasurer Goldsmith Letter of Resignation - Acceptance

Clerk Weber presented a letter of resignation letter from Treasurer Goldsmith. The resignation is effective 11/30/2022. Goldsmith took the oath of office for Supervisor D and is no longer eligible to be treasurer.

Motion/Second to accept Treasurer Goldsmith's resignation with regret by: Ellinger/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

##### Appointment of Interim Treasurer

Clerk Weber asked the board to appoint an interim treasurer for the remainder of 2022.

Motion/Second to appoint Janine Arnold to the Interim Treasurer position by: Adams/Felber. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

A recess was called, and Clerk Weber delivered the Certificate of Appointment to Janine Arnold. Janine accepted the appointment and Clerk Weber issued the Oath of Office to Janine Arnold.

Supervisor Goldsmith recommended that the board authorize payment to Treasurer Arnold for her treasurer training hours.

Motion/Second to authorize the payment to Treasurer Arnold for her training hours by: Ellinger/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

#### Appointment of Gary Goldsmith to Finance Committee

Clerk Weber told the board that there is a vacancy on the finance committee. The appointments that were made at the January 2022 re-organizational meeting were the Clerk, Treasurer, Supervisor Arnold and Supervisor Ellinger. Supervisor Arnold is now the treasurer, creating a vacancy on the committee.

Motion/Second to appoint Gary Goldsmith to the finance committee until the next re-organizational meeting by: Ellinger/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

#### Sand Dunes State Forest Camping

Chair Adams asked Bob Hammer was asked to address the board Mr. Hammer stated that beginning last summer he noticed people parking and camping in the parking areas around the Sand Dunes. Just before Thanksgiving there were two vehicles and a trailer parked in the area. He had contacted the DNR office and they have told him that they have had issues in the area, but that they can do nothing to resolve the problem. The problem could be solved by having somebody further up in the forestry division close the Sand Dunes State Forest to dispersed remote camping. Paul Novotny told him that there have been squatters in the campground for years and the DNR has not done anything about it. Dispersed campers are allowed for 15 days in the summer and 21 days from September to May. The campers can move out for a short period of time and then move back in. The Sherburne County Sheriff does not have any jurisdiction in the state forest. Local DNR enforcement would be "on board" with closing the campground to dispersed remote camping as they would like to see the area cleaned up. Chair Adams will contact Representative Mekeland. Supervisor Hassett will call Matt Wappler from the Little Falls DNR office.

#### Open Forum

Jerry Peterson, 16411 253 ½ Avenue NW, was present to address snowplowing in the township. Two weeks ago, he contacted Chair Adams regarding getting the slush plowed off and that did not take place. This Tuesday, Tony from Ace could not get up the hills in Ann Lake and Eagle Lake. He suggested that a plow truck with wings go into those areas to better remove the snow and ice.

#### Regular Business

##### Leines Second Addition Simple Plat

The Paulette Britzius Revocable Trust is requesting approval of the Leines Second Addition Simple plat. They are proposing to create three (3) lots from a 30.32-acre parcel, located on the southeast side of Ann Lake. Lynn Caswell, representative for the Paulette Britzius Revocable Trust was present to answer any questions. He explained the layout of the plat and property. There are two issues that needs to be resolved on the plat – an administrative split and an existing driveway.

The board recommended approval of the preliminary and final plat request for Leines Second Addition provided all county requirements are met and the administrative split and existing driveway issues are resolved. Clerk Weber will send the comments to the county.

##### Big Lake Fire Department Contract

The Big Lake Fire Department contract will be under consideration for final approval by the Big Lake Fire Department Joint Powers board at their January meeting. The previous contract was based solely on Orrock Township's taxable market value. The new contract is based on a formula that calculates Orrock Township's percentage of calls for Regular Meeting – Wednesday November 30, 2022 – 7:00PM

service and net tax capacity. The township will then pay their percentage of the fire department operating budget and capitalized equipment and improvements depreciation. Under the older formula, Orrock Township's 2023 fire contract amount would have been \$115,137.00 and under the new formula the 2023 contract payment will be \$75,401.84. Supervisor Goldsmith recommends that the board approve the contract as is subject to the approval of a better-quality map for Appendix B.

Motion/Second to approve the Big Lake Fire Department Contract as presented, with no further changes and subject to the approval of the map for Appendix B by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed

#### General Election Recap

Clerk Weber told the board that there were 1,789 total ballots case in Orrock Township out of 2,654 registered voters – a 67% turnout. There were 245 absentee ballots case and 1,544 ballots cast at the precinct. 64 persons registered on election day.

Town Supervisor Seat A had 14 write-in votes and Bryan Adams received 1,167 votes. Town Supervisor Seat B had 10 write-in votes. Anne Felber received 857 votes and Bob Hassett received 609 votes. Town Supervisor Seat D had 12 write-in votes. Gary Goldsmith received 672 votes and Darwin Kostrzewski received 628 votes. Town Supervisor Seat E had 11 write-in votes and Paul Ellinger received 1,148 votes. Town Treasurer position had 7 write-in votes and Janine Arnold received 1,172 votes.

Between the hours of 4pm and 6pm the voters were in a line forming outside the building to register to vote and then exited the building to get into another line to re-enter the building to receive their ballot.

Clerk Weber told the board that the election judges did a great job and there were no major incidents. Weber thanked the election judges for their service.

#### Sherburne County Assessment Services Agreement

Clerk Weber presented an Assessment Services Agreement from the Sherburne County Assessor for board consideration. There is not an increase in the amount they charge per parcel for the next three years. The only change in the assessment total fee would be if there are changes in the parcel count in the township. For example, if there are properties that are split or platted, this would increase the total parcels but the amount per parcel that the township is currently charged will remain constant for the 3-year Assessment Agreement. The assessment fees are \$6.00 per parcel for all improved residential/agriculture properties, \$4.00 per parcel for all unimproved residential/agriculture properties and \$8.00 for all commercial/industrial/exempt/public utilities and personal properties.

Motion/Second to enter into the Assessment Services Agreement by: Felber/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed

#### Sherburne County Planning Commission Alternate

The board will need to recommend another individual to serve as alternate for the Planning Commission, as Gregg Felber won election to a seat as County Commissioner. This is to fulfill the three-year term ending in December 2024. The appointment can be made at the January Reorganizational Meeting.

#### Resolution 2022-15 Resolution Designating Polling Location (Required to be done annually by December 31<sup>st</sup>)

Clerk Weber presented Resolution 2022-15 Resolution Designating 2023 Polling Location. The resolution designates Orrock Town Hall as the 2023 polling location. This is required to be done annually by December 31.

Motion/Second to adopt Resolution No. 2022-15 Resolution Designating 2023 Polling Location by: Felber/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

#### WSB 2023 Rates

Clerk Weber presented the 2023 WSB Rates. WSB is increasing their 2023 rates by an average of 6.2%. Their 2022 rate increase was 4.1%.

## Roads

### 2022 Township Road Certification

Clerk Weber told the board that the 2022 Orrock Township Certified Road Mileage is 46.41 miles. The township mileage increased in 2022, due to the acceptance of the roads in Shores of Eagle Lake.

### Beaver Dam – 183<sup>rd</sup> Street NW

Supervisor Hassett told the board that the county had unplugged the culvert on November 3<sup>rd</sup> due to the concern of flooding onto County Road 5. The culvert has been unplugged a total of three times – two by Darryl and one by the county. There may be structural issues with the culvert. Aitkin County has beaver deterrent devices in their culverts. The culvert currently has good flow and the cable is in place and marked. The trapper has trapped four beaver so far. Supervisor Hassett has been researching options to resolve the beaver issue. Supervisor Felber asked if Supervisor Hassett has investigated whether shooting beavers is an option. Supervisor Hassett will discuss that option with the DNR.

### Resolution 2022-16 Resolution Temporarily Closing Certain Town Roads During Winter Months

Clerk Weber presented Resolution 2022-16 Resolution Temporarily Closing Certain Town Roads During Winter Months for consideration by the board. The resolution allows the board to temporarily close the portion of 180<sup>th</sup> Street NW (south of 262<sup>nd</sup> Avenue NW) that is posted as a minimum maintenance road. The resolution states that the portion of road shall be closed effective as of the date the Town Board orders barricades and proper signage to be placed on said roads and running until such time in the spring when the Town Board determines the roads are able or needed to accommodate traffic and orders the barricades and signs removed. The board will need to make a motion to order barricades and proper signage to be placed, should they choose to close the road.

Motion/Second to adopt Resolution 2022-16 Resolution Temporarily Closing Certain Town Roads During Winter Months by: Adams/Felber. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

Motion/Second to order barricades and a closed road sign be placed on 180<sup>th</sup> Street NW by: Adams/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

Motion/Second to allocate up to \$1,000 to purchase a type III barricade and road closed sign by: Ellinger/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

### Drainage Easement Agreement Shores of Eagle Lake (Brian Twingstrom and Brittany Jacobson)

Kevin Kruger presented a drainage easement agreement with Brian Twingstrom and Brittany Jacobson for board consideration. The owners purchased property in Shores of Eagle Lake that has storm water run-off running through their backyard. This agreement is creating an easement that was not reflected in the original plat. Supervisor Goldsmith confirmed that the township has the right to maintain the system with the maintenance obligation going to the Homeowner's Association first. If the Homeowner's Association does not fulfill their obligation, the township would complete any maintenance and bill the costs back to the Homeowner's Association.

Motion/Second to enter into a Drainage Easement Agreement with Brian Twingstrom and Brittany Jacobson by: Goldsmith/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

### Emeral Ash Borer Grant

Kevin Kruger told the board that there is a grant opportunity for Emerald Ash Borer if the township is interested in applying. The grant application opens November 28<sup>th</sup> and applications are due February 27<sup>th</sup>.

### Supervisor Updates / Committee Reports

Supervisor Adams told the board that there were snowplowing concerns expressed after the first snowfall. The snow plowing policy states that there is a 2" threshold and plowing is typically not started until the snowfall ends. It takes 6-8 hours to plow the roads. He asked the board what their snowplowing expectations are. Supervisor Felber stated that it would be a beneficial to plow and treat the roads when the roads start to get slushy. Darryl stated that he is seeing a lot of compactions from four-wheelers and people driving the roads, which is creating ice issues. Bryan asked if the

board should research purchasing an ice breaker. Darryl Waletzko suggested going to a 1" threshold for snow plowing. Supervisor Ellinger stated that the decision to dispatch equipment should be made by the road authority and the contractor and a set threshold should not be the deciding factor. Supervisor Goldsmith stated first snowfall is the most important and should be cleaned off and that his expectation would be that the road authority and the contractor make the decision on a case-by-case basis. The board recommended that the road authority and contractor use more discretion on dispatching equipment to plow or sand the roads and that they make the decision on a case-by-case basis. The road authority will research the costs of an ice breaker.

Supervisor Ellinger made a motion to abolish the current snowplow policy. Motion failed for lack of second. The current policy states that "Operations will **normally** begin when a total accumulation of two inches or more AND snow has stopped falling. Under certain circumstances, the Town Road Authority may dispatch equipment when these criteria are not met." This allows the road authority to dispatch equipment on a case-by-case basis.

Supervisor Ellinger - None

Supervisor Felber told the board that the Big Lake Fire Board reviewed the fire contract and that the Zimmerman Livonia Fire Department is reviewing their contract. Felber asked about the jersey barriers that are at the entrance of Shores of Eagle Lake off 183<sup>rd</sup> Ave NW and stated that it is his opinion that those barriers should be removed. Chair Adams asked the board if they want to approach JP Brooks regarding removing the barriers and opening the road. Supervisor Goldsmith's recommendation is that the road committee do further research on the opening of that road.

Supervisor Felber made a motion to open committee meetings and that minutes be taken at meetings. The motion lacked a second. Supervisor Goldsmith agrees that there should be more complete reporting back from committee meetings and feels that the topic merits further consideration.

Supervisor Goldsmith - None

Supervisor Hassett - None

### **Treasurer's Business**

#### Claims Approval – Routine, Individual and Payroll

Claims and payroll were electronically sent to the Board for review and were available for public review prior to and during the meeting.

#### Routine Claims

Treasurer Arnold presented the board with routine claims in the amount of \$46,266.31.

Motion/Second to approve routine claims in the amount of \$46,266.31 by: Ellinger/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

*These claims will be retained as a part of the Official Minutes, which are available in the Clerk's Office.*

#### Payroll Claims – November 2022

Treasurer Arnold presented to the board the November payroll claims in the amount of \$4,853.96, which included \$2,656.58 for election judge payroll claims.

Motion/Second to approve the November payroll claims in the amount of \$4,853.96 by: Adams/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

*These payroll claims will be retained as a part of the Official Minutes, which are available in the Clerk's Office.*

#### Cash Control Statement

Treasurer Arnold presented the Board with the Cash Control statement. Ending cash balance after reconciling the books with the bank statements: \$ 1,523,413.22. This amount included 4M fund balance. Supervisor Ellinger asked if the board should move money out of the CD into the 4M Fund. Supervisor Goldsmith stated that some money could be transferred into the 4M fund. Supervisor Ellinger feels that the board should authorize funds to be moved. Supervisor Goldsmith recommended that the board authorize a transfer from the checking account and the money market account.

Motion/Second to accept the October Cash Control Statement by: Felber/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

*Financial Reports are retained as part of the Official Minutes, which are available in the Clerk's Office.*

Motion/Second to transfer from \$700,000 to the 4M Fund by: Ellinger/Felber. Supervisor Goldsmith asked to have the motion re-worded to state transfer \$700,000 of which \$250,000 is from checking and the remainder from the money market fund into the 4M fund. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

#### Investment Update

The Sherburne State Bank Checking account is earning 1.41%, the Sherburne State Bank Debit Checking account is earning 1.14%, the money market account is earning 2.23%, the current CD is earning 0.60%, and the 4M fund is earning 2.80%.

#### Treasurer's Report

Town Funds balances as of October 31, 2022:

|               |              |                            |               |
|---------------|--------------|----------------------------|---------------|
| General Fund: | \$78,748.63  | Road & Bridge:             | \$ 725,363.61 |
| Fire:         | \$37,350.59  | Capital Reserve:           | \$ 212,291.68 |
| ARPA Fund:    | \$362,504.88 | Driveway Escrows:          | \$ 15,000.00  |
| SOEL Escrow:  | \$25,325.41  | Pine Crest Estates Escrow: | \$ 5,915.78   |

All remaining escrows are unchanged.

Motion/Second to accept the Treasurer's Report date ending 10/31/2022 by: Adams/Felber. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.  
*Financial Reports are retained as part of the Official Minutes, which are available in the Clerk's Office.*

#### Announcements

Clerk Weber Announced:

- December Board Meeting – Wednesday, December 28<sup>th</sup> @ 7PM – Orrock Town Hall
- Sherburne County SCAT Meeting – Wednesday, January 4<sup>th</sup> – Meal @6PM, Meeting @7PM – Sherburne History Center (Orrock Township to provide the meal.)
- Joint Community Meeting – Thursday, January 19<sup>th</sup>, 2023 @6PM – Big Lake City Council Chambers
- District 7 MAT Meeting and Election – January 31<sup>st</sup> @8PM – Corrina Townhall

#### Adjournment

Motion/Second to adjourn the regular meeting by: Hassett/Felber. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Passed, adjourning the Regular Monthly on Wednesday November 30, 2022 at 8:54PM.

Respectfully Submitted,  
Chris Weber  
Town of Orrock, Clerk

Accepted this 30<sup>th</sup> day of November 2022 by the Orrock Township Board of Supervisors.

\_\_\_\_\_  
Bryan Adams, Chair

Attest: \_\_\_\_\_

Chris Weber, Town Clerk