



Regular Meeting
Wednesday March 22, 2023 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday, March 22, 2023 at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota.

In attendance were Chair Bryan Adams, Supervisors Paul Ellinger, Anne Felber, Gary Goldsmith, Bob Hassett, Treasurer Janine Arnold, Clerk Chris Weber and Deputy Clerk Brenda Kimberly-Maas. Also, in attendance were Darryl Waletzko – Town Contractor, Town Engineer Kevin Kruger, Chief Deputy Sheriff Steve Doran, thirteen 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

Clerk Weber asked that item 6C be moved to item 4.

Motion/Second to accept the agenda as revised by: Ellinger/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None.

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

Approval of Meeting Minutes

Clerk Weber noted that on pages 4 and 5, the motions stating Supervisor Arnold need to be corrected to state the correct supervisors.

Motion/Second to approve the February Regular and Board of Audit Meeting Minutes as corrected by: Felber/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None.

Motion Prevailed.

Sheriff's Report

Chief Deputy Sheriff Steve Doran reported that there were 61 traffic stops in Orrock Township in February of 2023, compared to 77 traffic stops in February of 2022. There were 7 snowmobile complaints, 5 harassment and 4 suspicious activity calls. There are more narcotic stops county wide, which speaks to the amount of fentanyl in the county.

Chief Deputy Sheriff Steve Doran – 2022 Sheriff's Office Annual Report

Chief Deputy Sheriff Steve Doran presented the 2022 Sheriff's Office Annual report to the board. In 2022, there were 2,178 total calls for service/arrests in Orrock Township. There were 2 assaults, 1 burglary, 4 narcotics arrests, 16 DUI, 1 criminal sexual conduct, 4 thefts and 11 criminal damage to properties reported in 2022.

K-9 Deputy Bronco joined the Sheriff's Office in February 2022 and is assigned to Deputy Derek Sorensen. K-9 Bronco is trained in drug detection, searches and apprehensions.

The department assisted in training at youth ATV and firearms safety classes.

Deputy (now Sergeant) Austin Turner received a DWI Hat Trick Award from the Minnesota Department of Public Safety for arresting three impaired drivers in one shift.

Sherburne County Jail Programs in partnership with Amazing Grace Recovery Program received the Dave Grant Program of the Year Award from the Minnesota Jail Programs and Series Executive Board.

The department partnered with the Minnesota State Patrol, Wright County Sheriff's Office and Stearns County Sheriff's Office to provide increased traffic safety enforcement in the three-county area. This is the first ongoing traffic safety effort in the region.

Sergeant Nabil Gubash was selected by Special Olympics Minnesota to represent Minnesota at the USA Games in Orlando, Florida.

In September 2022, Wellpath became the new jail clinic provider.

There is a shortage of police officers statewide.

Open Forum

Nancy Hassett, 17145 245th Avenue NW, addressed the board regarding allegations that have been made against Bob Hassett in social media posts, a letter to the editor and an online petition. She stated that Supervisor Hassett's and Clerk Weber's reputations are being publicly tarnished, based on falsehoods and all harm Supervisor Hassett's and Clerk Weber's reputations in the community.

Stacy Schutta, 18507 243rd Avenue NW, requested the meeting videos be posted online for public viewing.

Regular Business

Presentation of DRAFT Annual Meeting Minutes

Clerk Weber presented the March 14, 2023 draft annual meeting minutes for board review.

Letter from Sherburne County Attorney Kathleen Heaney Regarding 2022 Elections

Clerk Weber presented the board with a letter from Sherburne County Attorney Kathleen Heaney regarding 2022 elections. The letter acknowledges that many local officials were placed in the difficult position of having to answer allegations of irregularities in election procedures or inaccuracies in vote counting. The accuracy testing following the 2022 elections shows those allegations to be unfounded. In 2022 a couple of Sherburne County townships put their clerks and election judges in uncomfortable positions by passing resolutions requiring them to hand count ballots on election night. This letter addresses the legalities of that issue. The process for handling ballots is strictly governed by Minnesota statutes and the rules.

Posting of Meeting Videos Online – Discuss

Clerk Weber recommended to the board that, if the board would choose to post meeting videos online, that the township subscribe to a Vimeo plan for \$9 per month. The subscription allows player embedding, password protection and engagement, and social analytics.

Chair Adams stated that residents can receive the information regarding meetings from the minutes, which are posted online. Supervisor Hassett stated that he had to clarify a question from a resident from a prior meeting and believed that a video might give clarity as to why a decision was made during a meeting.

Supervisor Ellinger noted that Orrock Township's minutes contain quite a bit of detail around the discussion of why a decision was made. He understands that families may not be able to attend meetings and wondered if they would watch a two-hour video to fully understand the proceedings verses reading the minutes.

Supervisor Felber stated that the board is making assumptions that people can read and do not have vision problems. Felber believes that some constituents would let the video run in the background to get a full understanding of the meetings.

Supervisor Hassett commented that the board needs to be prepared for the time that somebody takes the video out of context. Felber replied that a video would give a much clearer vision of what occurs at meetings.

Chair Adams shared Ellinger's concerns regarding the minutes and mis-using the technology and questioned the needs for posting the videos online.

Goldsmith agreed that Orrock Township's minutes are much more thorough than they need to be. On the other hand, when he thinks about the February meeting, at times there is a lot more going on than can be grasped in the minutes.

There was discussion as to when the video would be posted. Supervisor Ellinger would like to be able to take the time to see and experience the videos. Ellinger stated that he does not want to rush into something that he has not experienced and would like to see the actual videos and then bring this back to the board. Supervisor Felber stated that it seems as though the board is doing everything in its power to limit what the residents have access to. Supervisor Goldsmith disagreed with Felber's statement and stated that the board should be allowed to become better informed prior to deciding.

Motion/Second to approve the Vimeo plan to post regular board meeting videos that are available in 2023 and be posted within seven days of the meeting by: Goldsmith/Felber.

Motion/Second to table the motion by: Ellinger/Goldsmith. In favor: Adams, Ellinger, Goldsmith and Hassett. Opposed: Felber. Abstained: None

Alleged Email Violation –Discuss/Action

Supervisor Felber stated that, at the last month's meeting, the board received incorrect information from the township attorney. The email from the attorney was not given to the board until the night of the meeting. Felber stated that she would like to see attorney communications shared to the Teams site after receiving the communication. Supervisor Goldsmith stated that his concern is that attorney client communications are not shared prior to presenting to the board at a meeting, due to attorney/client privilege.

Motion/Second that the email requests and response from the attorney be posted on the Teams site by the end of the second business day after the clerk opens the email message by: Felber/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Supervisor Felber requested that the clerk restore the deleted emails to her account. Clerk Weber stated that she would need to enlist the assistance of an outside vendor to try to restore the emails and that there is no guarantee that they could be restored.

Chair Adams stated he had an email dated January 25th in which Supervisor Felber stated that it took her a long time to read the emails that were passed along in her account. Supervisor Felber stated two times at the February meeting that all items were deleted. Felber stated that she is clarifying that statement stating that there was one item left in the sent items folder. The items that were left in the inbox were from the clerk and the treasurer. Supervisor Felber stated that, at the end of the day, the emails should not have been deleted.

Chair Adams stated that he is not going to allow Supervisor Felber to make unfounded accusations against a supervisor and the clerk.

Supervisor Goldsmith stated that, in Orrock Township, official government transactions happen at the board meetings. The open law meeting does not allow discussions and decisions to be made outside of meetings. The open meeting law prohibits serial emails and group emails. Based on the way that Orrock Township operates it would be impossible for a township supervisor email to be part of an official Orrock Township transaction. He stated that this is an effort to degregrate the reputation of a supervisor and the clerk, based on raw generalizations. It is a manufactured grievance. Supervisor Felber replied that the official records act requires records be passed on to the successor. Felber stated that the emails provide meaning and context and then asked that the board members forward to her the emails that they had sent to or received from Supervisor Hassett.

Supervisor Ellinger stated that he had reviewed his email and did not see a lot of communication emails among supervisors. Chair Adams agreed that most of his email communications have been with the clerk.

The retention of emails will be addressed by the policy committee. No further action was taken.

Town Hall Project – Discuss

Chair Adams stated that, at the annual meeting, the electorate authorized the town hall building to be built on the existing site. Adam stated that a floor plan had been created and asked if the board wanted to work from that floor plan or start with another floor plan. A variance will need to be re-applied for. Supervisor Goldsmith believed that the plan should go to the committee with the understanding that this is the working plan. Supervisor Ellinger stated that this floor plan was presented at the annual meeting and was the plan that the budget was working off. Supervisor Hassett commented that he has received positive comments from people he that showed the plan to.

Supervisor Felber asked how the current architect was chosen. Chair Adams noted that the current architect was the most economical of the architects that quotes for services were received from. Supervisor Goldsmith commented that this architect put together the most meaningful proposal. Adams stated that if the township went to another architect, they would have to start over again with the design. Goldsmith believed that the building committee should have a discussion with the architect regarding the fees. Felber asked if the construction management fee would be a part of the contract. Construction management option can be a part of the contract, if the board so chooses.

Motion/Second to direct the building committee to continue with the floor plan and work toward retaining the architect by: Goldsmith/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Supervisor Goldsmith stated that anybody that shows up at the building committee meetings would be able to give their opinion and expertise. Any supervisor that attends these meetings as an ad hoc member would be paid for the meeting. The committee does not have the decision-making authority. All decisions are made by the full board.

Town Hall Building – Hail Damage Claim

Clerk Weber asked the board if they wanted to request payment for the actual cash value of the hail damage claim, less the deductible, in the amount of \$4,710.49.

Motion/Second to direct the clerk to request payment from MATIT for the actual cash value of the hail claim and that the money be deposited into the capital fund by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Roads

2023 Road Tour

The road tour will be scheduled at the April meeting agenda.

Snow Removal RFP

The current contract for snow removal with Darryl Waletzko, LLC ends on May 15, 2023 and should be put out for Request for Proposals. Supervisor Goldsmith stated that the proposal and contract need to be reviewed. Goldsmith suggested that the RFP and contract be referred to the road committee for review. Darryl Waletzko stated that this is the time of year that people are going out for bids. The road committee will meet on Tuesday, March 28th at 10am to review the RFP and snow removal contract for presentation to the board.

Township Road Signage

Kevin Kruger stated that the roundabouts that are in Shores of Eagle Lake are not considered roundabouts but are considered traffic circles. Traffic circles on low volume roads to not need signage. It is like any other intersection in that it is an optional signage intersection. The state's recommendation is to withhold signage on low volume roads. Kevin Kruger said that fewer signs make for a safer intersection. Felber stated that there are no speed limit signs in the Shores of Eagle Lake development. Chair Adams, Clerk Weber and Darryl Waletzko are meeting with the homeowners' association regarding snowplowing and will discuss the signage with the association.

Supervisor Hassett stated that he had information on roundabouts and Supervisor Goldsmith stated that he was opposed to putting any money into these roundabouts.

Clerk Weber told the board that Orrock Township is first on the schedule for the installation of an electronic speed sign to be placed in Hidden Ponds Development. Weber will let Deputy Schreder know when the sign is ready to be placed.

2023 Street Sign Replacements

Clerk Weber told the board that she will be working on the sign replacement database to determine which road signs are to be replaced in 2023. She hopes to have that information and a quote for signs available at the April meeting.

Supervisor Updates / Committee Reports

Supervisor Adams - None

Supervisor Ellinger - None

Supervisor Felber told the board that she attended the comprehensive land use meeting.

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 during the meeting.

Routine Claims

Treasurer Arnold presented the board with routine claims in the amount of \$64,683.69.

Motion/Second to approve routine claims in the amount of \$64,683.69 by: Adams/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: 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 – March 2023

Treasurer Arnold presented the Board with the payroll claims in the amount of \$2,151.28 for the month of March.

Motion/Second to approve the March payroll claims in the amount of \$2,151.28 by: Goldsmith/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: 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: \$ 1,794,891.26. This amount included 4M fund balance.

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

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

Investment Update

As of February, 2023, the Sherburne State Bank Checking was earning 1.41%, the Sherburne State Bank Debit Card Checking earned 1.41%, the money market account was earning 4.23%, the CD was earning 0.60%, and the 4M fund was earning 4.42%.

Treasurer Arnold presented interest rate options for investment accounts to rollover the CD into when it matures on April 21st. CD options at Sherburne State Bank range from 4.00% to 3.500%, the Sherburne State Bank money market interest rate, as of February 28th was 4.230%, the 4M General Fund interest rate is 4.646% seven-day average, CD options at US Bank range from 4.150% to 4.450% and CD options at Wells Fargo range from 3.750% to 4.000%.

Supervisor Ellinger is wondering if the township should diversify and move money into different types of accounts, such as putting \$250,000.00 into a CD at US bank and transferring \$180,000.00 into the 4M fund. Supervisor Goldsmith agreed with Ellinger and stated that he has confidence in Sherburne State Bank. Goldsmith reminded the board that the 4M fund is not FDIC insured. Supervisor Goldsmith recommended opening an account as US Bank.

Motion/Second to renew the CD for 13 months at Sherburne State Bank by: Goldsmith/Ellinger In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Motion/Second to direct the clerk and the treasurer to work with US Bank to get the paperwork needed to open a CD and a demand account at US Bank and present the paperwork to the finance committee by: Goldsmith/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Treasurer's Report

Town Funds balances as of February 28, 2023:

General Fund:	\$101,295.47	Road & Bridge:	\$ 878,207.18
Fire:	\$ 39,355.12	Capital Reserve:	\$ 212,291.68
ARPA Fund:	\$362,504.88	Driveway Escrows:	\$ 21,000.00
Pine Crest Estates Escrow	\$ 3,962.56	SOEL Escrow:	\$ 24,732.91

All remaining escrows are unchanged.

Motion/Second to accept the Treasurer's Report date ending 02/28/2023 by: Goldsmith/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

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

Report of Electronic Transfer

Treasurer Arnold presented confirmation that the transfer of \$100,000 from the Sherburne State Bank money market account to the checking account was completed on March 18th, per the Board's direction from the February meeting.

This report will be retained as part of the Official Minutes, which are available in the Clerk's Office and are attached to the minutes.

Report of February Sherburne State Bank Securities Pledge Validation

Treasurer Arnold presented the Report of February Sherburne State Bank Securities Pledge Validation to the board. The required pledge amount was \$1,355,122.20. The securities pledge amount was \$1,839,213.42 which was \$484,091.22 over the required pledge amount.

Supervisor Ellinger asked, considering recent incidents within the banking industry, what securities are pledged at Sherburne State Bank. Supervisor Goldsmith stated that he reviewed the pledged securities report. The only thing that he does not know is how does the township know is if the securities are pledged to the township and not to another entity. The board asked the treasurer to reach out to Sherburne State Bank for clarification on the pledge securities.

This report will be retained as part of the Official Minutes, which are available in the Clerk's Office and are attached to the minutes.

4M Fund Update

Treasurer Arnold presented a 4M Fund date memo to the board. The memo stated that there was a short term and limited under collateralization of 4M assets which occurred in 2022. The error was found and corrected.

This memo will be retained as part of the Official Minutes, which are available in the Clerk's Office and are attached to the minutes.

Other Business

Supervisor Compensation Schedule

Supervisor Goldsmith stated that he believed the supervisor compensation schedule should be reviewed.

Motion/Second to direct the finance committee to review existing policies regarding supervisor compensation for committee meetings and similar meetings so that there is consistency in the compensation schedule by: Goldsmith/Adams. In favor: Adams, Ellinger, Goldsmith and Hassett. Opposed: Felber. Abstained: None. Motion Prevailed.

Announcements

Clerk Weber Announced:

- April Board Meeting – Wednesday, April 26th @ 7PM
- SCAT Meeting – Wednesday, April 5th @ 7PM (Dinner @ 6PM), at the Sherburne History Center
- Local Board of Appeal and Equalization – Wednesday, April 12th @4PM, Town Hall
- MAT Spring Short Courses – In-Person Training – March 27th – St. Cloud
- Recycle Day – Saturday, May 20th - 8AM-1PM – Town of Big Lake Maintenance Building
- Couri and Ruppe Township Legal Seminar – Thursday, June 1st – 9AM to 4PM – Albertville City Hall (must pre-register)
- We are Water Exhibit – March 2nd – April 24th at the Sherburne History Center. Adjournment

Motion/Second to adjourn the regular meeting by: Hassett/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Passed, adjourning the Regular Monthly Meeting, on March 22, 2023 at 9:06PM.

Respectfully Submitted,
Chris Weber
Town of Orrock, Clerk

Accepted this 26th day of April 2023 by the Orrock Township Board of Supervisors.

Bryan Adams, Chair

Attest: _____
Chris Weber, Town Clerk