



Regular Meeting
Wednesday June 28, 2023 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday, June 28, 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 and Clerk Chris Weber. Also, in attendance were Kevin Kruger and Jacob Ringstad – Town Engineers, Sergeant Austin Turner, Ashley Meagher and Riann Harpster from Schlenner Wenner, six 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

Motion/Second to accept the agenda as presented by: Ellinger/Hassett. 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

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

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

Sheriff's Report

May Sheriff's Report

Sergeant Austin Turner reported that there were 58 traffic stops in Orrock Township in May of 2023, compared to 110 traffic stops in May of 2022. There were 30 security checks, 10 suspicious vehicles and 11 medical calls. There was a package theft on the northeast edge of Orrock Township and the case is wrapping up. There was a warrant arrest and drug charge in the Sand Dunes area.

Extended Speed Study Report – Hidden Ponds Development

Sergeant Turner reported that he is working with Roxanne Schreder on speed studies. The speed study on 189th Ave NW in the Hidden Ponds Development measured northbound activity. The highest time period for speeding was in the afternoon. The percentage of violators is a bit higher than normal for posted speed limits. That information will be passed on to patrol so that they can monitor that area.

There was a speed study completed on 229th Avenue, the Townline road shared with Big Lake Township. The sheriff's department would like to confirm that the speed limit signage that is on that road would be able to be enforced in court. Sergeant Turner will work with Town Engineer Kevin Kruger and the road committee to confirm that speed limit

postings would be able to be enforced in court. Kevin Kruger clarified that the new laws that are in place state that on a rural residential road, the lowest speed limit that can be placed is 35 MPH unless a speed study is completed. To meet the 35 miles per hour threshold, there needs to be a driveway at intervals averaging 300 feet or less for a distance of a quarter mile or more. If a DOT speed study were to be completed and if 90% of the average speed is 45 miles per hour, the road could be posted at 45 miles per hour speed limit. Conducting a speed study would give the township a good idea if it would be productive to conduct an official DOT study. Chair Adams recommended that the road committee meet with Sergeant Austin Turner to make a recommendation to the board regarding speed limit sign placement.

Open Forum

Jodi Kortbein, 15848 233rd Avenue, addressed the board regarding snowplowing concerns on their road. She is concerned for the safety of people and school buses.

Regular Business

Application for Second Driveway Access – Rick Merten

Rick Merten is requesting a second driveway access for his property at 16640 232nd Avenue NW, Big Lake. Chair Adams reviewed the site and recommended approval of a second driveway access if Mr. Merten completes a driveway application and pays the driveway application fee and escrow deposit. The driveway access would be installed on Mr. Merten's adjacent second lot.

Motion/Second to allow a second driveway access for Rick Merten for his property at 16640 232nd Avenue NW upon receipt of a driveway application and payment of escrow deposit and application fee by: Goldsmith/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Matt and Beth Baufield – Request for Variance in Road Setback and Rear Property Line Setback

Matt and Beth Baufield were present and were requesting two variances for the purpose of building a detached garage at PID 35-401-1220 located at 18810 234th Ave NW. The property is on Eagle Point on the West side of Eagle Lake.

They are requesting a 14' variance in setback to the centerline of 234th Avenue (required setback is 67') and a 13' variance in setback from the rear property line (required setback is 25').

The Baufields would like to remove an older structure in the proposed location to accommodate a larger 666 square foot garage with storage trusses above for household storage. The new location is needed to meet the required setback distances from the well and setback. They are moving the location of the new structure to stay away from the tree line.

Supervisor Goldsmith recommended approval of the variance requests. Supervisor Ellinger stated that he believes the new structure would be a nice addition for the neighborhood. Chair Adams reminded the Baufields to be prepared to answer the county board's questions when they appear in front of the board for approval of the variances.

The board recommended approval of the variance requests provided all county requirements are met. Clerk Weber will send the comments to the county.

2022 Audit Presentation – Ashley Meagher – Schlenner Wenner

Ashley Meagher from Schlenner Wenner presented the 2022 audit reports to the board. Ashley explained the auditing process and reported on the audit findings. The audit is a review of: accounting policies, unusual transactions, Minnesota legal compliance issues and alternative treatments. Meagher told the board that the audit went smoothly, they had a positive working relationship with management and nothing unusual was noted in terms of recorded transactions or accounting policies/treatments. Meagher stated that the audit of the 2022 fiscal year resulted in an unmodified and clean opinion.

Financial highlights were discussed showing trends and stability of the funds. The General Fund, Road and Bridge, Fire and Nonmajor funds were all detailed.

There is an upcoming accounting standard regarding long-term subscription-based information technology arrangements that currently would not affect the township.

Meagher told the board that the first year they conducted the audit, policy recommendations were made to the board. She noted that those policies were adopted and has that she has no further policy recommendations.

A full copy of the audit report is available at town hall.

Motion/Second to accept the 2022 audit as presented by: Ellinger/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Township Drainage Lot in Eagle Lake Shores

The lot in Eagle Lake Shores that the township purchased last year had typically been used in that neighborhood for leaf and brush dumping. There are surrounding lots that are also used for that purpose. The board would like to monitor the lot over the coming year.

Resolution Adopting Recordings Audio/Video Records Retention Schedule

At the Township Legal Seminar, it was recommended by the township attorney Mike Couri that townships adopt an audio/video retention schedule to be consistent with League of Minnesota Cities' retention of meeting recordings. Clerk Weber presented Resolution 2023-06 A Resolution Adopting a Recordings – Audio/Video Records Retention Schedule for board consideration. This schedule states that audio/video recordings be retained for three months after the minutes are approved for non-closed meetings, after which point, they can be destroyed.

Motion/Second to adopt Resolution 2023-06 A Resolution Adopting a Recordings – Audio/Video Records Retention Schedule by: Goldsmith/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Motion to Move Regular Town Board Meeting Location

Due to the town hall demolition and construction, the board must make a motion to move the regular town board meeting location during the building construction.

Motion/Second to move the regular town board meeting location to the Zimmerman Livonia Fire Hall located at 26140 136th St NW, Zimmerman, MN 55398 with the change being effective for the July-December 2023 regular meetings by Goldsmith/Ellinger. In favor: Adams, Ellinger, Goldsmith and Hassett. Opposed: Felber. Abstained: None.

Motion Prevailed.

Clerk Weber told the board that she has come up with a solution for streaming meetings via Webex while using the Zimmerman Livonia Fire Department meeting space.

Town Hall Building Project

Construction Liaison

Clerk Weber asked that the board appoint a construction liaison to handle any non-financial on-the-spot that may need to be made during the construction project.

Motion/Second to appoint Supervisor Adams as the construction liaison for the purpose of making minor decisions regarding the project that do not affect the finances or the overall usability of the project and limit the discretion to items that are fairly insignificant by: Goldsmith/Felber. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Project Funding

Supervisor Goldsmith told the board and audience that the financing for the town hall project is from ARPA funds in the amount of \$411,229.06, existing Capital Funds in the amount of \$212,291.68 and a one-time 2024 levy shift from the Road and Bridge Fund to the Capital Fund in the amount of \$200,000.00. The maximum project budget, as approved by the electorate (citizens) at the 2023 annual meeting is \$823,000.00. There are no tax increases due to the building project, as the electorate voted to shift, for one year, \$200,000.00 in levy funds from the Road and Bridge Fund to the Capital Fund, thereby not increasing the levy with respect to the town hall.

Demolition – Electrical Disconnect

Clerk Weber asked the board to authorize River Road Electric to disconnect the power from the meter on the shed to town hall. This cost will come out of the demolition budget. The asbestos test came back clean, therefore no asbestos abatement needs to be done.

Motion/Second to authorize River Road Electric to disconnect the power from the meter on the shed to the town hall building by: Adams/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Project Schedule

Clerk Weber told the board that the demolition of the town hall building is scheduled for July 5th. The building construction will begin shortly after the demolition of the building. Propane has been disconnected, Midco services are being moved on June 30th and the electrician will disconnect the power prior to demolition of the building. Volunteers will meet at the town hall on Thursday, June 29th at 9AM to move out the remaining items and disassemble chairs.

Supervisor Felber would like to see that all items to be accounted for in the town hall building project. The clerk's salary has gone up over the past two months and she would like costs that are associated with the town hall project to be applied to the town hall budget. Supervisor Goldsmith stated that he would like to defer this item to the next meeting as he would like additional time to review this financial issue that was raised at this meeting.

An updated project budget will be presented to the board at each regular board meeting.

A pre-construction meeting will be scheduled with RAM General Contracting and Lon Negen.

Roads

Drainage Issues in 189th

This item was deferred to the July meeting.

Relocation of Mailboxes from CSAH 4 to 180th Street

When the board moved forward with paving 180th Street NW, the board had indicated that they would move the mailboxes from CSAH 4 to 180th Street NW for those residents that reside on 180th Street NW. The post office is now ready to have those mailboxes moved as they will be routing their mail delivery down 180th Street NW and into the Pine Crest Estates West development.

Motion/Second to have Darryl Waletzko relocate four mailboxes from CSAH 4 to 180th Street subject to notifying the homeowners by: Goldsmith/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Shores of Eagle Lake Road Sign Request

A resident in Shores of Eagle Lake had reached out to the township and requested that a stop sign be placed on 185th St. NW and a no outlet sign be placed on the corner of 185th Street and 239th Avenue. Kevin Kruger had told the resident that the traffic levels in the development do not warrant installing a stop sign and that the township attempts to avoid installing no outlet signs, unless a situation arises that warrants the installation of such sign. Kruger stated that not having a stop sign makes the intersection safer. Kruger told the board that when Brainerd went from an uncontrolled intersection to a controlled intersection accident rates increased. Supervisor Felber stated that this is the second time that this request has been brought to the board.

Kevin Kruger introduced Jacob Ringstad to the board. Jacob just started working with Kevin at WSB.

Supervisor Updates / Committee Reports

Supervisor Adams told the board that the potholes had been patched. There were a few potholes added to the original list.

Supervisor Ellinger asked if the shoulder mowing has been completed and stated that there are branches that need to be trimmed on 234th Avenue. The ditch mowing has not yet been completed.

Supervisor Felber - None

Supervisor Goldsmith - None

Supervisor Hassett told the board that he had reviewed the road patches.

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 \$103,715.30.

Motion/Second to approve routine claims in the amount of \$103,715.30 by: Ellinger/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.

Supplemental Claims

Treasurer Arnold presented the board with supplemental claims in the amount of \$65.82. This claim was from Supervisor Adams for reimbursement of the purchase of marking paint for marking potholes.

Motion/Second to approve the supplemental claim in the amount of \$65.82 by: Goldsmith/Felber. In favor: Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: Adams. Motion Prevailed.

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

Payroll Claims – June 2023

Treasurer Arnold presented the Board with the payroll claims in the amount of \$3,302.41 for the month of June.

Motion/Second to approve the June payroll claims in the amount of \$3,302.41 by: Goldsmith/Ellinger. 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: \$ 1,334,110.40. This amount included 4M fund balance.

Motion/Second to accept the May Cash Control Statement by: Goldsmith/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 May 31, 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 4.88%, the CD was earning 3.938%, and the 4M fund was earning 5.008%.

Treasurer's Report

Town Funds balances as of May 31, 2023:

General Fund:	\$ 85,455.36	Road & Bridge:	\$ 323,309.89
Fire:	\$ 39,355.12	Capital Reserve:	\$ 417,002.17
ARPA Fund:	\$ 349,046.48	Driveway Escrows:	\$ 33,000.00
Pine Crest Estates Escrow	\$ 3,962.56	SOEL Escrow:	\$ 24,684.91

All remaining escrows are unchanged.

Motion/Second to accept the Treasurer's Report date ending 05/31/2023 by: Ellinger/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 May Sherburne State Bank Securities Pledge Validation

Treasurer Arnold presented the Report of May Sherburne State Bank Securities Pledge Validation to the board. The required pledge amount was \$827,874.28. The securities pledge amount was \$1,781,460.64 which was \$953,586.36 over the required pledge amount.

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.

Transfer of Funds

Treasurer Arnold requested that the board authorize the transfer of \$300,000 from the checking account to the money market account. The first half property tax settlement have been received from the county.

Motion/Second to direct the treasurer to transfer \$300,000 from the checking account to the money market account by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Announcements

Clerk Weber Announced:

- July Board Meeting – Wednesday, July 26th @ 7PM at Zimmerman Livonia Fire Department
- Final Move-Out of Town Hall Items – Thursday, June 29th at 9am
- Building Demolition – Wednesday, July 5th

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 June 28, 2023 at 8:34PM.

Respectfully Submitted,
Chris Weber
Town of Orrock, Clerk

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

Bryan Adams, Chair

Attest: _____
Chris Weber, Town Clerk