



Regular Meeting
Wednesday July 26, 2023 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday, June 28, 2023 at the Zimmerman Livonia Fire Department, 26140 136th St NW, Zimmerman, MN 55398.

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 - Town Engineer, Sergeant Austin Turner, three 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: Hassett/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

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

Sheriff's Report

June Sheriff's Report

Sergeant Austin Turner reported that there were 49 traffic stops in Orrock Township in June of 2023, compared to 96 traffic stops in June of 2022. There were 47 security checks and 11 medical calls. There were a few suspicious activities and assists in the Ann Lake Campground area. There was a fatal motorcycle accident at CSAH 5 and 253rd Ave. NW.

Open Forum

Gregg Felber - 25409 189th Street NW - stated that every expense that is related to the building be accounted for in the budget. Felber did not see a public meeting posted for the when the supervisors met for removal of items from the town hall building and stated that he believes that should have been posted.

Regular Business

Township Speed Limit Signs

Chair Adams told the board that the road committee had a meeting on Monday morning to discuss the speed limit signs. The road committee determined that a map should be made to determine which what speed limits signs should be placed and to determine next actions. Supervisor Felber had a discussion with one of the legislators that wrote the legislation and the intent was to lower the speed limits in townships, not to raise them. That legislator is getting a legal opinion and Supervisor Felber will forward that information to the clerk when it is received. Sergeant Austin Turner will gather some information on the speed limits for the next meeting. Kevin Kruger estimated that the cost to complete the

speed limit sign research and map is \$1,500.00 and would be under the general engineering budget. The finished product would be a colored map with the roads that qualify for 25MPH, 35MPH and those that would have to be 55MPH. There are some stretches of roads that will need discussion and where ambiguity might be used in making the decision on how to sign the road. This would be done by averaging the distance of a road and the driveway distance. Reduced speed ahead signs could be used in an area where the speed limit drops from 55MPH to 35MPH, but they typically are not very effective. Sergeant Turner stated that they would rely on the road engineers and the road authority for guidance on enforceable speed limits. Supervisor Goldsmith wants to ensure that the speed limits signs that are in place are enforceable. Kevin stated that two maps could be created – one with absolute status and one with roads that are open to the road authority's interpretation. Supervisor Ellinger would like to have a better understanding of what needs to be done. Sergeant Turner stated that some enforcement of current signs would not hold up in court. If the township keeps holding off on the decision, the deputies would be left to their "own devices". Some townships are making the change and others are not making the change. Supervisor Ellinger would prefer that the speed limit signs remain at 30MPH versus going to 55MPH. Chair Adams, as the road authority, stated that by not legally signing the roads, the road authority is neglecting to do his job.

Motion/Second to approve the development of a report indicating what speed limits the roads should be at a maximum cost of \$2,000.00 subject to a proposal from Kevin Kruger by: Goldsmith/Adams. Motion withdrawn

Motion/Second to approve the development of a report indicating what speed limits the roads should be at a maximum cost of \$2,000 with two versions of the map, one with absolute statue and one with roads that are open to interpretation by: Goldsmith/Adams. Motion withdrawn.

This topic will be placed on the August meeting agenda for further consideration.

Liquor License Renewals

Clerk Weber presented an application for Liquor License Renewal from M & A Liquor Sales, LLC DBA Sand Dunes Spirits for board consideration.

Motion/Second to approve the Sand Dunes Spirits Liquor License Renewal by: Ellinger/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Clerk Weber Clerk asked that the board approve the liquor license renewal for Getaway Bar, LLC. The application form has not yet been completed, as the established has just received the liquor license for the remainder of this fiscal year.

Motion/Second to approve the Getaway Bar, LLC Liquor License renewal by: Hassett/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Variances Request – William Devries – 18707 232nd Ave NW

Willima Devries was present at the meeting to request approval of two variances for the purpose of installing a septic holding tank at PID 35-401-1520 located at 18707 232nd Avenue NW.

Devries is requesting a 10-foot variance in setback from the road right-of-way of 232nd Avenue NW to install a holding tank zero feet from the right right-of-way (required setback is 10 feet) and a 10-foot variance in setback from the west property line (required setback is 10 feet). The existing system is a pipe with holes in it and drains toward the lake. There are a series of two- or three-foot retaining walls on the property. The tank will be insulated with rigid styrofoam and there is a riser on the lid. Currently, the cabin would be primarily used in the summertime but the property could become a year-round residence if a relative moves into the property. There will be an alarm on the new system. The tank is close to the road and could possibly be buried by a snow drift in the winter. The application states that there are three bedrooms, but Mr. Devries stated that there are two bedrooms in the cabin.

Because the holding tank will infringe on the town road right-of-way, an encroachment agreement will need to be executed.

Motion/Second to recommend approval of the variance requests provided all county requirements are met and upon the execution of an encroachment agreement by: Adams/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Clerk Weber will send the comments to the county.

Town Hall Building Project

Pre-Construction Meeting Recap

Chair Adams told the board that Supervisor Goldsmith, Clerk Weber and he met with RAM General Contracting and Negen Associates on July 12th to review the schedule and prepare for the building project. They reviewed the septic, well and electrical locations and flooring samples were presented.

Flooring Selection

Carpet, kitchen flooring and bathroom tile color samples were shown to the board.

Motion/Second to approve the Aged Beige tile for the bathroom, the Athena Gris tile for the kitchen and the Intellect Scholarly carpet tile for the meeting and office areas by: Ellinger/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Treasurer Arnold, Clerk Weber and Supervisor Felber will select the vinyl trim color.

Paint Selection

Paint colors selections were presented to the board.

Motion/Second to approve Natural Linen SW9109 paint color by: Goldsmith/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Siding and Roofing Selection

Siding and roofing selections were presented to the board.

Motion/Second to approve the Shakeswood shingle and the Terra Brown siding by: Goldsmith/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Security and Access System / Camera System / Data Cabling

Clerk Weber recommended that the board approve the quotes from Johnson Digital Solutions for data cabling, security, access system, camera system and an audio-visual rack. Johnson Digital Solutions pricing was similar to the pricing that was received from WH Security. The monitoring for either installation would be done through WH Security. Johnson Digital Solutions is out of Zimmerman and Chris Johnson, the owner, would be readily available at the building site as needed. Johnson Digital Controls' estimate for the alarm system is \$1,579.00, the camera system is \$1,527.00 and the card access system is \$1,218.00. The total cost for the alarm, camera and access system from Johnson Digital Controls is \$4,324.00 and the total cost from WH Security is \$5,829.00. There will be three motion detectors and two door contact sensors for the alarm system. The camera system will have an outdoor camera and an entry camera. The entry camera will have a built-in speaker and microphone. The card access system will use an app to remotely unlock the front door. WH Security has not responded to requests for updates to their proposal.

Motion/Second to approve the estimate from Johnson Digital Solutions for the data cabling, audio visual system reinstallation, the security and card access systems and the audio-visual rack and the budgets for those items by: Goldsmith/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Connexus Energy – Convert from Overhead Electric to Underground

Chair Adams asked the board if they wanted to convert the electric from overhead to underground. The meter location would be determined by Connexus Energy. Adams stated that the estimated cost for conversion by Connexus Energy would be approximately \$2,500.00.

Motion/Second to approve the conversion of the electric from overhead to underground by Connexus Energy at a maximum cost of \$3,000.00 by: Goldsmith/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Project Schedule

Clerk Weber presented the building project schedule to the board. The estimated completion date of the project is the end of December. A meeting was held onsite on Wednesday, July 26th to review the schedule and logistics. None of the trades have any issues with the schedule and it is anticipated that the project should finish on schedule. Excavation of the building site is in progress.

Project Budget

An updated project budget was presented to the board. The updated budget reflects the actual costs for demolition and compaction testing as those items have been completed. The current estimated budget for the project is \$741,197.58. In the future, the presented budget will include the original estimated costs that were presented to the electorate as well as a date of the budget.

Supervisor Felber stated that all items that are attributed to this building need to be budgeted to the building as well as the costs for the clerk's time and any meetings that were held to discuss the project. She stated that those costs should be transparent to the electorate. Supervisor Goldsmith stated that the duties of the clerk and treasurer vary over the course of months and days and to suggest that the wages should be separated out go to the town hall budget is not practical as the wages spent on roads are not allocated to the road budget. Supervisor Ellinger stated that transparency implies that you are trying to hide something, which the board is not. Ellinger stated that separating out wages to funds should then apply to other items that the clerk works on. He believes that it would take too much time to separate the time and that it would be micro-managing the project. Clerk Weber stated that sometimes time put to the project is simply a quick email that is sent out and that she does not spend 30% of her time on the project.

Motion to clarify the amount over and above regular clerk work hours that are attributed to the building and apply those to the building budget by: Felber. Motion failed for lack of second.

Roads

Drainage Issues in 189th

Darryl Waletzko's estimate to correct the drainage issues on 189th is \$7,800.00. A ditch will be created to divert the water run-off from the roadway and asphalt millings will be placed on the road. Supervisor Ellinger asked if the township should have written approval from the landowner if the drainage goes into their property. Kevin Kruger stated that it would be easier to get a drainage easement now rather than in the future as the drainage easement is tied to the property. Clerk Weber will get a letter from the property owner agreeing to allow the drainage onto their property.

Motion/Second to have Darryl Waletzko complete the road repairs on 189th to correct the drainage issues at a maximum cost of \$7,800.00, subject to the clerk receiving a letter from the owners approving the use of their property for drainage by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Road Damage – 165th and 257th (North Side of Ann Lake)

Chair Adams presented pictures showing road damage caused by ATVs at 165th and 257th, on the north side of Ann Lake and recommended that the board authorize Darryl Waletzko to place asphalt millings at the location. Adams asked if the board wanted to place posts at the road to stop the traffic. Kevin Kruger stated that some townships pave down into the ditch in trouble areas.

Motion/Second to have Darryl Waletzko put down asphalt millings at the locations by: Felber/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Dock Items in Right-of-Way – 23658 183rd Street NW

On Tuesday, July 28th, Darryl Waletzko, his crew, Chair Adams and Clerk Weber spent an hour and a half onsite at 23658 183rd Street NW. There was a boat dock, lift and many other items that were dumped in the right-of-way at the end of the cul-de-sac. (This is the cul-de-sac leading into SOEL). A Sherburne County Deputy met them onsite to try to locate the owner and determine next steps. The owner was contacted and the items were removed from the right-of-way that afternoon. Supervisor Hassett is concerned that this issue will continue to arise and is recommending that a concrete barrier be placed to prevent the party from driving into the right-of-way and onto DNR land. Supervisor Goldsmith stated that this current situation is resolved. If the situation occurs again, the board will deal with it at that time.

Tree Trimming RFQ

Chair Adams presented a map showing all the areas that should have trees trimmed. Adam estimated that it could cost up to \$70,000.00 to complete all the tree trimming in the areas that are indicated on the map. The 2023 tree trimming budget is \$35,000.00, therefore Adams recommended that the trees around Eagle Lake be trimmed in 2023 and that the other areas be trimmed in 2024. Supervisor Ellinger noted that the road project came in under budget and that suggested that the RFQ request two quotes – one for the Eagle Lake area and a second quote for trimming all of the other areas shown on the map. There was discussion as to whether the tree trimming budget should be increased. Supervisor Adams’ opinion is that a \$35,000 budget for tree trimming is a solid budget amount. Adams will have the tree trimming RFQ for board review at the August meeting

Supervisor Updates / Committee Reports

Supervisor Adams - None

Supervisor Ellinger - None

Supervisor Felber was at a conference recently and she spoke with the Airbnb group. They have policies for Airbnbs should the township want to use those in the future. Chair Adams replied that the county will be working on incorporating policies for short-term rentals when they update the county ordinances.

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 \$46,087.52.

Motion/Second to approve routine claims in the amount of \$46,087.52 by: Goldsmith/Ellinger. 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 a supplemental claim in the amount of \$3,419.19. This claim was from Newman Signs for street signs.

Motion/Second to approve the supplemental claim in the amount of \$3,419.19 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.

Report of June Disbursements Not Paid Through the Claims Process

Treasurer Arnold presented a memo and documentation regarding one debit card transaction that occurred in June for the electronic filing of the Town’s federal tax return. This disbursement occurred after the approval of June routine claims and did not go through routine claims. The total amount of this disbursement was \$10.50. No motion is needed as the township adopted a credit policy authorizing automatic approval of these claims.

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

Payroll Claims – July 2023

Treasurer Arnold presented the Board with the payroll claims in the amount of \$2,500.96 for the month of July.

Motion/Second to approve the July payroll claims in the amount of \$2,500.96 by: Ellinger/Goldsmith. 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: \$ 1,717,069.36. This amount included 4M fund balance.

Motion/Second to accept the June Cash Control Statement by: Hassett/Goldsmith. 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 June 30, 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 5.02%, the CD was earning 3.938%, and the 4M fund was earning 5.027%.

Treasurer’s Report

Town Funds balances as of June 30, 2023:

| | | | |
|---------------------------|---------------|-------------------|---------------|
| General Fund: | \$ 127,490.46 | Road & Bridge: | \$ 574,934.86 |
| Fire: | \$ 60,764.19 | Capital Reserve: | \$ 417,002.17 |
| ARPA Fund: | \$ 341,671.48 | Driveway Escrows: | \$ 24,000.00 |
| Pine Crest Estates Escrow | \$ 3,550.56 | SOEL Escrow: | \$ 24,684.91 |

All remaining escrows are unchanged.

Motion/Second to accept the Treasurer’s Report date ending 06/30/2023 by: Adams/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 June Sherburne State Bank Securities Pledge Validation

Treasurer Arnold presented the Report of June Sherburne State Bank Securities Pledge Validation to the board. The required pledge amount was \$1,248,421.69. The securities pledge amount was \$1,784,866.02 which was \$536,444.33 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 \$150,000 from the checking account to the money market account.

Motion/Second to direct the treasurer to transfer \$150,000 from the checking account to the money market account by: Ellinger/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Announcements

Clerk Weber Announced:

- August Board Meeting – Wednesday, August 23rd @ 7PM at Zimmerman Livonia Fire Department
- MAT District Meeting – Thursday, August 10th @ 7PM, Anoka Ramsey Community College, 300 Spirit River Drive S., Cambridge

Motion/Second to adjourn the regular meeting by: Hassett/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Passed, adjourning the Regular Monthly Meeting, on July 26, 2023 at 9:12PM.

Respectfully Submitted,
Chris Weber
Town of Orrock, Clerk

Accepted this 23rd day of August 2023 by the Orrock Township Board of Supervisors.

Bryan Adams, Chair

Attest: _____
Chris Weber, Town Clerk