



Regular Meeting
Wednesday October 25, 2023 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday, October 25, 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 in person were Kevin Kruger - Town Engineer, Marc Schneider, Jerome Doede and Dan Weber from Sherburne County, Sergeant Austin Turner, five 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

Supervisor Ellinger asked to move the Township Update from Sherburne County Planning and Zoning to item 6A and Township Speed Limits to item 6B.

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

Sheriff's Report

September Sheriff's Report

Sergeant Austin Turner reported that there were 51 traffic stops in Orrock Township in September of 2023, compared to 67 traffic stops in September of 2022. There were 18 security checks and 6 medical calls. There was one stop-arm violation.

There has been drug activity in the Ann Lake area that they have been monitoring.

Open Forum

Jon Olson, 25383 162nd Street NW spoke in opposition to a 35MPH speed limit posting on their road.

Matt Grobel, 23976 181st Street NW spoke in opposition to a 35MPH speed limit posting on their road.

Steve Doran, 25391 162nd Street W spoke in opposition to a 35MPH speed limit posting on their road.

Regular Business

Sherburne County Planning and Zoning Presentation – Marc Schneider, Dan Weber and Jerome Doede

Marc Schneider, Dan Weber and Jerome Doede presented a summary of the work that Planning and Zoning has been doing in the township, gave more context to the intent the feasibility studies for household hazardous waste (HHW)

facility and the need for a source separated organics (SSO) program and they asked for concerns or issues that the township may have and how the county may be able to assist.

In 2023, there were 21 new home permits and 386 other building permits issues in Orrock Township. There were 9 solid waste violations. There were 43 SSTS Program permits and 17 violations. There were 4 shoreland permits issued and there were 2 environmental violations. There were 10 variance applications in Orrock Township.

The 2040 Comprehensive Land Use plan was started in the summer of 2022 and is expected to be adopted by the county board in November 2023. The next step will be re-writing the zoning and subdivision plans.

A new interactive online permit program will be launched in January. This program will allow the public to submit applications and supporting info for: building, septic, CUP/IUP, plats, and many more applications for their office online. Requests for data and septic records will be able to be completed online. Online payment will be accepted for permit fees via check or credit card. The county will still offer full service over the counter for anyone who doesn't wish to submit online.

A new initiative being enacted by Planning and Zoning is reporting to townships on violations reports twice a year.

The Sherburne County Economic Development Strategic Plan was just approved. This is a five-year outline that will enhance the economic well-being of the community through efforts that entail job creation, business retention, property tax base enhancements, and quality of life improvement initiatives.

The Sherburne County Economic Development Strategic plan was just approved. The main areas of focus are Business Retention & Expansion, Housing and Broadband. The biggest issues for businesses are workforce and childcare.

Solid Waste projects that are in the works are a Household Hazardous Waste (HHW) feasibility study, a Source Separated Organic (SSO) material feasibility study, a mattress recycling event and a GreenCorps member.

The purpose of the HHW feasibility study is to find a centralized location to take HHW in Sherburne County.

The SSO Feasibility Study is to determine the need for SSO programs throughout the county to further reduce the dependence on landfills.

The county has a GreenCorps member who does education and outreach projects.

The Septic Compliance Program tracks failing septic systems and provides financial assistance to upgrade failing septic systems. There were a low-interest loan program and two septic grant opportunities available this year.

This presentation is available for review at the Clerk's Office.

Township Speed Limit Signs

Chair Adams explained that the Minnesota Department of Transportation largely controls the setting of speed limits within the township. In 2008, MnDOT conducted a speed study that drove the 2009 speed limit legislation. State Statute requires the speed limit signs must be erected before the speed limit goes into effect. Previously, the limit applied in these districts without the need to post signs. Towns that, prior to August 1, 2009, posted a 30MPH sign on what was previously considered a rural residential district road, the limit remains in effect despite the change in the law, at least until the speed sign is replaced. Minn. Stat. § 169.14, subd. 5f. By signing the roads according to state statute, it would give law enforcement the authority to enforce the speed limits. If the township does nothing, all speed limits would revert to 55MPH. Legislation needs to be changed in order to legally post speed limits within the township at 30MPH.

The Sherburne County Sheriff's department sent a letter to all townships within Sherburne County encouraging the townships to work with their Township Engineer regarding the evaluation of township speed signage and becoming compliant with the State of Minnesota's retro-reflectivity standards.

Supervisor Felber received a letter from Representative Mekeland stating that he is working on drafting a bill to correct the speed limit concerns within Orrock Township and advised the township to wait for possible change in the current speed limits in rural residential areas.

Supervisor Felber told the board that she had contacted Representative Mekeland and talked to Senator Matthews. Graham Berg-Moberg, the MAT attorney, stated that they would assist with this issue. She has also been in contact with Rose Thelen, Clearwater Township Chair, and Tammy Carlson, District 7 MAT Representative. Felber stated that they have received positive feedback on the possibility of changing legislation. Felber believes that there is a good possibility of getting the speed limits moved back to 30MPH and hopes that the board would take a pause on this decision

until June 2024. If the legislation does not pass, she stated that she would have no other option other than to approve the speed limit recommendations.

Supervisor Goldsmith stated that he worked for a state agency and his role was with the legislature to get legislation passed. He believes that there would be a good chance of getting this legislation passed.

Adopting a Residential Roadway Speed Zone (25MPH) in the Ann Lake and Eagle Lake areas was recommended by Supervisor Goldsmith.

Supervisor Ellinger has concerns about what legislation may arise and is in favor of posting the 25MPH speed limits as recommended. Ellinger does not want the townships to have full control over determining / posting of speed limits and would like to see what language is developed in the legislation. He would be in favor of legislation moving the speed limits back to 30MPH.

Motion/Second to adopt Resolution 2023-08 A Resolution Designating a Residential Roadway (25MPH) Speed Zone as shown in the speed limit map by: Adams/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Chair Adams recommended adopting resolution 2023-09 A Resolution to Erect Regulatory Speed Signs in Rural Residential Districts (35MPH) per the recommendation of the road authority, road engineer and the MAT attorney. Adams stated that the township is not setting a good example by cherry-picking what laws the township will follow and that he is concerned about any liability that the township may incur if they choose not to follow the regulations for reflectivity and speed limit. He also stated that the township would effectively be reducing the enforceable speed limit from 55MPH to 35MPH by passing this resolution.

Motion/Second to adopt Resolution 2023-09 A Resolution to Erect Regulatory Speed Signs in Rural Residential Districts (35MPH) by: Adams/Hassett. In favor: Adams/Hassett. Opposed: Ellinger, Felber and Goldsmith. Motion failed.

Motion/Second to fund the 25MPH signs at a maximum cost of \$2,000.00 by: Adams/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Pine Crest Estates West One-Year Agreement to Snowplow Roads

Clerk Weber presented a One-Year Agreement to Snowplow Roads in the Pine Crest Estates West development for board consideration. The roads in the development have not yet been accepted by the township. Kevin Kruger stated that they are waiting for the grass to grow in the right-of-way so that the township can accept the roads.

Motion/Second to enter into the Pine Crest Estates West One-Year Agreement to Snowplow Roads by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Letter from Sheriff Joel Brott Regarding Enforcement of Non-Public Safety Violations

The Sherburne County sheriff's office has historically investigated and, periodically, issued citations for non-public safety related violations such as animals (dog as large, barking dog, kennel violations, etc). and most zoning issues. The department will continue to do so provided they receive from the township that legal representation for the township would participate in the prosecution of non-public safety related violations.

The board directed the clerk to inform the Sheriff's department that the legal representation for the township would participate in the prosecution of non-public safety related violations.

2023 Elections Funding Allocation from OSS via Sherburne County

Clerk Weber presented information from Sherburne County regarding election funding allocation that is available for voting operations and election technology. The allocation that is available to Orrock Township is \$210.72. This year's allocation must be used by June 30, 2024. There is an option for the township to leave the funds with the county to apply toward election expenses. Weber presented an agreement with Sherburne County, for consideration by the board, that would leave those funds at the county and authorize the county to expend the allocated amount for authorized purposes on behalf of the township.

Motion/Second to enter in the agreement with Sherburne County to receive no direct allocation of election funding and allow those funds to be retained by the county for qualifying expenditures by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Call for Joint Community Meeting

Clerk Weber requested that the board call for the Joint Community Meeting on Thursday, January 18, 2024 at 6PM at the City of Big Lake Council Chambers.

Motion/Second calling for the Joint Community Meeting on Thursday, January 18, 2024 to be held at the City of Big Lake Council Chambers at 6:00 PM by: Felber/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

2024 Preliminary Net Tax Capacity and Market Value Rates from Sherburne County

Clerk Weber presented the 2024 proposed net tax capacity for Orrock Township. The 2024 proposed net tax capacity is \$6,349,185 which is an 8.4% increase over the 2023 net tax capacity of \$5,856,022.

Resolution 2023-07 Resolution Designating 2024 Polling Location (Required to be done annually by December 31st)

Clerk Weber presented Resolution 2023-07 Resolution Designating 2024 Polling Location. The resolution designates Orrock Town Hall as the 2024 polling location. This is required to be done annually by December 31.

Motion/Second to adopt Resolution No. 2023-07 Resolution Designating 2024 Polling Location by: Ellinger/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

Town Hall Building Project

Construction Update

Stone has been completed on the building. The stone on the pillars should be completed next week. Ductwork started on October 25th. The RTU should be delivered this week with HVAC being completed soon. Siding began this week and its completion is dependent upon the weather. Interior painting will begin next week. The interior doors will be installed next week. They are waiting for the storefront doors to arrive. Electrical will be connected to the building on Friday, October 27th. The project is still on schedule to be completed in December.

Access System Change Order / Wall Mount Server Rack

Clerk Weber told the board that Johnson Digital Solutions original access system that was quoted has been found to not work correctly with the Apple app. The change order is for installing an alarm.com card access system which will integrate with the alarm system. This quote is less than WH Security's quote. The original quote was \$1,218.00 and the budgeted amount approved by the board was \$1,500.00. The updated access system is an additional \$700.00 and the total cost for the access system is \$1,918.00. Weber also requested approval of the purchase of a 12U network rack with power supply at a cost of \$250.00 for installation in the mechanical room.

Motion/Second to approve the access system quote in the amount of \$1,918.00 and the purchase of a 12U network rack at a cost of \$250.00 by: Adams/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Network Switch

Clerk Weber asked for authorization to purchase a network switch at a cost of \$199.99.

Motion/Second to approve the clerk to purchase a network switch at a cost of \$199.99 by: Goldsmith/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Stacking Chair Dolly Cart

Clerk Weber asked the board for approval to purchase two stacking chair dollies at a maximum cost of \$150.00. Weber found a used dolly for \$50.00 and another dolly for \$79.00.

Motion/Second to approve the purchase of stacking chair dollies at a maximum cost of \$150.00 by: Hassett/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Conference Room Chairs

The board decided not to purchase conference room board chairs.

Project Budget

An updated project budget was presented to the board. The project budget estimate as of October 22, 2023 was \$751,359.43. The board is closely monitoring the budget. The total allowable budget, as approved by the electorate at the 2023 March annual meeting, is \$823,000.00.

Roads

Request for Speed Study on CSAH 75

Sherburne County received a request to conduct a speed study on CSAH 75 near the Eagle Lake boat landing and south to the Orrock Township border. The county would like concurrence from the township to make this request of MnDOT to do a speed study. They asked this because the current speed is posted at 45 mph. It is possible the speed study MAY show an increase in posted speeds, although it may remain the same or lower. Once they have an official order from the MN Commissioner of Transportation, they are obligated by law to revise the speeds accordingly.

Commissioner Gregg Felber told the board that he had received a communication from a constituent regarding the speed on CSAH75 from the boat landing to the housing development. Commissioner Gregg Felber is waiting for more feedback from the people that live on CSAH75 prior to requesting the speed study. Supervisor Ellinger does not see the value in a speed study and stated that there are cautionary 30MPH speed limit signs on the curves of that road near the landing.

The board directed the clerk to notify the county that they have no position on conducting the speed study.

Pavement Management Plan

Kevin Kruger told the board that the maps have been completed and they are working on the final document.

Kruger told the board that the cost proposal for the lake maps will be ready at the November meeting.

Supervisor Updates / Committee Reports

Supervisor Adams – asked if the board wants to send a letter to Homeowners Association of Shores of Eagle Lake reminding them about the snow plowing policy and to recommend that the association place a snow fence on north end of the first cul-de-sac (185th). Adams also asked that the board approve the clerk to write a letter to the homeowners to move the pontoon that is in the right-of-way on 188th Street NW, so that the snowplows may plow 188th Street with no concerns about damage to the pontoon or plow equipment.

Motion/Second to have the clerk send the letters to the homeowner's association and to the pontoon owner by: Goldsmith/Adams. In favor: Adams, Ellinger, Goldsmith and Hassett. Opposed: Felber. Abstained: None. Motion Prevailed.

Supervisor Ellinger – SCAT meeting

Supervisor Felber – SCAT meeting, County Board meeting, Big Lake Legion Veteran's luncheon, Big Lake Fire open house. Trent Seamans told Felber that the DNR is taking a closer look at the Sand Dunes State Forest. There are state grants available for beaver damage control.

Supervisor Goldsmith – None

Supervisor Hassett – had asked Darryl about the condition of the gravel roads. Darryl stated that they need grading and more Class 5. Chair Adams stated that grading is usually completed in the fall.

Motion/Second to have Darryl put gravel on the roads at a maximum cost of \$2,000.00 by Adams/Hassett. In favor: Adams/Hassett. Opposed: Ellinger, Felber and Goldsmith. Motion failed.

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 \$94,290.06.

Motion/Second to approve routine claims in the amount of \$94,290.06 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 Claim

Treasurer Arnold presented the board with a supplemental claim in the amount of \$212.69. This claim was from Beaudry Oil for re-connecting the propane tank at the town hall.

Motion/Second to approve the supplemental claim in the amount of \$212.69 payable to Beaudry Oil by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None.

Motion Prevailed.

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

Report of September Disbursements Not Paid Through the Claims Process

Treasurer Arnold presented a memo and documentation regarding one debit card transaction that occurred in September 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 – October 2023

Treasurer Arnold presented the Board with the payroll claims in the amount of \$2,341.43 for the month of October.

Motion/Second to approve the October payroll claims in the amount of \$2,341.43 by: Felber/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: \$ 1,662,242.59. This amount included 4M fund balance.

Motion/Second to accept the September Cash Control Statement by: Ellinger/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 September 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 5.12%, the CD was earning 3.938%, and the 4M fund was earning 5.313%.

Treasurer’s Report

Town Funds balances as of September 30, 2023:

General Fund:	\$ 136,559.65	Road & Bridge:	\$ 683,194.60
Fire:	\$ 58,581.71	Capital Reserve:	\$ 417,002.17
ARPA Fund:	\$ 123,530.52	Driveway Escrows:	\$ 9,000.00
Pine Crest Estates Escrow:	\$ 3,550.56	SOEL Escrow:	\$ 24,394.91

All remaining escrows are unchanged.

Motion/Second to accept the Treasurer’s Report date ending 09/30/2023 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 September Sherburne State Bank Securities Pledge Validation

Treasurer Arnold presented the Report of September Sherburne State Bank Securities Pledge Validation to the board. The required pledge amount was \$1,181,223.52. The securities pledge amount was \$1,666,519.12 which was \$485,295.60 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 from the Money Market Account to the Checking Account

Treasurer Arnold requested that the board authorize the transfer of \$75,000.00 from the money market account to the checking account.

Motion/Second to direct the treasurer to transfer \$75,000.00 from the money market account to the checking account by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Announcements

Clerk Weber Announced:

- November Board Meeting – Wednesday, November 29th @7PM, Zimmerman Livonia Fire Department
- County Legal Cannabis Meeting – Thursday, November 2nd @ 2PM, Sherburne County Government Center Jury Assembly Room and via Teams
- MAT Annual Conference – December 7-9, Rivers Edge Conference Center, St. Cloud

Motion/Second to adjourn the regular meeting by: Goldsmith/Felber. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Passed, adjourning the Regular Monthly Meeting, on October 25, 2023 at 8:48PM.

Respectfully Submitted,
Chris Weber
Town of Orrock, Clerk

Accepted this 29th day of November 2023 by the Orrock Township Board of Supervisors.

Bryan Adams, Chair

Attest: _____
Chris Weber, Town Clerk