



REGULAR MONTHLY MEETING
WEDNESDAY, MARCH 27, 2013 7:00PM

The Orrock Township Board met in regular session, on Wednesday March 27th, 2013 at 7:00pm, at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota.

Chair Charles Gotzian, Supervisors Jeff Jones, Mike Meier & Corrie Silverberg, Clerk Brenda Kimberly-Maas and Treasurer Laura Jones were in attendance. Several citizens were also in attendance.

The meeting was called to order by Chair Gotzian, with the reciting of the Pledge of Allegiance at 7:00pm.

APPROVAL OF MARCH REGULAR MEETING AGENDA:

Motion to amend the March agenda made by Supervisor Eisinger to move agenda item 4. Oath of Office to after item 12. Last Call and items 5. Appoint New Chair and 8. New Business Sub. a. Account Signors b. Appoint New Finance Committee Members, c. Appoint NewR&B Committee Members and d. Supervisors to attend Board of Equalization Meeting to the April Agenda.

Opposing comments were made by Clerk Kimberly-Maas, Supervisor Jeff Jones and citizen Jennifer Edwards. Supervisors Eisinger and Silverberg noted that they received the current agenda earlier in the day (3/27/13).

The Motion was changed to move agenda items 4. Oath of Office 5. Appoint New Chair and 8. New Business Sub. a. Account Signors b. Appoint New Finance Committee Members, c. Appoint NewR&B Committee Members and d. Supervisors to attend Board of Equalization Meeting to after item 12. Last Call.

Motion/Seconded by Supervisor Silverberg

Approved by: Eisinger, Gotzian, Meier and Silverberg

Opposed by: J.Jones

Motion Carries.

APPROVAL OF FEBRUARY MINUTES

Motion/Second to approve February regular meeting minutes by: Meier/Eisinger

Approved by: Eisinger, Gotzian, J.Jones, Meier and Silverberg

Opposed: None

Motion Carries.

SHERIFF'S REPORT:

Commander Steve Doran was in attendance and provided the board and gallery with The Sheriff Department's monthly call report, for Orrock Township. Cmdr. Doran notified the board that road weight restrictions had gone into effect. The call log was typical for Orrock Township.

OLD BUSINESS:

PAYROLL TAX RECOVERY:

Supervisor Silverberg updated the board with information about the reclamation of the employee's portion of the SSI taxes paid by the township. The township had received a judgment, in the township's favor, for the payroll tax recover claim. Jerry Petersen appealed the judgment and the township counsel was prepared to attend the District Court trial, on Friday March 29th, 2013 at 8:00AM.

Mr. Petersen asked if the board could return to his presentation, as he was awaiting the arrival of his legal counsel. The board returned to this item after the Open Forum. At which time, Jerry Petersen's attorney, Pat O'Donnell, from the Smith, Paulson and O'Donnell firm in Monticello, MN, thanked the board for allowing him to address the board on Mr. Petersen's behalf.

He noted that he had advised Mr. Petersen that the payroll taxes were his responsibility to pay. However; Mr. Petersen had brought to Mr. O'Donnell, information in regard to overtime compensation. This was comp time that the board felt was not due to Mr. Petersen and the warrant was declined. Mr. O'Donnell reviewed all of the paperwork that had been given to him by Mr. Petersen and advised him that he may, in fact, be due the compensation for the overtime claim. Mr. O'Donnell explained to the board that the potential amount that could be awarded to Mr. Petersen *could* be significantly more than the amount of the payroll tax judgment that was awarded to the township. He noted that Mr. Petersen didn't necessarily want to file a counter-claim, but if it was in his best interest, he would do so. Mr. O'Donnell also advised the board that Mr. Petersen had until 12:00PM on Thursday, March 28th, 2013, to file such a counter suit. It was recommended by Mr. O'Donnell, that the board contact the township's counsel and make him aware of the situation.

OPEN FORUM :

The board heard from Wayne Chermack: Mr. Chermack addressed Treasurer Laura Jones with inquiries about a campaign flyer that he had in his possession. He asked if the flyer he showed her was drafted by her, if she had any knowledge of who drafted it and how the campaign by the candidates was run. She stated that she had not been involved with the flyer that was in Mr. Chermack's possession. She questioned why the flyer was being brought up at the township board meeting, as it was not a matter of township business. She noted that she only created a sample ballot for her own campaign. A sample of that was given to Corrie Silverberg, by Shane Berg. Which Corrie indicated looked very much like one side of the flyer in Mr. Chermack's possession. Mr. Chermack also questioned Laura as to whether or not she gave the authors of the flyer he brought, information about current or past board members affiliation with the Knothole Gang. She stated that she did not give any information of the like to the author of the flyer he presented.

The board heard from Nancy Jacobsen: 25870 - 184th St. NW, Big Lake, MN 55309 was present to address the board. Nancy was looking for permission from the board to have an additional home built on her land. Mike Meier informed Nancy that she should speak with Sherburne County Planning and Zoning, first. They would be able to assist Nancy in the process of building an additional home on her parcel. Clerk Kimberly-Maas gave Nancy contact information for that department.

The board heard from Jerry Petersen: 16411- 253 ½ Ave. NW, Big Lake, MN 55309 was present to address the board. Mr. Petersen talked about the Co. Rd. 15 resurfacing project that will begin during the summer of 2013. He noted that the first phase of the project is scheduled to run from Co. Rd 4, south to 233rd Ave. He informed the board that years ago, there had been conversation between the MN DNR, Big Lake Sno-Cruisers and Orrock Township to install a box culvert over the St. Francis River to eliminate the passage of horses, snowmobiles and other recreational vehicles on the current bridge structure. To the east of the current road and bridge, is where Co. Rd. 15 used to travel. There the original footings for the old bridge remain. And a box culvert or other structure could be installed for safe passage of horses, snowmobiles and other ATVs there or adjacent to the current bridge. Mr. Petersen noted that there had been a resolution by a previous board to assist with funding of this project, possibly in 2006. He recalled that \$50,000 had been earmarked in the R&B fund by that resolution. Supervisor Silverberg wondered if the funding was set aside during an Annual Meeting. Mr. Petersen stated that the decision to pull money was done at an Annual Meeting and the resolution was made after the Annual Meeting. Supervisor Eisinger felt that this amount of funding should be decided by the constituents, either at the next Annual Meeting or voted upon during the Annual Election. Clerk Kimberly-Maas indicated that more research needed to be done to see how the money had been set aside. If it had been done during an Annual Meeting, the resolution would have only been valid for the year in which it was ear-marked during the Annual Meeting. To disperse the money several years later would be unlawful. Funding through grants and from the horse riding club and Sno-Cruisers is also being sought. The board thanked Mr. Petersen for the information.

The board heard from Shane Berg: 25154 - 164th St. NW, Big Lake, MN 55309 was present and asked to address the board. Mr. Berg wanted more clarification on Michael Eisinger's ownership of the Knothole Gang website, the affiliation of current board members to that organization and whether open meeting laws were ever violated prior to the 2012 elections. Supervisor Eisinger stated that he was not willing to discuss private information about himself. Clarification was given as to the status of board members who were private citizens prior to the 2012 elections and those who served on the board in 2012 and any affiliation to the Knothole Gang and that no open meeting laws were violated because those elected in 2012 were not on the board prior to the 2012 Annual Election.

APPROVAL OF PAY CLAIMS*/CONSENT AGENDA

CURRENT PAY CLAIMS (AS SUBMITTED BY TREASURER):

Motion/Second to approve the current pay claims: Eisinger/Silverberg
Approved by: Eisinger, Gotzian, Meier and Silverberg
Abstaining from voting on L..Jones pay warrant: J.Jones

Opposed: None
Motion Carries.

TREASURER'S REPORT

Treasurer Jones read the current figures in the accounts.

General Fund: \$78,299.20 Road & Bridge: \$ 683,179.58
Fire: \$74,659.70 Capital Improvements: \$190,261.74

Escrows:

Heritage Hills: \$0	Pine Cone: \$1,066.25
Woodlands of Livonia: \$4,653.75	Savannah Meadows: \$6,612.61
Shores Of Eagle Lake: \$95,567.19	Woods of Eagle Lake: \$506.82
Pine Point: \$4,500.00	Lonesome Oak: \$500.00
Thunderbuck: \$4,182.50	Horseshoe Estates: \$20,700.00
Timberquest: \$20,160.00	Deer Crossing: \$1,000.00
Donahue Estates: \$3,161.25	Jacob's Ridge: (\$11.25)
Harmony Village: \$0.00	

Motion/Second to accept the Treasurer's Report date ending 2/28/2013: Silverberg/Eisinger.

Approved by: Eisinger, Gotzian, J.Jones, Meier and Silverberg

Opposed: None
Motion Carries.

ROAD COMMITTEE REPORT

Clerk Kimberly-Maas wanted to make sure the board realized that there was information in the supervisor's packets that explained who is allowed to drive the township trucks and when. She also noted that a waiver form, for insurance reasons, should be considered.

LAST CALL FOR BUSINESS FOR THE MONTHLY TOWNSHIP BOARD MEETING

Mike Meier brought forth the Sherburne County Association of Township's quarterly meeting on Wednesday April 17, 2013. He said that he would like to attend to represent Orrock. Jeff Jones said that he too would like to attend.

Shane Berg asked if Clerk Kimberly-Maas was able to follow up on the complaint of an Orrock Truck running a stop sign. Clerk Kimberly-Maas did contact the Sheriff's dispatch. However without a complainant name or a date, the dispatcher was unable to locate the incident.

No further business brought forth.

OATH OF OFFICE OF ELECTED BOARD MEMBERS

Clerk Kimberly-Maas administered the Oath of Office to recently elected board members: Laura Jones – Treasurer, Shane Berg – Supervisor and Ron Dolly – Supervisor.

Clerk Kimberly-Maas thanked and commended Charles Gotzian and Corrie Silverberg, for their service to the township and its citizens.

APPOINT NEW CHAIR

Mike Meier nominated Jeff Jones to be Chair. Michael Eisinger seconded the nomination and Jeff Jones accepted the nomination.

Approved by: Berg, Dolly, Eisinger and Meier

Abstaining: J. Jones

Opposed: None

Motion Carries.

Adoption of Resolution R-20130327 Creation of Vice-Chair for the Town Board of Orrock Township

Approved by: Berg, Dolly, Eisinger, J.Jones and Meier

Opposed: None

Motion Carries.

Jeff Jones nominated Mike Meier to sit as Vice-Chair. Ron Dolly seconded the nomination and Mike Meier accepted the nomination.

Approved by: Berg, Dolly, Eisinger and J.Jones
Abstaining: Meier
Opposed: None
Motion Carries.

NEW BUSINESS

ACCOUNT SIGNORS (MN STATUTE 367.18): Treasurer Jones indicated that it may be a good idea if all of the board members have the ability to sign checks. Dorothy Moores, from Klein Bank, had a resolution that gave the ability to all board members to sign checks. The policy is that there needs to be three signors on each check.

Michael Eisinger stated for the record that he did not wish to be added as a signor, to the account.
Motion/Second to adopt the resolution giving adding board members to the Klein Bank Account as signors:
Dolly/Eisinger
Approved by: Berg, Dolly, Eisinger, J.Jones and Meier
Opposed: None
Motion Carries

APPOINT FINANCE COMMITTEE MEMBERS AND ROAD & BRIDGE COMMITTEE :

Jeff Jones suggested that Ron Dolly sit on the Finance Committee with Mike Meier and Shane Berg sit on the Road & Bridge Committee with Michael Eisinger.

Motion/Second to accept Mr. Berg on the Road Committee and Mr. Dolly on the Finance Committee:
Eisinger/Dolly
Approved by: Berg, Dolly, Eisinger, J.Jones and Meier
Opposed: None
Motion Carries

BOARD MEMBERS TO ATTEND BOARD OF EQUALIZATION MEETING ON 4/3/2013 AT 4:00PM:

Chair Jones explained what occurs during the Board of Audit and Equalization meeting. A quorum of supervisors is necessary to conduct the meeting. Chair Jones, Supervisors Meier, Dolly, Berg and Eisinger all were available to attend the meeting.

ADJOURNMENT

Motion/Second to adjourn the ry Regular Monthly Meeting at 8:03PM, on Wednesday, March 27th, 2013:
Jones/Eisinger
Approved by: Berg, Dolly, Eisinger, J.Jones and Meier
Opposed: None
Motion carried adjourning the March 27th, 2013 Regular Monthly Town Meeting, at 8:03PM.

Respectfully Submitted,

Brenda Kimberly-Maas
Orrock Township Clerk

Accepted this the _____ day of _____, 2013, by the Orrock Township Board of Supervisors.

Chairperson

Attest: _____
Town Clerk