



REGULAR MONTHLY MEETING WEDNESDAY, JANUARY 28, 2015 7:00PM

The Orrock Township Board met in regular session, on Wednesday January 28, 2015 at 7:00PM, at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota.

Chair Michael Eisinger, Supervisors Charles Gotzian, Mike Meier & Eric Peterson, Treasurer Laura Jones and Clerk Brenda Kimberly-Maas were in attendance. Resigning Supervisor Shane Berg, Town Engineer Mike Nielson, a number of residents and observers were also present.

The January Regular Monthly Meeting was called to order by Chair Eisinger, at 7:00PM, and the Pledge of Allegiance was recited.

APPROVAL OF JANUARY REGULAR MEETING AGENDA:

Supervisor Meier requested the addition to convene a Special Meeting to Appoint a Supervisor to a vacancy, on the Board.

Motion/Second to accept the January agenda with the addition of convening a Special Meeting by:

Meier/Eisinger

Approved: Eisinger, Gotzian, Meier and Peterson

Opposed by: None

Abstaining: None

Motion Carries

RESIGNATION OF SUPERVISOR BERG:

Clerk Kimberly-Maas read the resignation letter submitted to her office on 1/13/2015, for the record.

“To Orrock township and Tax payers, I, Shane A. Berg, am informing you of my resignation of an Orrock Supervisor as of 1-13-15. I have taken a Supervisor position with the Sherburne Soil and Water Conservation District. State status says that I cannot hold two supervisor positions in the county. I will still attend the Orrock board meetings and voice my concerns about our township. My greatest joy has been the discussion and meeting the residents throughout the township. The future board has some difficulty going forward with the up keep of our township roads and the finances to maintain our township roads. We all need to come together and voice our opinions and concerns and take pride in the quality of our township roads. That is our Major asset to the township. /s/Shane A. Berg 1-13-15”

Motion/Second to accept the Resignation of Shane Berg dated 1/13/15: Eisinger/Gotzian

Approved: Eisinger, Gotzian, Meier and Peterson

Opposed by: None

Abstaining: None

Motion Carries

APPOINTMENT TO VACANCY:

Chair Eisinger convened the Special Meeting to appoint a Supervisor to the vacancy on the Board. Clerk Kimberly-Maas expressed that she thought Supervisor Meier wanted to discuss a time in the future to hold a Special Meeting. Chair Eisinger and Supervisor Meier clarified that they wished to fill the vacancy during the January meeting. Chair Eisinger opened the floor to nominations to seat “D” for the remainder of the term, ending in March 2016. Supervisor Gotzian nominated Corrie Silverberg. Silverberg asked if he could have some time to discuss the nomination with his spouse and if the Board needed his answer before the end of the meeting. Clerk Kimberly-Maas asked for the floor. She noted that the Board had just accepted the resignation and that other than the residents at the meeting, other townspeople were unaware of a vacancy. She felt that it would be in the best interest of the townspeople to publish the vacancy and invite interested parties

to express their interest. Supervisor Meier noted that time was of the essence. Chair Eisinger wanted to meet Friday 1/27/15. Clerk Kimberly-Maas reminded the Board that Special Meetings that are discussed in an Open Forum meeting, had to at a minimum, be POSTED for three (3) days prior to the meeting. Chair Eisinger stated that he would have to check his calendar and TABLED further discussion and action.

APPROVAL OF DECEMBER MINUTES:

Motion/Second to accept the December Regular Meeting Minutes, as presented: Meier/Gotzian
Approved: Gotzian, Meier and Peterson
Opposed by: None
Abstaining: Eisinger
Motion Carries

APPROVAL OF SPECIAL ATV USAGE MEETING MINUTES:

Motion/Second to accept the Special ATV Meeting Minutes, as presented: Gotzian/Peterson
Approved: Eisinger, Gotzian, Meier and Peterson
Opposed by: None
Abstaining: None
Motion Carries

SHERIFF'S REPORT:

Commander Doran brought the Calls for Service Report for the Board. He informed the Board that there had been an individual who was placing nails and screws into the ice on Eagle Lake, causing damage to vehicle tires. There had been an operation to catch the individual, which resulted in a chase but no apprehension. DNR and Sheriff's Department personnel did remove and clean up many nails and screws and will continue surveillance in attempt to catch the person(s) responsible. Chair Eisinger asked if there had been calls to dispatch about firearm discharging multiple rounds. Cmdr. Doran noted that they have been called to that area in the past for similar concerns. He informed the Board that the discharge of fire arms is allowed, but the department does enforce statutes as necessary such as the reckless discharge of a firearms statue. It was stated that in the future, residents should call the Sheriff's dispatch, on these types of concerns.

ROADS

CRACK FILLING:

Chair Eisinger had called ASTECH to see if there was any possibility to renegotiate the price of the crack filling material, since the cost of oil had dropped. He was informed that the cost of the product used, had not dropped and renegotiation was not possible.

ROAD CONDITIONS:

Shane Berg addressed the Board. He asked about reports of icy conditions and vehicle incidents due to poor road conditions. He asked about the status of a pothole that had been reported in fall 2014. He also asked for clarification of the dollar amount spent on repairing ATV damage to township ROWs. The Board responded that to their knowledge, all correspondences to them, about poor winter road conditions, were corrected. And that we tend to the areas that need extra attention more frequently. The pothole did not get filled with reclaimed asphalt, to date, but would be repaired in the spring. The dollar amount that the township spent on ATV damage was estimated to be roughly \$1500 each time we repair the areas that are in our ROW. The Board is looking for a long range solution to the concern.

ROAD AUTHORITY:

Supervisor Gotzian addressed the Board and noted that he and Chair Eisinger had met with town counsel to see what kind of funding options were available to the township for maintenance of the roads, including working with the DNR to assist with maintenance of roads that travel through DNR lands. Resident Bob Hassett informed the Board that there has been some dumping done on DNR land should they wish to inform the proper authorities.

ROAD ENGINEER:

Township Engineer, Mike Nielson addressed the Board. He had spoken to Dan Knaapek, of Sherburne County Public works to find out what kind of a la carte services, they do for townships. Dan stated that currently, they coordinate overlay projects with townships. Mike asked if they would be amenable to filling potholes for townships when their crews were out. Dan stated that if the Board wished to work with the county on these types of repairs, a letter to the County Engineer would need to be sent asking for pricing. Mike felt that this might be an option for the random pothole and some of

the ATV areas that are within our ROW. Chair Eisinger asked Clerk Kimberly-Maas to work with Mike on compiling the areas in need of repair and send a letter to the County Engineer requesting quotes for the repairs needed. Mike asked if the Board was interested in putting out for bid the 12 miles of road in need of chip seal. Chair Eisinger noted that the budgeted amount for chip sealing for 2015 was \$240,000-250,000, for chip sealing. Nielson noted that he had roughly estimated it would cost \$392,000 to do all of the needed chip sealing. Chair Eisinger asked Treasurer Jones for the balance of the Road and Bridge fund to see if there would be enough to get it all done and negotiate a better price. The R&B fund balance was reported at \$654,000 was the balance. Crack filling will cost \$113,000. The thought was to get the bids in and decide after seeing the bids on how much and which roads to actually have done.

Motion/Second Authorizing Mike Nielson and WSB solicit bids, for chip sealing roads in need of this maintenance in 2015: Eisinger/Meier

Approved: Eisinger, Gotzian, Meier and Peterson

Opposed by: None

Abstaining: None

Motion Carries

OLD BUSINESS:

ANIMAL CONTROL:

Supervisor Meier addressed the Board on the matter of Animal Control. We currently do not have a contract with Craig Hillburn. Meier felt that the Board should look into entering into a contract with Craig as well as an Ordinance to reclaim our costs if the dogs are claimed by their owners or another person who wishes to adopt the animal. Chair Eisinger also felt that an Ordinance would be in order to recoup the costs. Chair Eisinger asked Clerk Kimberly-Maas to inquire with counsel on the matter of a contract and ordinance.

JOINT COMMUNITY MEETING REPORT:

Clerk Kimberly-Maas reported that she attended the Joint Community Meeting. She told the Board that one of the topics discussed was the joint projects that Big Lake City, Big Lake Township, ISD 727 and Sherburne County had done to create some new parks and walking paths.

SHERBURNE COUNTY ASSOCIATION OF TOWNSHIPS MEETING REPORT:

Supervisor Meier reported that he attended the Meeting. He noted that Mike Couri was at the meeting and gave a good report on road Rights Of Way. He has information that will be brought to the hall for future reference. There was also some information given to the participants about the BNSF rail addition between Big Lake and St. Cloud. Jennifer Edwards updated the Board noting that BNSF found that the current ROW would be enough for them to perform the addition of another set of rails, with construction slated to begin in 2015.

NEW BUSINESS:

SHASTA MEADOWS CONCEPT PLAN REVIEW:

Clint Corrow addressed the Board with his preliminary plat, for Shasta Meadows. Clint, Mike Nielson and the Board discussed the plat and added their comments for Clint. Chair Eisinger stated that the road that runs on the south side of the plat has not been adopted by the township. He requested that Clerk Kimberly-Maas investigate the status of the adoption or if there had been a maintenance agreement, for that road or recording of the adoption of the road. There was an additional need of an NPDES run-off plan. Nielson stated that the Board could approve the Plat contingent that the appropriate plan be attached to the plat when presented to the County. The Board commented that conditions 1-4 made by Jeff Row of WSB be met, as well as the NPDES permit, if required.

MOVING TOWNSHIP ANNUAL ELECTIONS TO NOVEMBER:

Resident George Walling addressed the Board. He asked the Board to consider moving the Annual Elections to coincide with the Federal and State elections. He noted that there is administering the elections on the same cycles will save the township money, ensure a higher voter turn-out, accommodating a broader cross-section of constituents and more constituents will utilize the option to vote absentee in November. He stated that in 1999, townships were given the authorization to move their elections. He said that since 2006, 504 townships had moved their elections to November, 10 townships have switched back to holding their annual elections to March and to date there are 604 townships that hold their Board elections in November. George suggested that the sample resolution found on the MAT website be modified to suit Orrock Township and presented to the constituents at the 2015 Annual meeting. He felt that even though Board seat terms could be shortened, it would be better to lengthen the terms. If the Resolution is adopted during the Annual Meeting, a special ballot question asking if the elections should be moved to coincide with the State and Federal General Elections

would be placed on the 2016 Township Ballot. Should that ballot question pass, the elections would start to coincide on even years, beginning in 2018. Clerk Kimberly-Maas was asked to edit the template resolution and work with George so it can be presented at the Annual Meeting.

APPROVAL OF CONSENT AGENDA

CURRENT PAY CLAIMS (AS SUBMITTED BY TREASURER):

Chair Eisinger requested the Couri & Ruppe invoice and Shane Berg’s MAT training reimbursement claim be pulled from the claims list.

Motion/Second to accept the Consent Agenda less Couri & Ruppe and Shane Berg’s MAT training reimbursement claims: Eisinger/Gotzian

Approved: Eisinger, Gotzian, Meier and Peterson

Opposed: None

Abstaining: None

Motion Carries

Chair Eisinger noted that Bob Ruppe had been authorized to speak with former Supervisor Dolly. He requested that Clerk Kimberly-Maas obtain all correspondences pertaining to the Couri & Ruppe invoice and deliver that information to the Board.

Chair Eisinger questioned the reimbursement claim of Shane Berg. Specifically the Subway claim of \$60 was questioned. Berg stated that he bought lunch for some Cotton Township Board members where they discussed matters that townships must address. Clerk Kimberly-Maas was asked to look up what the Board had authorized as acceptable claims for training. She noted that \$125 per night, for hotel, mileage at the Federal rate, class costs and wages were reimbursable.

Supervisor Meier and Chair Eisinger expressed their concerns that Berg attended the meeting even though he had been elected to the Soil and Water Conservation District Board. They felt that he should have spoken with some legal counsel to find out if he could sit on both Boards prior to attending the meetings and acted accordingly. Chair Eisinger reminded Berg that a post attendance report had been requested, which had not been done. Chair Eisinger requested that Berg submit a report and revise his food claim with more details and omitting the lunches that were purchased for the Cotton Township Board members and resubmit it, for the February meeting.

TREASURER’S REPORT

Treasurer Jones read the balance sheet for the report.

General Fund: \$105,269.31

Fire: \$83,963.08

Escrows:

Heritage Hills: \$0

Woodlands of Livonia: \$4,653.75

Shores of Eagle Lake: \$95,567.19

Pine Point: \$4,500.00

Thunderbuck: \$4,182.50

Timberquest: \$20,160.00

Donahue Estates: \$3,161.25

Harmony Village: \$0.00

Road & Bridge: \$ 654,868.17

Capital Reserve: \$139,253.24

Pine Cone: \$1,066.25

Savannah Meadows: \$6,612.61

Woods of Eagle Lake: \$506.82

Lonesome Oak: \$500.00

Horseshoe Estates: \$20,700.00

Deer Crossing: \$1,000.00

Jacob’s Ridge: <\$11.25>

Motion/Second to accept the Treasurer’s Report date ending 12/31/2014 by: Eisinger/Gotzian

Approved: Eisinger, Gotzian, Meier and Peterson

Opposed: None

Abstaining: None

Motion Carries

ANNOUNCEMENTS

Chair Eisinger announced that the Finance Committee had met, looked over the budget information given to them by the Road Committee and calculated a \$700,000 total levy amount for 2016. Bob Hassett inquired how much of that amount was budgeted for road maintenance. Chair Eisinger stated that they calculated \$437,500 as the amount needed to maintain the roads. That did not include snow removal.

This led to discussion of past levy amounts for the Road and Bridge. Treasurer Jones reported the past levy amounts, for the R&B funds: 2014 - \$184K; 2013 - \$165K; 2012 - \$158K; 2011 - \$338K; 2010 - \$400K; 2009 - \$240K; 2008 - \$440K; 2007 - \$450K; 2006 - \$460K; 2005 - \$438K.

LAST CALL FOR BUSINESS:

The Board discussed setting an Appointment Committee meeting. The Board decided to run a public notice to request that interested parties send a summary of their experience to the Clerk. The Appointment Committee will meet on Friday February 6, 2015 at 6:30PM to review the submissions and appoint someone to the vacated seat.

ADJOURNMENT

Motion/Second to adjourn the January Monthly Meeting at 9:12PM, on Wednesday, January 28, 2015:
Gotzian/Eisinger
Approved: Eisinger, Gotzian, Meier and Peterson
Abstaining: None
Opposed: None
Motion carried adjourning the January Monthly Meeting, on Wednesday, January 28, 2015 at 9:12PM.

Respectfully Submitted,
Brenda Kimberly-Maas
Orrock Township Clerk

Accepted this 25th day of February, 2015, by the Orrock Township Board of Supervisors.

Chairperson

Attest: _____
Town Clerk