



REGULAR MONTHLY MEETING
&
ANNUAL BOARD OF AUDIT MEETING
WEDNESDAY, FEBRUARY 24, 2016 7:00PM

The Orrock Township Board met in regular session, on Wednesday February 24 at 7:03PM, at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota. The meeting was called to order by Chair Gotzian, at 7:03PM, and the Pledge of Allegiance was recited.

Supervisors Bryan Adams, Charles Gotzian, Bob Hassett and Corrie Silverberg, Treasurer Laura Jones and Clerk Brenda Kimberly-Maas were in attendance. Town Attorney Mike Couri, Town Engineer Mike Nielson, a number of residents and observers were also present. Supervisor Eric Peterson was absent.

APPROVAL OF FEBRUARY REGULAR MEETING AGENDA:

Chair Gotzian requested the addition of Mystic Ridge Development under Old Business and Supervisor Adams requested the addition of 233rd Ave. under Roads to the Agenda.

Motion/Second to accept the February Agenda with the changes by: Gotzian/Adams

Approved: Adams, Gotzian, Hassett and Silverberg

Opposed by: None

Abstaining: None

Motion Prevails

APPROVAL OF JANUARY MINUTES:

Motion/Second to accept the January Regular Meeting Minutes, as presented by: Silverberg/Hassett

Approved: Adams, Gotzian, Hassett and Silverberg

Opposed by: None

Abstaining: None

Motion Prevails

SHERIFF'S REPORT:

Sheriff Joel Brott gave the Board his Annual Report. There were 1604 total calls for service, in 2015. This was a reduction from prior years. Serious criminal activity and relative to 2014: Assaults – 3 (down), Burglary – 5 (same), Narcotic – 7 (up slightly), DUI – 6 (down), Criminal Sexual Conduct (CSC) – 3 (down), Theft – 29 (down), Criminal Damage to Property (CDP) – 18 (decline), Homicides 0.

NEW BUSINESS:

ANNUAL CLEAN UP DAY

The Board reviewed and ratified the proposed fee changes. Most notable is the change to include a Gate Fee for miscellaneous garbage. Clerk Kimberly-Maas requested money to send out flyers to Orrock residents. This will speed up the line during cleanup day and assist in the billing process. Clerk Kimberly-Maas also asked for the Board to allow additional funds be spent toward signs to notify attendees of the gate fees. The signs will be produced at cost, by Charles Gotzian. The cost will be split among the participating communities, City of Big Lake, Town of Big Lake and Orrock Township.

Motion/Second to ratify the proposed fee changes for Joint Cleanup Day by: Gotzian/Adams

Approved: Adams, Gotzian, Hassett and Silverberg

Opposed by: None

Abstaining: None

Motion Prevails

Motion/Second to send postcards to Orrock Residents announcing Joint Cleanup Day by:
Adams/Silverberg
Approved: Adams, Gotzian, Hassett and Silverberg
Opposed by: None
Abstaining: None
Motion Prevails

Motion/Second to split additional cost of Joint Cleanup Day signage by: Silverberg/Hassett
Approved: Adams, Gotzian, Hassett and Silverberg
Opposed by: None
Abstaining: None
Motion Prevails

ROADS

SNOW REMOVAL:

Darryl Waletzko suggested the Board consider sending information on snow removal to residents, prior to the 2016 – 17 season. He noted residents were concerned over the “lack of plowing and product,” on our roads this season. Residents were bashing his company on social media outlets. Our policy is what mandates when he is to plow and currently the threshold to plow is 2” in a single snow event. This season we had a number of 1 – 1 ¼” events. The roads were then packed down and became icy. Chair Gotzian also stated the Board may wish to change the policy to NOT be liable for damage to mailboxes. The Board will revisit the plowing policy and address sending out letters at the August meeting.

TABLED UNTIL AUGUST 2016

RESOLUTION REQUIRING FORMAL WRITTEN ACCEPTANCE OF ROADS :

Clerk Kimberly-Maas presented the resolution initially set before the Board when it was creating Road Standards. The Board reviewed the Resolution and counsel advised the need to adopt it.

Motion/Second to adopt Resolution 20160224 – Resolution Requiring Formal Written Acceptance of Roads by: Silverberg/Hassett
Approved: Adams, Gotzian, Hassett and Silverberg
Opposed by: None
Abstaining: None
Motion Prevails

233RD AVE EASEMENTS:

Supervisor Adams reported he had spoken with John Mentor of Sherburne County Public Works, who informed Bryan that road is not currently of interest for county acquisition. County Commissioner, John Riebel, noted the topic will be placed on the County Commissioners April Meeting Agenda.

NO FURTHER ACTION AT THIS TIME

MYSTIC RIDGE DEVELOPER’S AGREEMENT:

The Board questioned Town Engineer, Mike Neilson, on the ability of the roads to meet the 10 ton standard, adopted in January. Mike assured the road design, in the plat, will meet the standard, due to the usage that will occur by the number of parcels to be developed. The other question was about the Temporary cul-de-sac. The Town will order a sign which will be erected, notifying the parcel purchasers, of the temporary status. Clerk Kimberly-Maas asked if the current road agreement between Livonia and Orrock, needed to be amended or addressed, since 255th Ave. will be used as the access to Mystic Ridge. Legal Counsel, Mike Couri advised the Board the current Agreement is written where future upkeep will be done by Livonia. No concessions are in the Agreement, for future developments will affect the Agreement. He did state the Boards may wish to Amend the agreement. Mike Couri also stated there are a number of items which need to be done, and in a specific order, prior to the Board signing the Developer’s Agreement. Greg Wersal, of Family One Homes, was in attendance and agreed to have the title company, bank and himself work with Legal Counsel to ensure all items are completed and filed in the manner required. The Agreement will be signed and released once Town Counsel indicates the obligations are satisfied.

Motion/Second to approve the Mystic Ridge Developer’s Agreement, pending review and approval by legal counsel by: Adams/Gotzian
Approved: Adams, Gotzian, Hassett and Silverberg
Opposed by: None

Abstaining: None
Motion Prevails

ROW MANAGEMENT/ROW OBSTRUCTION AND DRIVEWAY ORDINANCES:

Mike Couri explained the reasons the Board should adopt the ROW Utility Obstruction/ROW Management and Driveway ordinances. Mike C. noted he should look at our Franchise Fee Agreements. Mike N. will bring in a fee schedule for utility obstruction and develop a permit fee schedule, for driveway installation. Mike N will also develop a one sheet driveway/culvert standard. These will be reviewed during the March or future meeting. The ROW Management Ordinance administration will be done mostly by the town engineering firm. The mapping is done by the utility companies. The ROW Obstruction Ordinance will be complaint driven.

Trimming of trees with a diameter of 6" or more and 2' or more in height, must follow MN Statute 160.22. Trees with trunks less than 6" or shorter than 2' are considered brush and can be removed or cut out of the ROW without any concerns. The way to let the property owner where the ROW is defined is by door knocking, prior to removal.

Mike N asked about some specific ROW concerns with reconstruction of roads. There are currently man made obstructions (retaining walls, for example) which may need to be removed to reconstruct the road. The best way to know where the ROW easement is, we need to have pictures of where the snow is being thrown, during a typical snowfall, to prepare for future work. Only one photo will be necessary to document the ROW easement.

Motion/Second to adopt the Right Of Way Management Ordinance by: Gotzian/Silverberg

Approved: Adams, Gotzian, Hassett and Silverberg

Opposed by: None

Abstaining: None

Motion Prevails

Motion/Second to adopt the Right Of Way Obstruction Ordinance by: Silverberg/Adams

Approved: Adams, Gotzian, Hassett and Silverberg

Opposed by: None

Abstaining: None

Motion Prevails

Driveway Obstruction Permit Ordinance TABLED until March. Exhibit A (Driveway Standard) and Fee Schedule are needed.

DNR LAND ROAD EASEMENTS:

There are a number of roads which lead into or through DNR lands. The question is if the Town is responsible for the maintenance of some of these roads. The Board felt it would be in the Town's best interest to know this, since the discovery of the easement situation of 233rd Ave. NW through State Land. There are several parcels/easement, in question. To have an O&E done would cost is \$100 each. Clerk Kimberly-Maas will contact Trina Ziemann to see if the State has O&E or Deed information, on the roads in question and the roads which they think they own. The one question is what happens when we maintained roads when they were in private lands and are now State lands, who owns the easement and does the Town have the ability to vacate some of the roads. There is one parcel that is in private hands but has no access point to our road near the horse camp. Because it doesn't access our road we wouldn't be land locking the parcel by vacating a portion of 253rd past 180th. There was a grant which was given for work done to 233rd Ave. The Grant needs to be reviewed to see if there is a clause or if there is an Agreement stating the Town has to maintain the road. Clerk Kimberly-Maas will contact Dan Knaapek to review the information he has on file.

TEMPORARY PARKING OR PLACEMENT OF ITEMS ON ROADS - PERMIT:

A Permit Template was written by Counsel and will be kept on file, in the case the Board allows items to be parked on roads.

LAKE ANN AGREEMENT:

The Lake Ann Park Use Agreement has been revised and reviewed by both legal counselors and is satisfactory to both. Town counsel recommends the Board accept and sign the Agreement. Clerk Kimberly-Maas will contact the Lake Association to have them place the Agreement to their agenda for review and acceptance by the Association's Board.

Motion/Second to Accept and sign the Lake Ann Park Use Agreement by: Adams/Silverberg

Approved: Adams, Gotzian, Hassett and Silverberg

Opposed by: None

Abstaining: None
Motion Prevails

TREASURER'S BUSINESS

APPROVAL OF CONSENT AGENDA

Motion/Second to approve the February Consent Agenda as presented by Treasurer Jones by:
Gotzian/Silverberg
Approved: Adams, Gotzian, Hassett and Silverberg
Opposed: None
Abstaining: None
Motion Prevails

TREASURER'S REPORT

Treasurer Jones reported the fund Balances as of January 31, 2016:

General Fund: \$ 48,166.63	Road & Bridge: \$ 443,915.65
Fire: \$76,205.17	Capital Reserve: \$139,255.43
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 1/31/2016 by: Silverberg/Gotzian
Approved: Adams, Gotzian, Hassett and Silverberg
Opposed: None
Abstaining: None
Motion Prevails

ANNOUNCEMENTS

Supervisor Hassett said a resident noted logging trucks using 180th to remove logs from the State Land. A Bill is being written to require local government approval prior to executing any work. Public meetings would also need to be done. Bob also sent information for the Board to review on heavy truck damage on roads. He is scheduled to meet with the author of the information and will report what he learns.

RECESS

Chair Gotzian Recessed the meeting at 9:10PM.

RECONVENE – ANNUAL BOARD OF AUDIT

The meeting was reconvened at 9:15PM for the purpose of the Board of Audit.

Treasurer Jones presented the Board with the Cash Balance Statement, Receipts and Disbursements Ledgers for year ending 12/31/2015. She explained that Clerk Kimberly-Maas had reviewed the information and was in agreement with the information presented. The Total balance of all funds for year end 2015: \$907,216.86.

Motion/Second Accepting the Cash Balance Statement, Receipts Register and Disbursements Register presented at the 2016 Board of Audit meeting: Adams/Silverberg
Approved: Adams, Gotzian, Hassett and Silverberg
Opposed: None
Abstaining: None
Motion Prevails

Treasurer Jones presented the budget/financial information that was created by the Finance Committee. The Road Committee gave three options for the Finance Committee to bring to the Board for consideration of options for road work based on the Maintenance Plan created by Town Engineer. The three option totals would be \$660K (min), \$690K (med), \$810K(max). The 2015 Levy was \$680K. Another option would be to have an option between the median and maximum at \$750K.

Mike Neilson made a presentation to break down the numbers needed for each option. Mike told the Board that oil prices are significantly lower now reducing the total cost of bituminous and installation to \$46/ton versus \$65-70/ton. He thought it makes sense to take advantage of the lower pricing and get more for our dollar. Mike created a three year list of overlay needs by OCI rating and location, for better bidding. The Joint Road, 229th is in reconstruct status, but timing may not allow for it to be done and accepted by Big Lake Twp.

Based on the information given by Mike and the budget numbers from the Road Committee, the Board will recommend two options at the Annual Meeting: Road and Bridge amount is \$590,000, Fire Fund and General Fund would decrease by \$20K to \$80,000 each, for a total 2017 levy amount of \$750,000. AND Road and Bridge amount is \$650,000 Fire Fund and General Fund at \$80,000 each, for a total 2017 levy amount of \$810,000.

Motion/Second Accept the recommended levy amounts presented and allowing the Clerk and Treasurer to make the 2017 Levy Recommendations to the Electorate at the Annual meeting:

Silverberg/Gotzian

Approved: Gotzian, Hassett and Silverberg

Opposed: None

Abstaining: None

Motion Prevails

Based on the information given by Mike and the balance in the Road and Bridge Fund the Board plans and specifications should be done for 2016 Road Overlay projects as recommended by Mike.

Motion/Second approving WSB to create plans and specifications, for 2016 road overlay projects presented by: Adams/Silverberg

Approved: Gotzian, Hassett and Silverberg

Opposed: None

Abstaining: None

Motion Prevails

Motion/Second to allow an additional meeting between Annual Elections and March meeting, if necessary by: Silverberg/Hassett

Approved: Gotzian, Hassett and Silverberg

Opposed: None

Abstaining: None

Motion Prevails

Chair Gotzian stated he would like to suggest to the Electorate they consider adding to the Capital Fund for the future building of a new Town Hall Facility. The Board felt this would be a good idea, too.

LAST CALL FOR BUSINESS

NO FURTHER BUSINESS BROUGHT FORTH

ADJOURNMENT

Motion/Second to adjourn the February Monthly Meeting and Annual Board of Audit Meeting at 10:24PM, on Wednesday, February 24, 2016: Silverberg/Hassett

Approved: Adams, Gotzian, Hassett and Silverberg

Abstaining: None

Opposed: None

Motion Prevails adjourning the February Monthly Meeting and Annual Board of Audit Meeting, on Wednesday, February 24, 2016 at 10:24PM.

Respectfully Submitted,
Brenda Kimberly-Maas
Orrock Township Clerk

Accepted this 30th day of March, 2016, by the Orrock Township Board of Supervisors.

Chairperson

Attest: _____
Town Clerk