



REGULAR MEETING

WEDNESDAY OCTOBER 30, 2019 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday October 30, 2019, at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota.

In attendance were Chair Corrie Silverberg, Supervisors Bryan Adams, Paul Ellinger and Bob Hassett, Clerk Brenda Kimberly-Maas, Treasurer Gary Goldsmith. Also in attendance were Deputy Clerk Chris Weber, Mike Nielson – Town engineering firm, Darryl Waletzko – Town Contractor, Commander Steve Doran and seven audience members. Absent was Supervisor Eric Peterson.

A quorum was present, the meeting was called to order by Chair Silverberg, at 7:00PM and the Pledge of Allegiance to the United States of America was recited.

Meeting Agenda Approval

Clerk Kimberly-Maass added under Clerk's business Letter G – Sand Dunes Spirits Liquor License Agreement and Informational items ISD728 referendum election and meeting date reminders. Motion/Second to accept the presented agenda including the revised Clerk's Business by: Hassett / Adams. All present Supervisors approved. Motion prevailed, and the meeting proceeded in accordance with the presented agenda.

Approval of Meeting Minutes

Confirmation of two revisions – typing errors, was done.

Motion/Second to approve the September Regular Minutes by: Ellinger/ Adams. All present Supervisors approved. Motion Prevailed.

Sheriff's Report

Commander Steve Doran reported to the board 74 calls in October, which was down from 92 in September. Of note were three thefts, four crashes and domestic.

Open Forum

There were no open forum items.

Clerk's Business

Woznay CUP Application

Randall and Debra Wozney are requesting CUP (Conditional Use Permit) for a Riding Stable on PID#35-020-1300 at 25079 180th St.NE., Big Lake, MN 55309. The Woznays would like to put up an indoor arena. Supervisor Hassett confirmed with the Woznays that the stable will be for private use and no more than five horses will be stabled. He also inquired about security at the property. Debra Wozney noted that the barn will not be built until this winter. One security light is currently set up that goes on when there is movement in the driveway. One camera is currently set up. The house will not go up until they sell their current property until sometime next year. Horses will not be boarded until they re-locate to the property. The board recommends approval of the CUP.

Official Legal Publication

The West Sherburne Tribune discontinued publication on October 5, 2019. The publication was Orrock Township's official publication; therefore, the board needs to designate a new newspaper for official publications. Clerk Kimberly-Maas reported that both The Citizen out of Becker and the Elk River Star News serve the Township of Orrock.

Both publications meet the required criteria of delivering to 75% of the township. Clerk Kimberly-Maas recommended that the board designate Elk River Star News as the official publication for Orrock Township. Supervisor Adams recommended publishing important announcements - such as the annual meeting and elections - in both papers.

Motion/Second to designate the Elk River Star News as the official publication by Adams / Hassett. All Present Supervisors approved. Motion carries.

Resolution 2019-09 – Designating 2020 Polling Location

Clerk Kimberly-Maas informed the board that the presidential primary is being held on March 3, 2020; therefore, our polling location needs to be designated earlier than the normal date of December 31st. The clerk presented to the board Resolution No. 2019-09 Designating the 2020 Polling Location as Orrock Town Hall, located at 26401 180th Street NW, Big Lake, MN. This would include the Presidential, General Primary and General Elections being held in 2020.

Motion/ Second to adopt Resolution 2019-09 Designating 2020 Polling location by: Hassett / Ellinger. All present supervisors approved. Motion carries.

Hourly Maintenance Tracking

Treasurer Goldsmith and the finance committee requested input on how well the tracking of hourly maintenance tasks process for Darryl is working. The process is working well for the Treasurer and Clerk. Darryl is ok with the process for the time being.

Driveway Inspections – Vendor Blanket Authorization

Darryl questioned how many times he is supposed to go onsite for driveway inspections. In order to streamline the driveway inspection process, it is recommended that Darryl should have a vendor blanket authorization to respond to a homeowner's or builder's request for driveway inspection. Darryl is ok with how people are contacting him but is open to possible changes in the future.

Supervisor_Ellinger questioned if the driveway inspection form states how many visits the inspection fee covers and if any extra visits would be an additional charge. The township currently charges \$250. Mike stated that the driveway inspections should typically take 3 or 4 trips. A suggestion was made to modify the form to state that \$250 will cover four (4) inspections and after that, an hourly rate would be charged.

Supervisor Adams asked if the amount of garbage being abandoned is becoming an issue. Darryl noted that the Elk River landfill is now closed to the public and you need to be a commercial company to take items to the landfill. Darryl will double-check to see if he can get into the landfill with his placards. If he cannot get into the landfill, Clerk Kimberly-Maas advised that the township could possibly become a customer of the landfill. No action was taken at this time.

Motion/ Second by Ellinger / Hassett to modify the inspection form to state the \$250 fee will cover four (4) inspections. All present supervisors approved. Motion carries.

Motion/ Second by Adams / Ellinger to provide Darryl blanket authorization to provide driveway inspections as needed. All present supervisors approved. Motion carries.

Presidential Primary

Clerk Kimberly-Maas informed the board that the 2020 Presidential Nomination Primary shall be conducted on Tuesday, March 3, 2020. Mandatory election judge training dates will be announced soon. Deputy Clerk Weber will take election judge, head judge and administrative training. Clerk Kimberly-Maas noted that the township will be losing a couple of elections judges and is looking for additional judges. The township should have enough judges for the presidential primary but will, most likely, need additional judges for the general election.

Town Hall Inspection

The installation of the fire safe and age of the township hall building prompted the possible need for inspection of the town hall. Supervisor Adams reported that he did some analysis of the building. The floor underneath the safe is not up to code. Supervisor Adams reinforced the floor underneath the fire safe.

A couple of contractors were contacted to submit quotes for inspection of the building.

A Scope of Work Proposal was received from Ken Geroux Construction Corporation to include the following work for a total cost of \$650:

- Create opening in existing foundation to allow access to crawl space under oldest part of structure
- Inspect floor system, foundation and general structure as allowed
- Inspect attic insulation, rafter system and general structure as allowed
- Remove siding in various locations to inspect for wall insulation
- Repair any access points as needed
- Report any findings on inspections

The board feels that there are three options for the future of the town hall: 1) Keep the building as is 2) Use the current site and modify or build another building either by adding onto the current building, building a new building, or using and expanding the metal storage building 3) Build on another site

Supervisor Adams gave rough estimates of \$158,000 to add on a 30x30 addition (not including parking expansion) and \$367,000+ for a new facility (not including land, etc.). The township needs additional meeting space, office space, election space and storage space. Further discussions will be had as to the future of the town hall.

Motion/ Second by Hassett / Ellinger to authorize Ken Generoux Construction to complete the inspection for a cost of \$650. All present supervisors approved. Motion carries.

Sand Dunes Spirits Liquor License

Sand Dunes Spirits liquor license is up for renewal in 2020 and the county is requesting Orrock Township's comments on the renewal of their liquor license. It was noted that there have been no issues at the liquor store.

Motion / Second by Adams / Hassett to approve the liquor license renewal application for Sand Dunes Spirits liquor store. All present supervisors approved. Motion carries.

Roads

Snow Removal Contract Amendment

Treasurer Goldsmith reported that Darryl is storing equipment in the building and, in order to formalize this agreement, the finance committee recommends a contract amendment to the snow removal contract. As stated in the amendment, there are an availability of equipment and priority of service, town's facilitation of contract and a hold harmless clause in the agreement. The township's building insurance policy covers \$20,000 in contractor's equipment. Darryl stated that he has insurance on his equipment.

Motion/ Second by Ellinger/Hasset to approve the snow removal contract amendment. All present supervisors approved. Motion carries.

229th Maintenance Agreement

Supervisor Adams noted that the maintenance agreement states that Orrock Township will maintain and plow from CR15 to the centerline on 170th Street. Big Lake will maintain and plow from the centerline on 170th to the west. Each party delegates to the other party such authority as it may need to perform the maintenance services it has agreed to perform within the jurisdictional boundaries of the other party. The agreement will stay in place unless it's repealed.

It is the opinion of the board that this contract should be reviewed annually, as it is important that all board members and officers are aware of the all agreements (this and other) that are in place. Clerk Kimberly-Maas recommended that a review of existing contracts become a line item on the reorganization meeting agenda template. Brenda will add this line item to the reorganization meeting template.

Mike Nielsen voiced a concern regarding having a 90-day out for either party in the 229th Avenue Maintenance Agreement. He had noted that Big Lake will have to overlay or reconstruct much sooner than Orrock Township will. Reconstruction is considered a maintenance activity within this contract; therefore, Orrock Township would not be responsible for the Big Lake section reconstruction costs.

Motion/Second to accept maintenance agreement by Ellinger/Adams. All present supervisor approved. Motion carries.

One-year Continuation of Snow Removal Contract

The snow removal contract between Orrock Township and Darryl Waletzko, LLC commenced on October 15, 2018, with an option to extend each year to the term of five (5) years. The map on the snow removal contract will change with the approval of the 229th Avenue Maintenance Agreement.

Motion/Second to renew the one-year continuation of the snow removal contract with a new map adding the 229th Avenue maintenance agreement by Adams /Hassett. All present supervisors approved. Motion carries.

2020 Projects List

Mike Nielsen presented the 2020 Street Improvements list of potential projects and associated costs for the 2020 construction season. 2020’s proposed projects consist of overlay projects and one potential reclamation project. Supervisors Adams met with Mike to review this list, and Supervisor Adams met with Supervisor Peterson to review.

The recommendation is to overlay on projects 1 & 2 so that we don’t get into a reconstruction condition. Reclamation on the projects would be double. Project 3 on 241st is breaking up badly and is recommended for a reclamation project. Darryl noted that the shoulders on 241st are getting bad. Project 4 is \$150,000 and completing 1/3 of the project (1/4 mile) as an overlay could be an option at an approximate cost of \$50,000. This project will be the number one project for 2021.

The recommendation stands on projects 1, 2 and 3 for a total of \$553,500. The 2020 Road and Bridge levy is \$721,000, with \$150,000 being needed for other miscellaneous projects.

- Project 1: 235th, 233rd Blackwoods Subdivision 2” Overlay Cost: \$179,500
- Project 2: 244th, 243rd Timberquest Subdivision 2” Overlay Cost: \$145,500
- Project 3: 241st 3.5” Reclamation Cost: \$228,500

Motion/Second to budget projects 1, 2 and 3 for a total cost of \$553,500 and to have Mike get the bids and specs prepared and put out for bids in January by Ellinger/Adams. All present supervisors approve. Motion carries.

Windstream Pedestal Repair Update

Reliable Tree Services damaged a Windstream phone pedestal on 233rd when they did the brush cutting work. Mike Nielsen worked with Reliable Tree Service to receive a reimbursement payment in the amount of \$901.30 for the damages made payable to Claims Management Resources. This will now allow authorization of the final payment from Orrock Township to Reliable Tree Service.

189th St. Eagle Point

Supervisor Adams discussed the 189th Street Eagle Point Vacation with the property owners, Matthew and Lori Martin. The owners have lived there since 1990 and said that Orrock Township has been maintaining the road. At some point, in order to minimize erosion, Jerry Peterson put reclaimed on the road. Orrock Township, according to Darryl, has not been plowing the road. Bryan wants to talk to Jerry Peterson to get more information on the history of this road. This will be placed on the November meeting agenda.

223rd Avenue Easement

Bob Ruppe reviewed and made some language changes - including the legal description and some additional maintenance language - to Minnesota DNR Right-of-Way Easement #ETP101119. He has sent the agreement to the state for review and it will be sent back for approval and signature. This item will be back on November’s agenda.

License Agreement Template for SSTS (Sub-Surface Sewage Treatment System)

Changes were made to the draft sample license agreement for homeowners that request to install a sub-surface sewage treatment system. These changes were made to ensure that both parties are protected. There is no longer an insurance requirement and the homeowner are responsible for any repairs.

Motion/Second to approve the updated License Agreement Template, along with spelling corrections by: Adams/Hassett. All present supervisors approve. Motion carries.

Road Right-of-Way Distance on Tom and Heidi Warnke's property – 253 ½ Ave NW.

Supervisor Adams stated that the 6x6 post recycling fence can remain. He also noted that the newly redone fencing along the Warnke's property line on 164th is within the road right-of-way on the north end. This fence can remain. The fence was redone this year and the fence line was not changed.

The township road right-of-way obstruction ordinance states that if a property owner places a man-made obstruction in the road right-of-way, they do so at their own risk. The township has the right to ask for removal of that obstruction. This ordinance is to promote the public safety, the general welfare of the community and to enforce the goals and policies of Orrock Township. Each situation is handled on a case-by-case basis. If a concern gets brought to the board's attention, the board will then handle that concern.

If there is damage to a man-made obstruction that is within the road right-of-way, the repairs are the property owner's responsibility.

The board informed the Warnkes that any new fencing on their property will need to be 11 feet from the edge of the road.

Clerk Kimberly-Mass suggested that the board authorize Bob Ruppe to draft a letter to the Warnkes on behalf of the board stating the required distance of 11 feet.

Motion / Second by Hassett/Adams to have Bob Ruppe draft such letter. Voting for: Adams/Hassett Voting against: Ellinger/Silverberg Motion failed. No action taken. Heidi Warnke thanked the board for cleaning the drain.

Supervisor Updates / Committee Reports

Supervisor Adams reported that the catch basins were cleaned the week of October 21st. The basin on 253 ½ will need to be cleaned more than once a year due to the amount of mud that goes into the basin. The remaining catch basins looked good.

He also gave an update on the County Planning Commission. The commission is cleaning up the planning process for lots to make the process simpler for both the developer and county to administer.

On County Road 8 there are 13 solar farms under construction. The county is getting concerned about the number of solar farms in the area and the future concerns / questions of these solar farms. Decommissioning in the future is a big concern.

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

Motion/Second to approve routine claims as amended by: Ellinger/Hassett. In favor: Adams, Ellinger, Hassett, & Silverberg. Opposed: none. Abstained: None. Motion Prevailed.

Supplemental Claims

Treasurer Goldberg reported that in 2017 the town received a payment of \$3,250 from Regal Custom Homes for driveway escrow and inspection fee for Heritage Trails Lot 4, Block 1. This receipt is recorded in CTAS as receipt number 201989. On October 25, 2017, the town paid WSB \$250 for the inspection of the driveway. However, rather than pay the fee from the R&B account, into which the money had been received, it was paid from the Heritage Trails escrow fund. He presented a supplemental claim for transfer of \$250 from Road and Bridge to the Heritage Trails Escrow fund. There are also two Howard Homes escrow refunds, two Heritage Trails escrow refunds and the Reliable Tree Service final payment.

Accounting Adjustments

An accounting correction was made for a May bill paid to WSB in the amount of \$166 that went to Heritage Hills escrow that should have been from the Road and Bridge account.

Motion/Second to approve the supplemental claims and the accounting actions taken by the Treasurer by Adams/Silverberg. All present approved. Motion carries.

Payroll Claims - October 2019

Gary presented the Board with the payroll claims for the month of October.

Motion/Second to approve payroll claims by: Ellinger/Hassett. All present supervisors approved. Motion Carries.

Treasurer's Report

Town Funds balances as of September 30, 2019:

General Fund: \$ 74,806.84

Road & Bridge: \$ 672,181.70

Fire: \$20,571.33

Capital Reserve: \$195,373.68

All escrows are unchanged

Motion/Second to accept the Treasurer's Report date ending 09/30/2019 by: Adams/Hassett. Approved by: Adams, Ellinger, Hassett and Silverberg. Opposed: None. Abstained: None. Motion carries.

Cash Control Statement

Treasurer Goldsmith presented the Board with the Cash Control statement. Ending cash balance after reconciling the books with the bank statements: \$655,558.40. This amount included 4M fund balance information.

Motion/Second to accept the September Cash Control Statement: Hassett/Ellinger. Approved by: Adams, Ellinger, Hassett and Silverberg. Opposed: None. Abstained: None. Motion carries.

Treasurer Action Items

Closing of Sherburne State Bank Money Market Account

Treasurer Goldberg presented a resolution authorizing the treasurer to close the money market account at Sherburne State Bank and authorizes Gary to move this money into the town's checking account at Sherburne State Bank.

Motion/Second to approve the resolution authorizing Treasurer to close the money market account at Sherburne State Bank: Ellinger/Hassett. All present supervisors approved. Motion carries.

Driveway Escrow Permits

Treasurer Goldsmith has been reviewing driveway escrow permits. The process isn't complete but will be ready next month and he will then be able to advise as to the escrow permits that have exceeded the one-year mark.

Investment Update

Treasurer Goldsmith reported that there are no changes on the investments. The second CD has renewed. The first one renewed at the incorrect interest rate. It was corrected retroactively.

Budget Analysis and Discussion

Treasurer Goldsmith noted that the budget information is in the packets. The Fire fund is straight forward. The General fund has been broken down by budget groups to give high level figures. Gary has moved the budget into CTAS so that he will be able to generate reports within the accounting system. He noted that the General fund budget is not 100% there yet due to coding that needs to be fixed within the system. Treasurer Goldsmith would like to meet with the finance committee next week. For the Road and Bridge fund, our accounts match more closely. Gary he would like to meet next week with the road and bridge committee as well.

Announcements

Clerk Kimberly-Maas announced:

- MAT Annual Conference – registration is open. The dates are November 22nd-23rd.
- Minnesota Department of Agriculture is sponsoring an Emerald Ash Borer Workshop in December.
- November meeting is changed to November 20th due to the Thanksgiving Holiday.
- December meeting is changed to December 18th due to Christmas.
- ISD 728 has a special election on November 5th. Orrock Township residents will vote at the Refuge Evangelical Church in Zimmerman. This is also posted on the township website.

Chair Silverberg questioned as to whether the Elk River Star News will cover our board meetings. Clerk Kimberly-Maas stated that the City of Big Lake is in negotiations with the Elk River Star News.

Adjournment

Motion/Second to adjourn regular meeting by: Silverberg/Hasset. All present approved. Motion Passed, adjourning the Regular Monthly Meeting, on Wednesday October 30, 2019 at 8:59PM.

Respectfully Submitted,
Chris Weber
Town of Orrock, Deputy Clerk

Accepted this 20th day of November 2019 by the Orrock Township Board of Supervisors.

Corrie Silverberg, Chair

Attest: _____
Brenda Kimberly-Maas, Town Clerk