



REGULAR MEETING
WEDNESDAY FEBRUARY 27, 2019 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday February 27, 2019, at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota.

In attendance were Chair Corrie Silverberg, Vice-Chair Bryan Adams, Supervisors Paul Ellinger, Bob Hassett and Eric Peterson, Clerk Brenda Kimberly-Maas, Treasurer Gary Goldsmith, Deputy Treasurer Laura Jones, Mike Nielson – Town engineering firm, Darryl Waletzko – Town Contractor, six audience members and Gary Meyer – West Sherburne Tribune.

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

Motion/Second to accept the presented agenda by: Silverberg/Ellinger. All present Supervisors approved. Motion prevailed, and the meeting proceeded in accordance with the presented agenda.

Approval of Meeting Minutes

Motion/Second to approve the January Regular & Reorganizational Meeting Minutes by: Ellinger/Adams. All present Supervisors approved. Motion Prevailed.

Clerk's Business

Encroachment Agreement for septic line to be run under 253 ½ Ave – Ann Lake Beach

Clerk Kimberly-Maas presented a request from David and Carolyn Larson, 16489 253 ½ Ave, to run a septic line under 253 ½ Ave to a lot across from their home where the septic system is proposed to be located. The Larsons and their installer were given the requirements made by the board in January. The installer requested the depth of the septic line burial, be reduced to 4.5' and the line be run diagonally to the road, to which Mike Nielson agreed provided the installer mark the location of the discharge line using permanent stakes, similar to those used to mark gas lines. The agreement was amended, proofed by town counsel and sent to the Larsons and their installer, Mark Nutt of Mark's Sewer.

Setback Variances - Johnson

James Johnson was present to request two variances to build a second story deck on his home at 18255 233 ¼ Ave. NW. Big Lake. Variance one is for a 46' variance from the right of way which will make the structure 21' from the ROW of 233 ¼ Ave. The second variance is for a 15' variance to the rear setback line of the property which would place the structure 10' from the property line.

Board recommends approval of the 46' variance to the ROW of 233 ¼ Ave and the 15' variance to the rear setback, providing all county requirements are met.

Clerk will provide comments to Elizabeth Dakin, Zoning Specialist at Sherburne County Planning and Zoning.

Setback Variances -Mueller/Raimis

Ivan Farrera was present to request a variance to build a detached garage at the property at 18207 233 ¼ Ave. NW. Big Lake. Variance one is for a 25' variance from the right of way which will make the structure 42' from the ROW of 233 ¼ Ave.

Board recommends approval of the 25' variance to the ROW setback to 233 ¼ Ave, providing all county requirements are met.

Clerk will provide comments to Elizabeth Dakin, Zoning Specialist at Sherburne County Planning and Zoning.

Recycle Day 2019 Participation

Clerk Kimberly-Maas informed the Board there will be a committee meeting at the Big Lake Town Hall to discuss the changes needed to Recycle Day, due to the closing of GRE. Items which had been collected and eligible for reimbursement, because they were sent to GRE, will no longer be eligible for SCORE grant funds. Brenda, Corrie and Bryan will attend the meeting and report back to the Board in March.

Resolutions to Enter into Contract with Interested Officers

Clerk Kimberly-Maas noted the Board needs to adopt individual resolutions for each supervisor to allow hourly payment of time, should the supervisor decide to make claim for work done on behalf of the Town.

Motion/Second to adopt Resolution 2019-03 authorizing contract with Bryan Adams by: Silverberg/Ellinger.

Approved by: Ellinger, Hassett, Peterson and Silverberg. Abstaining: Adams. None were opposed. Motion prevailed.

Motion/Second to adopt Resolution 2019-04 authorizing contract with Paul Ellinger by: Adams/Hassett. Approved by: Adams, Hassett, Peterson and Silverberg. Abstaining: Ellinger. None were opposed. Motion prevailed.

Motion/Second to adopt Resolution 2019-05 authorizing contract with Bob Hassett by: Adams/Ellinger. Approved by: Adams, Ellinger, Peterson and Silverberg. Abstaining: Hassett. None were opposed. Motion prevailed.

Motion/Second to adopt Resolution 2019-06 authorizing contract with Eric Peterson by: Ellinger/Adams. Approved by: Adams, Ellinger, Hassett and Silverberg. Abstaining: Peterson. None were opposed. Motion prevailed.

Motion/Second to adopt Resolution 2019-07 authorizing contract with Corrie Silverberg by: Adams/Ellinger. Approved by: Adams, Ellinger, Hassett and Peterson. Abstaining: Silverberg. None were opposed. Motion prevailed.

Roads

SPRA Grant Updates – 233rd Ave & 168th St work

Mike Nielson informed the Board he had heard from Dave Sobania, DNR, who gave his word that the easement cost of \$2000 to install the turn and bypass lanes on 233rd Ave. would be reimbursed by the DNR. Mike was sent the CAD files for the easement and will be able to write the description of the easements from those CAD files at a cost of \$500-750.

Mike is prepared to submit construction plans for bid advertising. The language of the bid documents will include the ability to remove any and all quantities as determined by the Board, once bids are received. Mike is requesting authorization to write the easement description and submit bid advertisements for SPRA grant projects on 233rd Ave. and 168th St.

Motion/Second authorizing WSB to write the easement description for 233rd Ave. bypass and turn lane easement and advertise for bids on SPRA grant projects on 233rd Ave and 168th St. by: Hassett/Peterson. Approved by: Adams, Ellinger, Hassett, Peterson and Silverberg. None were opposed. Motion prevailed.

No comment or quotes for brushing and grubbing available for the meeting. Item will be revisited in March 2019 meeting.

2019 Road Project Areas

Chip Seal

Mike has the construction plans for 2019 chip seal projects ready for bid advertising and is looking for authorization to place bids. His estimate for the projects, including engineering costs is \$197,000.

Motion/Second authorizing WSB to advertise for bids 2019 chip seal projects by: Adams/Hassett. Approved by: Adams, Ellinger, Hassett, Peterson and Silverberg. None were opposed. Motion prevailed.

229th Ave.

Mike Nielson reported he and the road committee from Orrock with Big Lake Township committee members and their engineer to discuss joint project on town line road 229th Ave. The consensus of the meeting is to have Orrock specifications used to rebuild 229th Ave. from CSAH 43 to 170th St. and use Big Lake's specifications for overlay work from 170th St to the westerly termination of the road. Orrock will provide their specs to Big Lake's engineer for use in the construction documents and will be in charge of inspection for their section of the project. Big Lake will advertise for bids and act as the fiscal agent for the project. Big Lake will invoice Orrock for 50% of the whole bill. Moving forward, each entity will be responsible for maintenance of the segment of the 229th that is going to be under their specifications in this project. General maintenance – snow/ice control, mowing and brushing & trimming, will continue to be alternated between the towns on a 5-yr cycle. The current Joint Agreement will need to be reviewed and a new Agreement for this project and continuing maintenance will need to be drafted, reviewed by each township and accepted, by each Board.

Motion/Second authorizing Mike Nielson to write construction documents for the segment of 229th Ave. from CSAH 43 to 170th St. NW, deliver the documents to Landform Engineering, review the current Joint Town Line agreement by: Adams/Peterson. Approved by: Adams, Ellinger, Hassett, Peterson and Silverberg. None were opposed. Motion prevailed.

Board Business/Updates – Committee Reports

Supervisor Adams had requested snowfall history from MNDOT. The history data was for 1", 2" and 4" snowfall events from 1884-2018 snow seasons. What the data revealed is the ratio of 1", 2" and 4" events is essentially the same as it was a century ago. The difference is the rain events we are seeing, now. Bryan felt that from a climate perspective, there is no reason to change the thresholds for dispatching plows. He did think there may need to be a more frequent delivery of sand/salt, to treat the roads when we receive rain. Supervisor Ellinger noted there is more traffic on our roads, now which means the smaller amount of snowfalls gets packed down. Supervisor Peterson noted that there still is less traffic on town roads than county roads, so additional product won't necessarily be tracked through the neighborhoods. The Board will wait to hear from residents at the Annual Meeting, before making any changes to the snow/ice removal policy.

Supervisor Ellinger will be out of town for the Livonia Zimmerman March Fire Board meeting. Supervisor Silverberg will attend in Paul's place.

Supervisor Hassett attended the Sand Dunes informational meeting. The DNR will be logging in the forest area south of the horse parking lot on 233rd Ave. Supervisor Hassett stated the loggers will use the horse parking lot as a landing/staging area. He requested there be some modifications to the shoulder of the south side of 233rd Ave, to handle the weight of the trucks as they leave the forest and enter 233rd Ave on the south side. Mike Nielson asked that he be reminded of this when construction begins, so attention to the shouldering can be made. Supervisor Hassett had been taking calls from residents who voiced their concerns over the tall snow piles at the intersections. He told the residents the vendor is running out of room to move the snow and they need to use extra caution. Supervisor Hassett's last update was to let the Board know that residents who live in the neighborhood on the north side of Ann Lake, continue to desire 25MPH signs be installed in the area. Mike Nielson stated that there have not been a significant number of crashes which would warrant the Board exercising their ability to reduce the speed to 25MPH. He also noted that the cause of the child's death was a drunk driver on a snowmobile and signage would likely not have made a difference in the situation. There are 30MPH signs installed on the roads leading into the area, on 253 ½ Ave near CSAH 15 and on 165th St. near 257th Ave. The Board noted that if there are speeding vehicles in the area, residents need to call the sheriff's dispatch for additional patrols. No further business on the matter.

Treasurer's Business

Claims Approval – Routine, Individual and Payroll

Claims and payroll were electronically sent to the Board for review prior to the meeting and were available for public review during the meeting. Gary noted the electronic copies did not include a mileage reimbursement for the Clerk and the plowing invoices are now billing for current services.

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

Individual Claim: Claim for \$2000 application to DNR for easement – will be reimbursed per verbal agreement between Mike Nielson and Dave Sobania, MN DNR. Motion/Second to approve the pay claim of \$2000 application to purchase easement on 233rd Ave. for bypass and turn lanes by: Peterson/Ellinger. In favor: Adams, Ellinger, Hassett, Peterson & Silverberg. Opposed: none. Abstained: none. Motion Prevailed.

Ratify Corrective Disbursement: An error in calculating Clerk's claim in January was corrected by Treasurer and approved by Chair Silverberg. Treasurer Goldsmith requested ratification of the payment made after the January meeting to correct the error. The clerk claim has been correctly paid with the issuance of that check.

Motion/Second to ratify the reissuance of clerk's disbursement to correct the error in payment calculation by: Ellinger/Peterson. In favor: Adams, Ellinger, Hassett, Peterson & Silverberg. Opposed: none. Abstained: none. Motion Prevailed.

January Payroll Claims: Motion/Second to approve January payroll claims by: Adams/Hassett. In favor: Adams, Ellinger, Hassett, Peterson & Silverberg. Opposed: none. Abstained: None. Motion Prevailed.

Treasurer's Report

Treasurer Gary Goldsmith reported the Town's fire fund balance is in a negative balance after payment of the first half Big Lake fire bill. The fund will return to a positive balance when the first installment of tax collections is received. Town Funds balances as of January 31, 2019:

General Fund: \$ 164,157.34

Road & Bridge: \$695,476.34

Fire: <\$ 12,753.54>

Capital Reserve: \$139,373.68

Escrows were unchanged

Motion/Second to accept the Treasurer's Report date ending 01/31/2019 by: Hassett/Adams. All present approved. Motion Prevailed.

Deputy Treasurer Informational Items

Treasurer Goldsmith informed the Board and audience that the Board will sit as the Board of Audit, later in the meeting. He noted the Board is charged with reviewing all deposits and disbursements monthly. However, an annual internal audit is conducted as a matter of business. During this time the Board will review three receipts, three disbursements and check the bank statements to ensure each is correctly accounted.

Cash control statement was made available to the Board for review.

Treasurer Goldsmith presented for record a Memorandum of Adjustment for the overpayment of PERA, for which he made a corrective entry into the CTAS software.

Treasurer Goldsmith presented for record a Memorandum of Adjustment for the splitting of one disbursement entry in the amount of \$15 to Lewis Software. The company was paid in two disbursements of \$7.50 each. To correctly reconcile the bank statement separate entries into the CTAS software were made.

Treasurer Goldsmith recommended to the Board the Town invest a portion of their funds into the 4M fund. The 4M fund is run by the League of Minnesota Cities and is available to Towns for investing funds in 30-180 CDs. The CDs earn a higher yield than traditional checking and savings accounts. The CDs are investments in local government bonds. US Bank is the fiduciary agent for the 4M fund. He will be presenting information on participating in the 4M fund at the March meeting. Gary is looking for the board to adopt a resolution authorizing the opening of a checking account at US Bank, because it is more convenient for him to bank in Elk River and will allow for easier money transferring should the Board authorize participation in the 4M fund, at a later date.

Motion/second authorizing Treasurer Goldsmith to open a checking account for Town funds at US Bank by: Ellinger/Hassett. Approved by: Adams, Ellinger, Hassett, Peterson and Silverberg. Opposed: none. Motion Prevailed.

Budget materials were presented to the Board for review. Treasurer Goldsmith generated budget information with historical data and more detail as was directed by the Board. Based on the projected expenses for 2020 the high balance in the General fund and the need to plan for either repairs or rebuilding of the Town Hall, Treasurer Goldsmith is recommending a permanent transfer of money from the General Fund to the Capital Reserve Fund. Discussion on waiting to make the permanent transfer until after the annual meeting, was made. Deputy Treasurer Jones stated she would be more comfortable if the electorate were able to give input on the permanent transfer, before the Board acted on the matter. Other Board members felt it would be best to move the money and inform the constituents of the move and reason at the Annual Meeting. The decision was to make the transfer and inform the residents of the transfer and reason it was done, during the Treasurer's report to the electorate. Discussion on the amount which should be moved was also made.

Motion/second to permanently transfer \$40,000 from the General Fund to the Capital Reserve Fund by: Hassett/Adams. In favor: Adams and Hassett. Opposed: Ellinger, Peterson and Silverberg. Motion Failed.

Further discussion on the amount to transfer was made.

Motion/second to permanently transfer \$56,000 from the General Fund to the Capital Reserve Fund by: Silverberg/Ellinger. In favor: Adams, Ellinger, Hassett, Peterson and Silverberg. Opposed: none. Motion Prevailed.

After reviewing the historical spending of the Town, forecasted expenses for 2019 and projected expenses for 2020 – and beyond with regard to the road maintenance schedule, the board made the following motion of recommendation for 2020 levy, to be made at the Annual Meeting.

Motion/second to accept and adopt the following recommended levy amounts – General Fund \$80,000; Road and Bridge Fund \$721,000; Fire Fund \$130,000 for a total levy of \$931,000 by: Adams/Hassett. In Favor: Adams, Ellinger and Hassett. Opposed: Peterson and Silverberg. Motion Prevailed.

Motion/second to recommend the following levy amounts to the electorate, at the 2019 Annual Meeting on Tuesday March 12, 2019 – General Fund \$80,000; Road and Bridge Fund \$721,000; Fire Fund \$130,000 for a total levy of \$931,000 by: Hassett/Peterson. In Favor: Adams, Ellinger, Hassett, Peterson and Silverberg. Opposed: none. Motion Prevailed.

Other Business

Mike will not be present at the Annual Meeting. He will provide road maintenance schedules to the Board for presentation to the electorate, at the Annual Meeting.

Mike asked the Board to consider if they wanted to have some sort of maintenance done to the Town Hall parking lot. He recommended it be chip sealed at a minimum. If there will be future remodeling at the current location, he would discourage investing in an overlay. No action taken at this time.

Recess of Regular Meeting

Motion/Second to recess the regular meeting at 9:19PM by: Ellinger/Peterson. In favor: Adams, Ellinger, Hassett, Peterson and Silverberg. Opposed: none. Motion Prevailed.

Call to Order Board of Audit Meeting

Chair Silverberg called the Board of Audit meeting to order at 9:20PM.

Treasurer Goldsmith explained that the Board is now sitting as auditors of the town’s records of 2018. He noted that the Treasurer performs the bank reconciliation on a monthly basis and the Board reviews/audits all receipts, disbursements and the bank statements each month. Gary had also received reports from the State and County of all payments made to the town from those agencies. He matched those payments against reports generated from the Town’s accounting software, CTAS. He found no discrepancies between the reports.

Seated as the Board of Audit, from the registers, they will choose three random receipts and disbursements to review individually, on the receipts register or disbursements register and on the bank statements.

The Board three (3) receipts for review:

- 103028 paid to the town by Sherburne County
- 103029 paid to the town by State of Minnesota – Town aid
- 103030 paid to the town by State of Minnesota – fines

All three were verified to be accurate:

The Board chose three (3) disbursement for review:

- BCC7 paid to US Postal Service
- 10524 paid to WSB Engineering
- 10564 paid to Tri-City Paving

All three were verified to be accurate.

The clerk will record the items audited and keep the record on file.

Internal Financial controls are being set up for the receipts and disbursements processes.

Adjourn the Board of Audit Meeting

Motion/Second to adjourn the 2019 Board of Audit meeting at 9:36PM by: Hassett/Adams. In favor: Adams, Ellinger, Hassett, Peterson and Silverberg. Opposed: none. Motion Prevailed.

Reconvene Regular Meeting

Chair Silverberg reconvened the regular meeting at 9:36PM.

Adjournment

Motion/Second to adjourn regular meeting by: Silverberg/Peterson. All present approved. Motion Passed, adjourning the Regular Monthly Meeting, on Wednesday February 27, 2019 at 9:37PM.

Respectfully Submitted,
Brenda Kimberly-Maas
Town of Orrock, Clerk

Accepted this 27th day of March 2019, by the Orrock Township Board of Supervisors.

Corrie Silverberg, Chair

Attest: _____
Brenda Kimberly-Maas, Town Clerk