



Regular Meeting
Wednesday June 23, 2021 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday June 23, 2021 at the Orrock Town Hall, 26401 180th St. NW, Big Lake, Minnesota.

In attendance were Chair Bryan Adams, Supervisors Janine Arnold, Paul Ellinger, Gregg Felber and Bob Hassett, Treasurer Gary Goldsmith and Clerk Chris Weber. Also, in attendance were Town Engineer Kevin Kruger, Kevin Clark from JP Brooks and the Patriot News.

A quorum was present, the meeting was called to order by Chair Bryan Adams, 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: Ellinger/Arnold. In favor: Adams, Arnold, Ellinger, Hassett and Felber. Opposed: None. Abstained: None.

Motion prevailed, and the meeting proceeded in accordance with the agenda as presented.

Approval of Meeting Minutes

Motion/Second to approve the May Regular Meeting Minutes by: Felber/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Sheriff's Report

Sergeant Luke McLean reported that there were 103 traffic complaints in May 2021. There were still many complaints for speeding on 233rd and CR 15 and the department is continuing enforcement at the location. There were two vehicle thefts in the DNR lots. Sergeant McLean would like to remind people not to leave valuable items in their vehicles. Conditions are still dry for this time of year. With dry conditions this year, they are encouraging people to refrain from shooting off fireworks. Supervisor Hassett asked a question regarding Stand Your Ground and Sergeant McLean recommended to refer to the County Attorney's office for Stand Your Ground questions.

Open Forum

Gregg Felber presented a Second Amendment Dedicated Township Resolution for the board to consider. This resolution would back the second amendment. He would like this placed on a future meeting agenda for consideration by the board. Treasurer Goldsmith recommended that the resolution be referred to Bob Ruppe if the board wants to act on the resolution. This item will be on the July meeting agenda.

Regular Business

Snow Plowing Policy #20210623– Correction to Policy #20161228

Clerk Weber presented Snow Plowing Policy #20210623 to make corrections to Section X, Paragraph 2 to read: Neither the Township nor its Contractor(s) shall be responsible for damage to resident installed/planted obstructions located within the road right-of-way. A good rule-of-thumb is that the Township owns, or has interest in, at least twelve feet off the edge of the tar, including cul-de-sac. This adds the word neither and changes the distance off the edge of the tar to twelve feet. The 2016 policy had the distance from edge of tar as 21 feet.

Motion/Second to adopt Snow Plowing Policy #20210623 by: Hassett/Felber. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Adopt-a-Storm Drain Joint Powers Agreement

Clerk Weber presented an "Adopt A Storm Drain" program that Sherburne County Public Works and Sherburne Soil and Water Conservation District (SWCD) have been developing. The program aims to engage volunteers within the county to "adopt" drains in the county. Volunteers would select storm drains in their community to oversee and would visit the drains several times a year, collecting debris from the area. The township would be responsible for identification of the drains, SWCD would administer the program and be responsible for any costs incurred in the administration of the program. Supervisor Ellinger would like to convey to SWCD that all volunteers are given a copy of the Adopt-a-Storm Drain Safety Guidelines, as presented in the program materials.

Motion/Second to approve the proposed Adopt-a-Storm Drain Joint Powers Agreement by: Ellinger/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Sale of Tax Forfeited Land – PID 35-404-0645

Clerk Weber presented an Orrock Township tax forfeited parcel. The PID is 35-404-0645. This lot is located Eagle Lake Shores. The township has the option to purchase this parcel. If the township does not purchase the parcel, the county will hold two types of sales - a closed bid sale offered to adjacent property owners only and a public sale.

Motion/Second to approve the sale of tax forfeited land PID 35-404-0645 by: Hassett/Arold. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

American Rescue Plan Funds

Clerk Weber requested a motion by the board to authorize Treasurer Goldsmith to apply for American Rescue Plan funds. The state would like townships to apply for the funds as soon as possible so that the state knows how many entities plan to apply for the funding. The first half payment will be made to the township in the summer of 2021 and the second half payment will be made 12 months after the first payment.

Motion/Second to authorize Treasurer Goldsmith to apply for American Rescue Plan Funds by: Ellinger/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Irrigation System

Clerk Weber told the board that the irrigation system needs repairs. Darryl Waletzko offered to replace the system if the township purchases the parts. Darryl offered to donate his time to install the new irrigation system.

Motion/Second to have an irrigation company look at the irrigation system and get the system operational at a maximum cost of \$4,000 by: Ellinger/Adams. In favor: Adams, Arnold, Ellinger and Hassett. Opposed: None. Abstained: Felber Motion Prevailed.

Roads

Kevin Clark – JP Brooks/Shores of Eagle Lake

Kevin Clark, of JP Brooks, introduced himself to the board. JP Brooks acquired Shores of Eagle Lake in October 2020. He told the board it is their goal is to have the roads taken over by the township. JP Brooks is planning to chip seal the roads to township specs so that the township can take over ownership of the roads. Kevin Clark asked if the Shores of Eagle Lake Escrow funds could be applied to the chip seal project and would like confirmation that the township would take over the roads once the chip seal project is completed. The approximate cost of the chip seal project is \$50,000. Supervisor Adams agreed that the chip seal needs to be completed sooner rather than later to save the roads. The Shores of Eagle Lake development is approximately 1/3 built out. As for development of the community, Kevin stated that it would be aggressive to say that they would build 30 homes a year. Kevin Krueger, of WSB, stated that chip sealing the roads should be good for 15-20 years. Treasurer Goldsmith stated that if the township takes over the roads, the township will have control over the traffic that enters and be able to place appropriate weight restrictions on the roads.

Treasurer Goldsmith stated that there is a question of ownership of the escrow. He told the board that, prior to disbursing escrow funds, the township would need an affidavit signed by Bev Harvey and JP Brooks to establish ownership

of the escrow. Gary presented an audited escrow balance showing the remaining funds in the Shores of Eagle Lake Escrow fund as \$79,731.16.

The board has concerns over any future damage that could be done to the roads should the water or sewer infrastructure fail, and a road needs to be torn up and then subsequently repaired. The board also has concerns over the financial liability of those possible repairs. There are also concerns over the township taking over the curb and gutter. Supervisor Adams noted that there is a filed declaration stating that the Shores of Eagle Lake Homeowner's Association is responsible for the curb, gutter and water and sewer infrastructure.

The board wants to move forward with taking over the roads but will need to work out the details of such an agreement. This item will be placed on the July meeting agenda.

Motion/Second to disburse \$25,000 of Shores of Eagle Lake escrow funds to JP Brooks upon completion of the chip seal project and based on establishing legal rights to the escrow by: Ellinger/Hassett. In favor: Arnold, Ellinger and Hassett. Opposed: Felber/Adams. Abstained: None. Motion Prevailed.

Motion/Second to direct the clerk and treasurer to work with the township attorney, all interested parties and the road and finance committees to resolve issues related to the Shores of Eagle Lake Development, including looking at a developer agreement to specify the terms of the acceptance of the roads by: Adams/Felber. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Trailer in Right-of-Way – 18217 233rd Ave NW

Chair Adams showed the board a picture of a trailer that is in the road right-of-way at 18217 233rd Avenue NW. The trailer is not parked on the homeowner's property, but rather the property next to his property.

Motion/Second to send a letter to the homeowner requesting the homeowner to move the trailer off the road right-of-way and contain the trailer on his property within 15 days of receipt of the letter by: Ellinger/Arnold. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

2021 Tree Trimming

Chair Adams presented his recommendations for 2021 tree trimming. There are three areas that need tree trimming. The 2021 budget will cover the cost to trim two of the three areas. The approximate cost for trimming two areas is \$30,000. Bryan's recommendation is to trim the areas north of Ann Lake and the trees off 268th Ave NW.

Motion/Second to trim the areas north of Ann Lake and the trees off 268th Ave NW by : Arnold/Felber. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Chair Adams stated that there is a lot between County Road 5 and 232nd Street that has dead trees that should be removed before the trees fall on the road. Chair Adams will try to contact the property owner by phone.

2021 Road Project

Kevin Kruger stated that the 2021 road project is in progress and the contractor is doing a great job. Paving will be completed by Friday, June 25. The final step will be shouldering and driveway repair. The project should be completed by July 1.

Supervisor Updates / Committee Reports

Supervisor Adams told the board that, on 253rd east off CR4 toward Ann Lake campground, the road weight limit signs had been removed during logging.

Supervisor Adams also told the board that the Planning Commission met on June 17th. On the agenda was an amendment to the Sherburne County Zoning Ordinance proposing to establish permitted parking areas for platted lots to address the number of excess vehicles on properties. The county is limiting the amount of land that you can put your vehicles on. That amendment passed. The other agenda item was an amendment to the Board of Adjustment. The county is trying to get as many citizens as possible involved on the board of adjustment. The amendment did not pass and they will continue to review.

Supervisor Arnold told the board that the finance committee met on Monday, 6/21.

Supervisor Felber stated that ZLFD is trying to get their building cleared. There are still items that need to be fixed. The board is now meeting twice a month, with most of the discussion being around the event center. Gregg also told the board that the new brusher is working well.

Supervisor Hassett inform the board that he received a resident call June 12th. The resident told Supervisor Hassett that their neighbor had been snowmobiling on their property and was mowing the homeowner's grass without their approval. Supervisor Hassett had advised the homeowner to discuss their concerns with the neighbor. If that does not resolve the issue, then call the sheriff.

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

Treasurer Goldsmith presented the board with routine claims in the amount of \$27,985.03.

Motion/Second to approve routine claims in the amount of \$27,985.03 by: Adams/Felber. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

These claims will be retained as a part of the Official Minutes, which are available in the Clerk's Office.

Payroll Claims – June 2021

Treasurer Goldsmith presented the Board with the payroll claims in the amount of \$1,705.05 for the month of June.

Motion/Second to approve the June payroll claims in the amount of \$1,705.05 by: Felber/Ellinger. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

These payroll claims will be retained as a part of the Official Minutes, which are available in the Clerk's Office.

Payroll – May Payroll and PERA Correction

Treasurer Goldsmith presented a memo for corrections to May payroll and PERA. There was an error in the May payroll that requires correction and board action.

Motion/Second to ratify and approve the payroll changes noted in the May 2021 payroll adjustment memo by: Felber/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

This payroll adjustment memo will be retained as part of the Official Minutes, which are available in the Clerk's Office.

Cash Control Statement

Treasurer Goldsmith presented the Board with the Cash Control statement. Ending cash balance after reconciling the books with the bank statements: \$ 1,352,379.92. This amount included 4M fund balance.

Motion/Second to accept the May Cash Control Statement by: Ellinger/Felber. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Financial Reports are retained as part of the Official Minutes, which are available in the Clerk's Office.

Investment Update

The Sherburne State Bank Checking is earning 0.30%, all CDs are earning 0.20%, and the 4M fund is earning 0.01%.

Treasurer's Report

Town Funds balances as of May 31, 2021:

General Fund:	\$ 93,696.74	Road & Bridge:	\$832,886.24
Fire:	(\$42,505.03)	Capital Reserve:	\$191,125.52

Driveway Escrows: \$ 40,000.00

All escrows are unchanged.

Motion/Second to accept the Treasurer's Report date ending 05/31/2021 by: Hassett/Felber. Approved by: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Announcements

Clerk Weber Announced:

- July Board Meeting – Wednesday, July 28th– 7PM at Orrock Town Hall
- Midco has completed the fiber installation in Orrock Township. Clean up is in process.
- SCAT Meeting – Wednesday, July 14th@6PM (Food), 7PM meeting

Adjournment

Motion/Second to adjourn the regular meeting by: Ellinger/Felber. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Passed, adjourning the Regular Monthly on Wednesday June 23, 2021 at 9:10.

Respectfully Submitted,
Chris Weber
Town of Orrock, Clerk

Accepted this 28th day of July 2021 by the Orrock Township Board of Supervisors.

Bryan Adams, Chair

Attest: _____
Chris Weber, Town Clerk