



Regular Meeting
Wednesday September 28, 2022 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday September 28, 2022 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, Bob Hassett and Clerk Chris Weber. Treasurer Goldsmith attended the meeting remotely. Also, in attendance were Sergeant Austin Turner, five audience members 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/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Absent: None.

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

Approval of Meeting Minutes

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

Sheriff's Report

Sergeant Austin Turner reported that there were 89 traffic stops in August 2022 and 83 in August 2021. There have been several drugs-related calls in the Ann Lake campground. Sergeant Turner asked if the board would like extra presence in the Hidden Ponds Development due to speeding issues. Supervisor Felber stated that the main complaint is that people are not stopping at the stop sign at 189th and 259th. Sherburne County will add extra patrol coverage in that neighborhood. Supervisor Adams also stated that there has been speeding on the west side of Eagle Lake at CR 75 and 232nd Avenue NW. The department will also monitor that area. At the CR4 and CR15 area speeding occurs on CR4 and in the morning drivers are running through the stop sign at that intersection.

Open Forum

Anne Felber was asked to present information that she discussed at the Candidate's Forum by Supervisor Bob Hassett.

Regular Business

Request for Second Driveway Access – G & M Outdoor Service, LLC (Kent Vetsch)

G & M Services is requesting a second driveway access at 18981 247th Avenue NW. The board must approve requests for installation of a second driveway access on a parcel. Supervisor Adams inspected that site and does not have any issues with the installation of a second driveway. A culvert will be needed at that second driveway.

Motion/Second to approve a second driveway access for property address 18981 247th Avenue NW by: Adams/Felber. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Rosa Olvera/Ramiro Ortiz Variance Request for Road Setback PID 35-028-1202

Ramiro Ortiz and Rosa Olvera are requesting a 15' variance in setback from the centerline of 245th Avenue NW for the addition of a four-season porch. The required setback from the road centerline is 100'. The board does not have any issues with recommending approval of the variance.

The board recommended approval of the variance request provided all county requirements are met. Clerk Weber will send the comments to the county.

Hailstorm Damage

Clerk Weber told the board that Ken Geroux provided a scope of work in the amount of \$6,814.69 for storm damage repair. The township's deductible is \$2,500. The township can delay repairs until a decision is made on the town hall building. The west side of the building is quite exposed. Ken Geroux said that house wrap tape could possibly be placed over exposed areas until next spring. Supervisor Ellinger stated that he thinks it would make sense to hold off on the repair until next spring. Supervisor Felber agreed. Ramiro Ortiz offered to put house wrap tape over the holes in the siding.

Motion/Second to have Ramiro Ortiz put house wrap tape over the siding and hold off on the repairs until spring by: Felber/Arnold. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevalled.

Daryl Waletzko Plowing Contract Extension and Amendment

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. Due to the increased costs of running the equipment, the finance committee met with Darryl Waletzko to discuss the hourly rates for services and recommended changes to the hourly rates as follows:

100% salt to be reimbursed at cost. The wheel loader with plow and wing hourly rate to be increased to \$175 (from \$150), the pick-up with v-plows hourly rate to be increased to \$90 (from \$70) and the salt-sand roads truck hourly rate to be increased to \$115 (from \$100). The finance committee recommended that the board approve the second amendment to the contract for snow plowing reflecting the new rates.

Motion/Second to renew the one-year continuation of the snow removal contract by: Arnold/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevalled.

Motion/Second to approve the second amendment to increase hourly rates to the snow removal contract by: Ellinger/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevalled.

Pine Crest Estates West One-Year Agreement to Snowplow Roads

Clerk Weber presented a One-Year Agreement to Snowplow Roads in the Pine Crest Estates West development for board consideration. The only access to the Kringlund property is through the development. The developer's agreement called for the final wear course on the roads to be installed after July 1, but before August 31, one winter after the first full lift of asphalt has been installed. After the wear course is installed and upon township engineer approval, the roads in the plat would be able to be accepted by the township. Chair Adams told the board that he is abstaining from the vote because he has purchased a lot in the development.

Motion/Second to adopt the Pine Crest Estates West One-Year Agreement to Snowplow Roads by: Arnold/Hassett. In favor: Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: Adams. Motion Prevalled.

Treasurer Laptop Purchase

Clerk Weber asked the board for authorization to purchase a new treasurer's laptop at a maximum cost of \$800. The current treasurer's laptop has reached the end of its useful life.

Motion/Second authorizing \$800 to be used for the purchase of a laptop, which will be used for the Treasurer Position by: Adams/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevalled.

MATIT Endorsement Extending November Renewal to March

Clerk Weber presented an endorsement from MATIT extending the November insurance renewal to March 1, 2023. The change is being made to ensure that the township receives a renewal proposal by December 1st of every year. There is no additional cost for this change.

Resolution 2022-13 Resolution Appointing Election Judges – General Election

Clerk Weber presented Resolution 2022-12 A Resolution Appointing Election Judges for 2022 General Election. Election judges must be appointed by the board at least 25 days prior to election day.

Motion/Second to adopt Resolution 2022-13 A Resolution Appointing Election Judges for General Election by: Felber/Ellinger. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevalled.

Roads

2022 Tree Trimming Quotes

Clerk Weber told the board that one tree trimming quote was received. The RFQ was published for two weeks in the Patriot News and Star News and was posted on the posting board at town hall and on the township's website. Waletzko, LLC's quote was \$30,500.

Motion/Second to accept the bid from Waletzko, LLC in the amount of \$30,500 by: Ellinger/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevalled.

Clerk Weber presented a Tree Trimming Letter to be mailed to the properties that are in the tree trimming and removal area for board consideration. If a property owner disagrees with the Orrock Township Board determination that trees need to be removed on their property, they have the right to request a hearing before the Town Board, provided they do so within 14 days of the date of the letter.

Motion/Second to have Clerk Weber mail the letters to the property owners by: Hassett/Arnold. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevalled.

2023 Road Projects

Kevin Kruger submitted an opinion of probable cost for the proposed 2023 road improvement project. The proposal includes overlaying 174th Street NW and 233rd Avenue NW, north of County Road 229th Ave NW and overlaying 235th Avenue NW and 183rd Street NW, east of County Road 15. The estimated costs for the 2023 road improvement project is \$409,409.35. The road committee agreed with this recommendation. Kruger stated that the rates this year have been more consistent. The plans could be approved in December and put out for bids in January.

Motion/Second to have the project prepared to put out for bids in January by: Ellinger/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevalled.

Pavement Management Plan Proposal – Discuss/Action

Kevin Kruger presented a pavement analysis work plan for consideration by the board. The road committee met to discuss the proposal. The committee's biggest question was the financing data and how that assists the township. The projection takes each individual segment and estimates the costs over the course of 20 years. Supervisor Ellinger would like to see a ten-year plan and make changes to the plan as recommended on a yearly basis. Supervisor Hassett wants to make sure that sealcoating is done on the regular schedule. In the next year or two, Supervisor Hassett would like to see some research done on how to handle the run-off on the narrow roads around the lakes. The difficult road jobs that will be coming up will be for reclaims around the lakes areas. 75% of Orrock Township's roads are built wide enough and have road ditching. The other 25% of the road will be the more difficult projects. The board feels that the Pavement Management Plan provides value by evaluating the roads and aiding in budgeting for the road levy in order to keep the levy somewhat stable. It also provides for a long-range road plan.

Motion/Second to approve the Pavement Management Plan Proposal by: Adams/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Hidden Ponds Speeds Signs

At the July meeting, the board had authorized Clerk Weber to reach out to Sherburne County to have speed monitoring signs placed in the Hidden Ponds development, based on recommended address locations from Supervisor Felber. The township is on a waiting list for the sign placement and would be on the schedule for mid to late October. The speed equipment will monitor the speeds and provide the amount of traffic going through the area for data purposes. A report can be provided to the sergeant and/or to the township. Supervisor Felber stated that he would prefer to have the pneumatic tubes put in place. Treasurer Goldsmith stated that placing the portable electronic speed sign will remind drivers that they are speeding. Supervisor Hassett's opinion is that installing the speed sign would be more beneficial to the intended purpose than placing pneumatic tubes. The board encourages residents to place their own slow children signs at their driveway entrance. Supervisor Felber would still like to see slow children at play signs put in place, even though research has shown that these types of signs are ineffective.

Motion/Second to have the clerk place the township on the list for placement of a portable electronic speed sign in the spring by : Felber/Ellinger. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Road Easement Encroachments

Chair Adams presented photos from three locations in the township that have vehicles parked within the road right-of-way. There are encroachments at 18217 233rd Avenue NW, 18231 233rd Avenue NW and from 25461 to 25413 162nd Street NW. The biggest issue with these encroachments is that they will impede snow plowing.

Motion/Second to have the clerk send letters to two addresses on 233rd Avenue NW and to all the homes on 162nd Street by: Arnold/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Supervisor Updates / Committee Reports

Supervisor Adams received a resident request to place a dead-end sign on 238th Avenue NW. The township has five no outlet signs in inventory. Supervisor Hassett would prefer to have a no outlet sign put in place.

Motion/Second to place a no outlet sign at the entrance of 238th Avenue NW by: Felber/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Supervisor Adams told the board that 233rd Ave NW had striping on it prior to the sealcoating project. Kevin Kruger told the board that, to comply with the DNR grant that the township received for that road, 233rd was required to be striped. The township is not required to re-stripe the road.

Supervisor Arnold reported that the finance committee met to review the Big Lake fire contract after meeting with the City of Big Lake and the Town of Big Lake to discuss the contract. The new contract is similar to the ZLFD contract formula and provides a more predictable and consistent payment structure. Arnold thanked Treasurer Goldsmith for his work on the contract. The draft contract was sent to the City of Big Lake and Town of Big Lake for final review. Their attorney approved the contract and the contract will go to the Joint Powers Board at their November meeting for final approval. Supervisor Goldsmith told the board that the current contract is unrelated to Big Lake's budget. The new formula pro-rates the township's payment of the budget based on the number of fire calls and property values. The township will also be paying a share of the depreciation cost to help fund future equipment.

Supervisor Ellinger - None

Supervisor Felber told the board that Big Lake Fire Department has trained four more firefighters. New firefighters are averaging service of five years before they quit, creating turnover. ZLFD is planning to purchase a new engine at an approximate cost of \$1,000,000. The cost of engines and equipment is rapidly escalating. There is a first-responder personnel crisis due to shortage of staff availability.

Supervisor Hassett had a conversation with zoning to get a gauge on the growth in Orrock Township. He was told that, generally, people are not building in rural areas because of roads. If the roads are not good enough, people won't build there.

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 prior to and during the meeting.

Routine Claims

Treasurer Goldsmith presented the board with routine claims in the amount of \$5,177.63.

Motion/Second to approve routine claims in the amount of \$5,177.63 by: Adams/Arnold. 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 – September 2022

Treasurer Goldsmith presented the board the September payroll claims in the amount of \$2,919.95.

Motion/Second to approve the September payroll claims in the amount of \$2,919.95 by: Hassett/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.

Cash Control Statement

Treasurer Goldsmith presented the Board with the Cash Control statement. Ending cash balance after reconciling the books with the bank statements: \$ 1,539,057.11. This amount included 4M fund balance.

Motion/Second to accept the August Cash Control Statement by: Ellinger/Hassett. 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 account is earning 1.37%, the Sherburne State Bank Debit Checking account is earning 1.40%, the money market account is earning 1.44%, the current CD is earning 0.60%, and the 4M fund is earning 1.91%.

Treasurer's Report

Town Funds balances as of August 31, 2022:

General Fund:	\$85,768.79	Road & Bridge:	\$ 736,181.46
Fire:	\$37,350.59	Capital Reserve:	\$ 199,707.93
ARPA Fund:	\$362,504.88	Driveway Escrows:	\$ 9,000.00
SOEL Escrow:	\$25,760.41	Pine Crest Estates Escrow:	\$ 7,016.86

All remaining escrows are unchanged.

Treasurer Goldsmith reminded the board that each month the reports that they receive are showing a budget report at the account level.

Motion/Second to accept the Treasurer's Report date ending 08/31/2022 by: Arnold/Ellinger. Approved by: 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.

Developer's Escrows and Adjustments

The finance committee reviewed the escrow reports and adopted the approach to reconciling outstanding escrows. Treasurer Goldsmith presented three developer's escrow reports of audit for consideration by the board as follows:

The Anderson Pine Cone Estates audited balance is \$1,066.25. The recommendation is to approve closing the Andersons Pine Cone Estates developer escrow by paying \$1,006.25 to Dean P. Anderson subject to the treasurer obtaining an attorney-approved release document from Mr. Anderson

Motion/Second to approve the closing of the Andersons Pine Cone Estates developer escrow by processing a claim in the amount of \$1,006.25 to Dean P. Anderson subject to the treasurer obtaining an attorney-approved release document by: Ellinger/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

The Horseshoe Estates audited balance is \$12,770.00. There was a difference of \$7,930 in the reported amount in CTAS, primarily due to the fact that the town did not credit itself for the \$7,760 in non-refundable fees paid by the developer. The recommendation is to process a claim in CTAS in the amount of \$12,770 payable to Michael Ziegler, subject to his signing a hold harmless and indemnification agreement to be approved by the town's legal counsel and to make adjusting entries in CTAS removing the \$7,930 error from the escrow account and crediting it to the capital fund.

Motion/Second to direct the treasurer to process a claim in the amount of \$12,770 payable to Michael Ziegler, subject to his signing a hold harmless and indemnification agreement to be approved by the town's legal counsel and to direct the treasurer to make adjusting entries in CTAS removing the \$7,930 error from the escrow account and crediting it to the capital fund by: Hassett/Ellinger. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

The Woodlands of Livonia's amount tracked in CTAS appears to be in error and overstated due to calculation misinterpretations. The audited escrow shortage amount for the Woodlands of Livonia escrow is \$306.25. The recommendation is to have the board authorize adjusting entries in the amounts of \$4,753.75 in CTAS to reduce the escrow balance to zero and to credit the surplus amount to the town's capital fund.

Motion/Second to direct the treasurer make adjusting entries in the amounts of \$4,753.75 in CTAS to reduce the escrow balance to zero and to credit the surplus amount to the town's capital fund by: Arnold/Ellinger. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

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

Budget Adjustment for the 180th Street NW Road Project

Treasurer Goldsmith told the board that the finance committee met and reviewed budgets. As the board learned from our previous audit, we do not want to spend over budget in any fund. While the 180th Street project may not put the township over the 2022 Road and Bridge budget, it is a significant commitment and should have a budget line item. Treasurer Goldsmith is recommending that the board direct the treasurer to establish a budget of \$105,000 for the 180th Street road project. There is a \$10,000 contribution from the development for this project, so there will be a receipts budget for that item as well.

Motion/Second to direct the treasurer to establish a \$105,000 expenditure budget for the 180th Street NW road project by: Hassett/Ellinger. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Announcements

Clerk Weber Announced:

- October Board Meeting – Wednesday, October 26th @ 7PM – Orrock Town Hall
- MAT Annual Meeting – Friday, October 14th and Saturday, October 15th – in-person in St. Cloud
- SCAT Meeting – Wednesday, October 5th @7PM – Sherburne History Center
- Tri-Cap Energy Assistance is available
- Sherburne National Wildlife Refuge Fall Festival – Saturday, October 1st – 10AM to 2PM
- Sherburne County Comprehensive Plan Update – Public input wanted
- Big Lake Chamber of Commerce Candidates Forums at the Big Lake High School Auditorium
 - School, Township and City Candidates Forum – was Monday, September 26th
 - County and State Candidates Forum – Monday, October 10th

- Will be videotaped by the Sherburne Wright Cable Commission and will be available on demand from the Chamber Website

Adjournment

Motion/Second to adjourn the regular meeting by: Hassett/Arnold. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Passed, adjourning the Regular Monthly on Wednesday September 28, 2022 at 8:50PM.

Respectfully Submitted,
Chris Weber
Town of Orrock, Clerk

Accepted this 26th day of October 2022 by the Orrock Township Board of Supervisors.

Bryan Adams, Chair

Attest: _____
Chris Weber, Town Clerk