



Regular Meeting
Wednesday October 26, 2022 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday October 26, 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, Treasurer Gary Goldsmith and Clerk Chris Weber. Also, in attendance were Sergeant Austin Turner, Town Engineer Kevin Kruger, Lynn Waytashek and Mitch Glines from Sherburne County, ten 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

Clerk Weber addressed the board regarding a change in meeting agenda. Clarification on polling day observation was received from the Secretary of State and Bob Ruppe, township attorney. No members of the public are permitted in the polling place on election day to act as "observers" or "poll watchers". The Polling Place Observer Policy was removed from the agenda and the new materials were emailed to the board around 2pm.

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 September 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 67 traffic stops in September 2022 and 92 in September 2021. He talked to patrol staff about speeding and was told that they are making quite a few stops in 233rd east of CR 15. It is the position of the patrol staff that the road is poorly marked. The sheriff's department will review the signs on the road. There were a few more warrant arrests in the horse camp area and there were a couple of DUI's. Sergeant Turner was asked about the incident that was at the intersection of County Road 4 and County Road 5 on Thursday, October 20th. He was not on patrol that night and did not have the details of the incident. Supervisor Hassett told Sergeant Turner that he had received complaints from residents regarding traffic and ATV's on 233rd Avenue NW.

Open Forum

None.

Regular Business

Application for Exempt Gambling Premises Permit for a One-Day Event at KJ's Refuge – Big Lake Snow-Cruisers

Jason Hendrickz from the Big Lake Sno-Cruisers requested the approval of an application for exempt gambling premises permit for a one-day fundraising raffle event to be held at KJ's Refuge Bar and Grill on March 11, 2023.

Motion/Second to approve the application for exempt gambling premises permit by: Felber/Hassett. In favor: Adams, Ellinger, Felber and Hassett. Opposed: None. Abstained: Arnold. Motion Prevailed.

Chris Schwab – Request for IUP for a Home Business in Accessory Building – Motorcycle Repair

Chris Schwab is requesting an interim use permit for a home business in an accessory building for motorcycle repair. Mr. Schwab had discussed this with his neighbors and they do not have an issue with it. Chair Adams asked if there are any covenants in that development and, if so, they would need to be confirmed. He also told Mr. Schwab to be prepared to address the noise concerns at the county hearing.

The board recommended approval of the interim use permit provided all county requirements are met and any neighborhood covenants are confirmed. Clerk Weber will send the comments to the county.

Pine Crest Estates West Request for Reduction in Letter of Credit

Todd Maloney and Sheldon Poole of Sand Dune Properties, MN LLC requested a reduction in the letter of credit for the Pine Crest Estates West Development. WSB has reviewed the request for a reduction in the letter of credit for the Pine Crest Estates West development and recommended that the letter of credit be reduced to \$114,147.50. This would cover the remaining work for the project that would include the wear course paving and the shouldering.

Motion/Second to reduce the Pine Crest Estates West letter of credit to \$114,147.50 by: Ellinger/Arnold. In favor: Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: Adams. Motion Prevailed.

Sherburne County Comprehensive Land Use Plan Presentation – Lynn Waytashek and Mitch Glines

Lynn Waytashek and Mitch Glines presented a summary of the analysis and vision survey that has been completed as part of the rewrite of the Comprehensive Plan. The comprehensive plan process was explained. They were asking for concerns or issues that the township may have and how the county may be able to assist. In 2022, there were 20 new home permits and 989 other building permits issues in Orrock Township. There were 9 solid waste violations. There were 44 SSTS Program permits, 24 violations and 2 loans issued. There was 1 wetland permit issued and 6 shoreland permits were issued. There were 4 IUP/CUP applications and 5 variance applications in Orrock Township. The county is looking for township comments on four key issues – housing, natural resources, agricultural and planning and zoning. The county will also be scheduling meetings with townships in small groups.

This presentation is available for review at the Clerk's Office.

Big Lake Fire Department Contract

Treasurer Goldsmith told the board that the BLFD fire contract is going to the Big Lake Fire Department Joint Powers Board at their November first meeting for review. The existing contract expires at the end of the year. The board had directed the finance committee to meet with the fire board committees to work on the new contract. The new Orrock Township allocation is based on the township's percentage share of the operating budget and depreciation. Supervisor Ellinger told the board that contract will be reviewed annually and is a three-year contract. Treasurer Goldsmith told the board that he had added a clause to the contract for consideration by the Joint Powers Board. The clause states in years of overage of budgeted expenses Orrock Township would be responsible for their percentage of the budget overage up to a \$50,000 cap.

Zimmerman Livonia Fire Contract

Treasurer Goldsmith presented a memo to the board regarding the ZLFD fire contract. During the development of the BLFD revised contract, it was recognized that the sections of the town specified as coverage area did not appear correct. After further review it was determined that the sections specified in the ZLFD contract were also incorrect. The 2021 ZLFD fire contract stated that it was amending a contract dated October 27, 2010. In reviewing this matter with the ZLFD chief, it was learned that there was a more recent ZLFD contract dated May 30, 2018 which was not in the township's files. It was considered best to develop a new contract that takes the language currently in effect, the 2018 contract, and update it with the terms agreed to in 2021. The updated agreement also states the coverage area in terms of the fire district definition rather than calling our specific sections. This proposed contract will come to the board for consideration at a future meeting.

Agreements Review

Livonia Township Road Maintenance Agreement

Becker Township Snowplowing Maintenance Agreement

The board performed their bi-annual review of the Livonia Township Road Maintenance Agreement and the Becker Township Snowplowing Maintenance Agreement. No board action was needed or taken.

2023 Preliminary Net Tax Capacity and Market Value Rates from Sherburne County

Clerk Weber presented the 2023 proposed net tax capacity for Orrock Township. The 2023 proposed net tax capacity is \$5,856,579 which is a 28.9% increase over the 2022 net tax capacity of \$4,543,040.

Elections Update

Clerk Weber presented a memo from the Secretary of State and Town Attorney Bob Ruppe regarding the observation of election procedures during polling hours. The memos state that no members of the public are permitted in the polling place on election day during voting hours to act as “observers” or “poll watchers”.

Clerk Weber asked the board to set the Local Board of Canvass Meeting to be held on Wednesday, November 16th at 6PM at the Orrock Town Hall.

Motion/Second to set the Local Board of Canvass Meeting to be held on Wednesday, November 16th at 6PM at the Orrock Town Hall by: Felber/Ellinger. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Clerk Weber told the board that Becker Township, Big Lake Township, Orrock Township and the Sherburne County Auditor-Treasurer’s office conducted election judge training sessions on Wednesday, October 19th at the Sherburne County Government Center. Eighty election judges from around the county attended the training sessions. Four training sessions were held throughout the day and there was positive feedback from the training attendees.

Clerk Weber stated that the township is prepared for the general election. The township has their election judges hired and she will be preparing for the election over the next two weeks.

The public accuracy test is on November 1st at 8:30 am at the Sherburne County Government Center.

Assessment Search Memo and Agreement

Clerk Weber presented an Assessment Services Agreement from the Sherburne County Assessors for board consideration. There is not an increase in the amount they charge per parcel for the next three years. The only change in the assessment total fee would be if there are changes in the parcel count in the township. For example, if there are properties that are split or platted, this would increase the total parcels but the amount per parcel that the township is currently charged will remain constant for the 3-year Assessment Agreement. The clerk will confirm that dates that are in the contract and bring the agreement back to the board at the November meeting.

Call for Joint Community Meeting

Clerk Weber presented a request to call for the Joint Community Meeting on Thursday, January 19, 2023 at 6PM at the City of Big Lake Council Chambers.

Motion/Second calling for the Joint Community Meeting on Thursday, January 19, 2023 to be held at the City of Big Lake Council Chambers at 6:00 PM by: Felber/Ellinger. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Sherburne County Broadband Partnership Correspondence

Clerk Weber presented correspondence from Dan Weber at Sherburne County notifying the board that Midco has applied for a grant as part of a project that will bring high-speed broadband to approximately 9 homes in Orrock Township. They are requesting that Orrock Township consider participating with the county in facilitating this project. They are asking that Orrock Township contribute \$5,000 to the project. If the township is interested in participating financially in the project, the board would need to pass a resolution stating their interest and approved participation amount of \$5,000 by December 1, 2022.

Motion/Second to adopt Resolution 2022-14 A Resolution of the Orrock Town Board in Support of Sherburne County's Broadband Expansion Project to Under/Unserved Areas of the Township by: Arnold/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Roads

Items "Stored" in Right-of-Way – 183rd Street NW

Chair Adams told the board that there are items stored in the right-of-way on 183rd Street NW on the east side of Eagle Lake. This has been an ongoing issue at this address.

Motion/Second to have Clerk Weber mail a letter to the property owner requesting that they remove the items within one month by: Ellinger/Hassett. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Beaver Dam – 183rd Street NW

Chair Adams told the board that the culvert is plugged by a beaver trap in 183rd Street Northwest. A trapper will be trapping the beaver once trapping season opens.

2022 Road Improvement Projects – Final Pay Voucher

Kevin Kruger the final pay voucher in the amount of \$12,538.14 for the 2022 road improvements project. He told the board that he is waiting for the signed closeout paperwork.

Motion/Second to approve final pay voucher in the amount of \$12,538.14 for the 2022 street improvements contingent upon receiving the final closeout paperwork by: Ellinger/Arnold. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Tree Removal Letter – Dave Merz

A tree removal letter was sent to Dave Merz for his property at 233 ¼ Avenue NW and 183rd Street NW. Mr. Merz met with Chair Adams to discuss the proposed removal of the trees. Chair Adams told the board that he had conversations with Dave Merz regarding the removal of trees on his property. Mr. Merz had a survey completed that shows the trees are on his property. The trees will not be removed.

Supervisor Updates / Committee Reports

Supervisor Adams told the board that the roads at 232nd Avenue NW and 188th Street NW on the west side of Eagle Lake are continuing to washout. He has asked Darryl to put some chip granite on that road. Darryl still has to raise the stormwater catch basin on the east side of Eagle Lake.

Clerk Weber gave a brief update on the SCAT meeting. Orrock Township is providing the meal at the January meeting.

Supervisor Arnold - None

Supervisor Ellinger told the board that he is concerned about the washouts that are occurring on 234th Avenue NW. Kevin Kruger and Chair Adams met at the site and have a solution. The plan is to put a swale in to get the water into the ditch at an earlier point. Trimming needs to be completed on brush on 234th Avenue Northwest.

Supervisor Felber told the board that ZLFD is still working on the purchase new fire engine.

Supervisor Hassett told the board that he has been preparing a spreadsheet to help project future road work. The 2023 road management plan will be more detailed and will include a five-year road plan.

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 \$30,216.38.

Motion/Second to approve routine claims in the amount of \$30,216.38 by: Arnold/Ellinger. 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.

Supplemental Claims

Treasurer Goldsmith presented the board with supplemental claims in the amount of \$295.18.

Motion/Second to approve the supplemental claims in the amount of \$295.18 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.

Report of September Disbursements Not Paid Through Claims

Treasurer Goldsmith presented a report of September 2022 disbursements not paid through the claims process. One such transaction occurred on September 29, 2022. The payment was to Hewlett Packard for a new computer for the treasurer \$536.86. This purchase was approved by the board at the September meeting.

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

Payroll Claims – October 2022

Treasurer Goldsmith presented to the board the October payroll claims in the amount of \$2,827.74.

Motion/Second to approve the October payroll claims in the amount of \$2,827.74 by: Felber/Arnold. 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: \$ 1,526,420.86. This amount included 4M fund balance.

Motion/Second to accept the September Cash Control Statement by: Arnold/Ellinger. 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 1.41%, the Sherburne State Bank Debit Checking account is earning 1.41%, the money market account is earning 1.69%, the current CD is earning 0.60%, and the 4M fund is earning 2.25%.

Treasurer's Report

Town Funds balances as of September 30, 2022:

General Fund:	\$83,689.88	Road & Bridge:	\$ 734,689.32
Fire:	\$37,350.59	Capital Reserve:	\$ 212,291.68
ARPA Fund:	\$362,504.88	Driveway Escrows:	\$ 15,000.00
SOEL Escrow:	\$25,542.91	Pine Crest Estates Escrow:	\$ 5,915.78

The Horseshoes Estates, Pine Cone Estates and Woodlands of Livonia escrows have been closed out. 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 09/30/2022 by: Adams/Felber. 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.

Accounting Correction Memo

Treasurer Goldsmith presented an accounting correction memo regarding the Woodlands of Livonia escrow account. At the September meeting, the treasurer presented a memorandum requesting an adjustment to the Woodlands of Livonia escrow in the amount of \$4,753.75. The correct adjustment amount should be \$4,653.75. To resolve the error, Treasurer Goldsmith transferred the correct remaining balance in the Woodlands of Livonia escrow account, \$4,653.75, to the town’s Capital Fund.

Motion/Second to approve the accounting correction memo by: Ellinger/Arnold. Approved by: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

This memo is retained as part of the Official Minutes, which are available in the Clerk’s Office.

Announcements

Clerk Weber Announced:

- November Board Meeting – Wednesday, November 30th @ 7PM – Orrock Town Hall
- November 8th General Election
 - Public Accuracy Testing of Election Equipment – November 1st @ 8:30AM – Sherburne County Government Center Maple Room
 - Polls Open November 8th from 7AM to 8PM

Adjournment

Motion/Second to adjourn the regular meeting by: Hassett/Ellinger. In favor: Adams, Arnold, Ellinger, Felber and Hassett. Opposed: None. Abstained: None. Motion Passed, adjourning the Regular Monthly on Wednesday October 26, 2022 at 9:05PM.

Respectfully Submitted,
Chris Weber
Town of Orrock, Clerk

Accepted this 30th day of November 2022 by the Orrock Township Board of Supervisors.

Bryan Adams, Chair

Attest: _____
Chris Weber, Town Clerk