



Regular Meeting  
Wednesday June 26, 2024 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday June 26, 2024 at 7PM at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota.

In attendance were Chair Bryan Adams, Supervisors: Paul Ellinger, Anne Felber, Gary Goldsmith, Bob Hassett, Treasurer Janine Arnold and Clerk Chris Weber. Also, in attendance were Deputy Geoff Dowty, Kevin Kruger – Township Engineer, three 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 June meeting agenda as presented by: Ellinger/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None.

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

#### **Approval of Consent Agenda**

##### **Treasurer's Consent Items**

All treasurer's items were electronically sent to the Board for review and were available for public review during the meeting.

##### **A. Routine Claims**

The amount of June routine claims was \$406,691.19.

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

##### **B. Payroll Claims – June 2024**

The June payroll claims were in the amount of \$2,535.14.

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

Motion/Second to approve the Consent Agenda Items listed above and as sent to the board by:

Goldsmith/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None.

#### **Regular Meeting Agenda**

##### **Sheriff's Report**

Deputy Geoff Dowty reported that there were 73 traffic stops in Orrock Township in May of 2024, compared to 58 traffic stops in May of 2023. There were 183 total calls for service in May of 2024 and 207 total calls for service in May of 2023. There were four vehicle vs. animal accidents and there was one death.

## **Open Forum**

Brad Rosnow, 14610 247<sup>th</sup> Ave NW, Zimmerman, MN, asked when will the roads be resurfaced in Harmony Village. Chair Adams replied that he will take a look at those roads.

## **Approval of Meeting Minutes**

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

## **Regular Business**

### **Bahr's Haunted Acres Request for IUP – Special Event – Haunted Trail**

Bahr's Haunted Acres is requesting an IUP (Interim Use Permit) for Occasional Special Event – Haunted Trail. Mr. Bahr attended the meeting to answer any questions that the board had. This IUP was originally brought to the township's attention in 2023. However, there were many violations that needed to be remedied before the IUP request could come to the board for comments.

The solid waste violation has been closed. Mr. Bahr needs to install his septic system. The Sherburne County Building Official needs to work with Mr. Bahr on the buildings and they will need the state to inspect the electrical.

Supervisor Goldsmith stated that he is in approval of this request, as the money raised goes to a good cause.

The board recommended approval of the Bahr's Haunted Acres Request for IUP – Special Event – Haunted Trail provided all county requirements are met.

### **Resolution 2024-12 A Resolution Appointing Election Judges for 2024 Primary Election**

The board is required to appoint election judges at least 25 days prior to an election. Clerk Weber presented Resolution 2024-12 A Resolution Appointing Election Judges for the 2024 Presidential Primary Election to be held on August 13, 2024 for board consideration. The appointments are contingent upon the election judge(s) completing the required training.

Motion/Second to adopt Resolution 2024-12 A Resolution Appointing Election Judges for the 2024 Primary Election to be Held on August 13, 2024 by: Ellinger/Goldsmith. In favor: Adams, Ellinger, Goldsmith and Hassett. Opposed: None. Abstained: Felber. Motion Prevailed.

### **Resolution 2024-13 Resolution Accepting Donations**

Clerk Weber presented Resolution 2024-13 Resolution Accepting Donations to the board. Bryan Adams hand-crafted a frame for the township road map to be hung in the town hall.

Motion/Second to adopt Resolution 2024-13 Resolution Accepting Donations by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

### **Home Improvement Shop Request for a Letter from the Orrock Township Engineer is for Home to be 4.1 feet lower than Approved Elevations on PID #35-00512-0105, 27439 146th St – Discuss/Action**

On June 6, 2024 Clerk Weber and Kevin Kruger received a request from Home Improvement Shop to have the engineer determine if a new home on PID #35-00512-0105 in Aspen Meadows can be constructed 4.1 feet lower than the approved elevation on the plat. After discussing with Kevin Kruger and Bryan Adams, an escrow request was sent to Home Improvement Shop to cover any township costs associated with making such a determination.

Bogart-Pederson provided a survey for the Ordinary High-Water Line on the property. Bogart-Pederson ran a back-to-back 100 year for the wetland and found the following: the drainage area is approximately 93 acres, starting elevation of wetland is 954.00 feet and back-to-back 100-year elevation is 957.8 feet. The property plan's low floor/low opening is set at an elevation of 961.1 feet which gives about 3.3' of freeboard from the lowest entrance of the home to where the water level is. The approved plat has an elevation of 965.2 feet, which is 4.1 feet higher than the proposed elevation of 961.1 feet. Kevin Kruger's recommendation would be to approve this request to lower the elevation, as we normally require 1 or 2 feet of freeboard clearance.

Chair Adams asked if rain events would affect the recommended elevation. Kruger replied that rain events have changed, and every handful of years you will see an adjustment to the levels. There would be no liability on the township for lowering the recommended level and Kevin does not foresee any issues with lowering the level. Supervisor Felber asked if there would be a statement in his letter absolving the township of any liability. Kevin replied that that is typically in the approval letter.

Motion/Second to authorize Kevin Kruger to make a recommendation allowing the new home to be built 4.1 feet lower than the approved elevation on PID #35-00512-0105 in Aspen Meadows. by: Hassett/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

#### Proposed Amendment to Zoning Ord. Sec.17.5 Subsurface Sewage Treatment System (SSTS)

Sherburne County Planning and Zoning Department is starting the process of updating the County Zoning Ordinance in light of the completion of the Comprehensive Land Use Plan. The county is starting this process by updating State mandated ordinances such as Shoreland, Floodplain and Subsurface Sewage Treatment System (SSTS).

The Sherburne County SSTS came into effect in 2011. The county administers the SSTS program for all the townships excluding Becker Township and Baldwin Township. The county also administers the SSTS program for the cities of Big Lake, Clear Lake and Princeton. This will be a complete rewrite of the SSTS Ordinance.

Chair Adams stated that the planning commission had reviewed the proposed amendment and had asked for clarification on a couple of items. The county is working on those replies. For SSTS management plans, there is and increased concern in Sherburne County due to the number of short-term rental properties around the lakes.

The board agreed with the proposed ordinance amendment and asked that the county consider any recommendations of the planning commission.

#### Liquor License Renewals

Clerk Weber presented an application for Liquor License Renewal from M & A Liquor Sales, LLC DBA Sand Dunes Spirits for board consideration.

Motion/Second to approve the Sand Dunes Spirits Liquor License Renewal by: Felber/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Clerk Weber presented an application for Liquor License Renewal from Getaway Bar, LLC for board consideration.

Motion/Second to approve the Getaway Bar, LLC Liquor License Renewal by: Felber/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

#### Minnesota State Demographer 2023 Population and Household Estimate

The state demographer is required by law to produce annual population and household estimates for each of Minnesota's cities and townships. The April 1, 2023, population and household estimate is 1,358 with an estimated population of 3,770.

#### Landscaping Update

The landscaping was installed on 6/19. The \$400 cost-share grant that the township will receive is to be certified to Sherburne SWCD. Program participants are asked to maintain the prairie for a minimum of 10 years and allow Sherburne SWCD on-site inspections as requested (up to 1x per year). Each program participant will receive a sign and post recognizing the project – to be installed on the edge of the planting at a mutually selected location.

The oats have started to come up. Franny Gerde will be monitoring the site to give any advice as to when to mow. Any rocks that are in the landscaping will be removed when the area can be walked on.

Motion/Second to authorize Clerk Weber to certify the cost-share amount to Sherburne SWCD by: Goldsmith/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

#### Addition of Speed Limits to the May Meeting Agenda

Supervisor Felber wanted to get some clarification on what happened with the speed limits being added to the agenda at last month's meeting. After last month's meeting, Felber received a message from a constituent asking her why the constituent had not been told the speed limits were going to be on the agenda. The constituent had been told when a person was onsite that the item was going to be brought up at the May meeting. Felber's concern is that the meeting process was compromised, and she believes that the constituents had a right to speak on the subject in real time prior to the board deciding to pass a resolution designating 35MPH speed limit zones. She also felt that if it was known that this item was going to be added to the agenda that the board should have been notified prior to the meeting.

Supervisor Ellinger stated that he is not as concerned about this as Felber seems to be. Ellinger had contacted the clerk to tell her that he was waiting to see what the legislature had done before asking to have the item placed on the agenda. Ellinger stated that he had been doing research and called the clerk and told her that he would notify her one way or another if he wanted the item on the agenda. The clerk was notified at 4pm on the day of the meeting that Supervisor Ellinger planned to make a motion to add the item to the meeting agenda. Ellinger stated that, at the October 2023 meeting, the motion to adopt 35MPH speed limits failed on a 3-2 vote with the understanding that if the legislature did not pass speed limit legislation, this item would come back to the board for re-consideration. Ellinger had requested that the item be added to the May agenda because the session was over and he wanted to get the signs ordered so that the township would have legally posted speed limits. These speed limit posting requirements were set by the 2009 state legislature.

Supervisor Goldsmith stated that he agreed that certain routine items can be added to an agenda but that other items, such as this, should have been presented prior to the meeting so that the public could attend the meeting and speak about the topic.

#### MATIT Insurance and Coverages

The renewal insurance policy coverage and invoice have been received. Clerk Weber recommended that the board review the coverage on the storage building. The current coverage on the storage building is \$70,094.00. The cost to increase the coverage on the storage building to \$100,000.00 would be \$87.00 per year. The current renewal cost for the storage building is \$203.00 and the cost for \$100,000.00 of coverage would be \$290.00. The coverage is effective on 7/1 and premiums are due on 8/15.

There was discussion on the various coverages that the township has and as to whether or not there was enough coverage.

Motion/Second to increase the insurance coverage on the storage building to \$100,000.00 by: Goldsmith/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

#### Roads

##### Possible Sinkhole on 256th Ave NW, North Side of Ann Lake

On Friday, May 24th, Bob Hassett inspected a possible sinkhole near 16658 256th Ave. NW on the North side of Ann Lake. Hassett stated that it looks like there are buried trees under the area. The owner stated that he is concerned that the sinkhole may go into his yard as well. Hassett stated that he cannot tell how long it will be before the problem endangers vehicles. There was a sinkhole that was repaired in this spot in July 2020. Supervisor Felber did not feel that the board should explore the sinkhole at this time. The board agreed and will continue to monitor this potential sinkhole.

##### Possible Sinkhole on 232<sup>nd</sup> Ave NW

Chair Bryan Adams noticed a possible sinkhole forming on 232<sup>nd</sup> Avenue NW. There was a tree dug out of that road a couple years ago. The board will monitor this potential sinkhole.

The township is going to encounter more sinkholes in the future as, many years ago, roads were built over buried trees. Those trees are now decaying and creating sinkholes.

#### Curb Damage – Shores of Eagle Lake

On May 15, 2024, the Shores of Eagle Lake management company notified the clerk to damage to the curb in a center island in Shores of Eagle Lake. Kevin Kruger reviewed the damage and recommended that the township repair the damaged curb to alleviate any further damage to that curb. Darryl Waletzko patched the curb under his handyman contract. The approximate cost to repair was \$300.00.

Motion/Second to authorize the repair of the curb in Shores of Eagle Lake by: Goldsmith/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

#### Road Projects – Update / Pay Voucher 1

Kevin Kruger presented pay voucher 1 from OMG Midwest/MN Paving in the amount of \$329,593.20 for the street improvements project. Kruger stated the majority of the project has been completed. Some touch-up work may need to be completed.

Motion/Second to approve the street improvements pay voucher number 1 from OMG Midwest/MN Paving in the amount of \$329,593.20 and authorize the clerk to electronically sign pay voucher by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

#### Roadside Dumping

In the early morning on 6/10 the clerk received a call from Sherburne County notifying her that there was a sailboat dumped in the right-of-way on 233rd Ave NW near the South Sand Dunes trail head. Darryl Waletzko was contacted to remove the item. The item had to be taken to Vonco II landfill. The cost to dispose of was \$350, not including the costs for Darryl Waletzko to load and haul the item to Vonco II landfill.

#### Tree Trimming Specs

Road Authority Bob Hassett will prepare the tree trimming specifications and request for proposal for approval at the July board meeting.

#### Ann Lake Boat Landing – Dig a Trench to Divert Runoff into the Wetland

Road Authority Bob Hassett asked if the board would want to have Darryl Waletzko dig a trench at the Ann Lake boat landing to try to divert runoff into the wetland. The board will wait for the road drainage study from WSB prior to determining any remediation actions.

#### Supervisor Updates / Committee Reports

Supervisor Adams – received a call regarding a pile of dirt in the road right-of-way in Harmony Village. The clerk will write a letter to the property owner. Received a call from a property owner on 231<sup>st</sup> Avenue. The property owner wants to widen his driveway. Kevin Kruger stated that he would recommend a maximum driveway width of 24'. The homeowner will need a permit and will need to replace the culvert. Kevin Kruger has produced a Road Weight Limits Map. The BLFD fire board staffing study was received from the consultant. OSHA regulations are increasing for fire departments. Felber stated she attended the meeting and that the consultant stated that they are still in flux with what those requirements are going to be. The board will need to monitor any changes in costs for the Big Lake Fire Department as any changes in staffing would affect and probably increase the costs to Orrock Township for Big Lake Fire Department fire coverage.

Supervisor Ellinger – Township Legal Seminar

Supervisor Felber – Joint Powers board staffing study meeting, commissioner's lunch on June 4<sup>th</sup>, constituent call regarding putting a solar farm on their property, multiple people called regarding CSAH4 bridge closing. The ownership of warning sirens is going to be shifted to the townships.

Supervisor Goldsmith – None

Supervisor Hassett – asked when the drainage study would be received. Kevin Kruger replied that the road drainage study report should be completed in the next couple of weeks.

## **Treasurer's Business**

### **Supplemental Claim**

Treasurer Arnold presented the board with a supplemental claim in the amount of \$3,540.00. This claim was for Erickson Asphalt Services' costs to complete the pothole repairs.

Motion/Second to approve the supplemental claim in the amount of \$3,540.00 by: Goldsmith/Ellinger. In favor: Adams, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

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

### **Cash Control Statement**

Treasurer Arnold presented the Board with the Cash Control statement. Ending cash balance after reconciling the books with the bank statements: \$ 1,378,815.05. This amount included 4M fund balance.

Supervisor Ellinger asked that the treasurer research having a Sweep account at Sherburne State Bank. Supervisor Goldsmith stated that when he was treasurer, he did not want to have the authority to transfer money without board approval.

Motion/Second to accept the May Cash Control Statement by: Felber/Adams. In favor: Adams, Felber, Goldsmith 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**

As of May 31, 2024, the Sherburne State Bank Checking was earning 1.09%, the Sherburne State Bank Debit Card Checking earned 1.09%, the money market account was earning 5.12%, the CD was earning 4.185%, and the 4M fund was earning 5.236%.

### **Treasurer's Report**

Town Funds balances as of May 31, 2024:

General Fund:	\$ 182,047.19	Road & Bridge:	\$ 968,195.87
Fire:	\$ 64,112.80	Capital Reserve:	\$ 76,494.45
Driveway Escrows:	\$ 21,000.00	Pine Crest Estates Escrow:	\$ 1,860.06
SOEL Escrow:	\$ 24,394.91		

All remaining escrows are unchanged.

Motion/Second to accept the Treasurer's Report date ending 05/31/2024 by: Ellinger/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

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

### **Report of May Sherburne State Bank Securities Pledge Validation**

Treasurer Arnold presented the Report of May Sherburne State Bank Securities Pledge Validation to the board. The required pledge amount was \$837,972.05. The securities pledge amount was \$1,565,893.85 which was \$727,921.80 over the required pledge amount.

*This report will be retained as part of the Official Minutes, which are available in the Clerk's Office and are attached to the minutes.*

Treasurer Arnold stated that the 70% first part property tax payment, in the amount of \$414,189.11 and the wildlife refuge payment in lieu of taxes in the amount of \$5,947.81 were received in June. The next property tax payment will be received in July.

Treasurer Arnold stated that she would like to transfer the \$200,000.00 that is due from the Capital Fund to the Road and Bridge Fund at the end of the year, after the property tax payments have been received. The board agreed.

Clerk Weber reported that the draft audit reports have been received and she had reviewed them. Treasurer Arnold will review the reports. Schlenger Wenner will be sending the audit report to the state by June 30<sup>th</sup> and will be presenting the audit report at the July meeting.

**Announcements**

Clerk Weber Announced:

- July Board Meeting – Wednesday, July 24<sup>th</sup> @ 7PM
- Election Judge Training - July
- Candidate Filing Dates - Tuesday, July 30<sup>th</sup> through Tuesday, August 13<sup>th</sup> at 5PM
- Primary Election – Tuesday, August 13<sup>th</sup>
- Sherburne County Free Mattress Recycling Event – September 7, 2024 – 9AM-1PM – Vonco II Landfill, 15301 140<sup>th</sup> Ave NW, Becker, MN
- CSAH 4 Detour (Work on bridge over St. Francis River) – Construction closure is scheduled begin on July 10<sup>th</sup> with completion set to be September 20<sup>th</sup>.

**Adjournment**

Motion/Second to adjourn the regular meeting by: Hassett/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Passed, adjourning the Regular Monthly Meeting, on Wednesday June 26, 2024, at 8:27PM.

Respectfully Submitted,  
Chris Weber  
Town of Orrock, Clerk

Accepted this 24<sup>th</sup> day of July 2024 by the Orrock Township Board of Supervisors.

\_\_\_\_\_  
Bryan Adams, Chair

Attest: \_\_\_\_\_  
Chris Weber, Town Clerk