



Regular Meeting
Wednesday November 20, 2024 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday November 20, 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 and Gary Goldsmith, Treasurer Arnold, Clerk Weber and Deputy Clerk Erickson. Also, in attendance were: the Patriot News and nine audience members. Attending via Webex was Kevin Kruger – Town Engineer.

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 November meeting agenda as presented by: Ellinger/Goldsmith. In favor: Adams, Ellinger, Felber and Goldsmith 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 November routine claims was \$10,613.31.

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

B. Regular Payroll Claims – November 2024

The November regular payroll claims were in the amount of \$2,452.36

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

C. Election Judge Payroll Claims – November 2024

The November election judge payroll claims were in the amount of 3,568.25.

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

Regular Meeting Agenda

Sheriff's Report

The Sheriff's report showed that there were 74 traffic stops in Orrock Township in October of 2024, compared to 51 traffic stops in October of 2023. There were 179 total calls for service in October of 2024 and 158 total calls for service in October of 2023.

Open Forum

None

Approval of Meeting Minutes

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

Motion/Second to approve the Board of Canvass Minutes by: Felber/Ellinger. In favor: Adams, Ellinger, Felber and Goldsmith. Opposed: None. Abstained: None. Motion Prevailed.

Regular Business

Interim Supervisor C – Vote / Appoint / Oath of Office

Due to the resignation of Supervisor Hassett, there is a vacancy in the Supervisor C position until January 6, 2025 at which time Dalton Keiderling will be sworn in as Supervisor C. The board can leave this position vacant until January 6, 2025 or the appointment committee, comprised of the current board members and the clerk, can appoint a person to the Interim Supervisor "C" position.

Motion/Second to appoint Dalton Keiderling to the Interim Supervisor "C" position by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Weber. Opposed: None. Abstained: None. Motion Prevailed.

A recess was called, and Clerk Weber delivered the Certificate of Appointment to Dalton Keiderling. Keiderling accepted the appointment and Clerk Weber issued the Oath of Office. The meeting was re-opened.

Appointment of Interim Road Authority

Due to the resignation of Supervisor Hassett, there is a vacancy in the Road Authority position until the January 22, 2025 reorganizational meeting. It is recommended that a board member be appointed as to serve as Interim Road Authority until the January 22, 2025 reorganizational meeting.

Motion/Second to appoint Chair Adams as the Interim Road Authority by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: None. Motion Prevailed.

Dalton Keiderling expressed interest in serving as the road authority. Supervisor Felber asked that Dalton Keiderling be kept in the loop regarding any road authority issues in order that Keiderling can learn about the position.

Pine Crest Estates West – Request for Acceptance of Roads

Sand Dune Properties MN, LLC had sent a letter to the board requesting the acceptance of the roads in Pine Crest Estates West. Road Engineer Kevin Kruger, Chair Adams and Clerk Weber visited the site with the developers to review any punch list items to be completed in order for the board to accept those platted roads.

Kevin Kruger presented a memo to the board recommending that the board accept the roads as is. The memo stated that, after reviewing the roads in person with the developer, the majority of the areas that have not reached 80% vegetation occurred outside of the right-of-way and no other issues were present to prevent the Board from accepting the roads. The following items will continue to be addressed after road acceptance and as home construction continues in the area. If these items are not continued to be maintained, the letter of credit will be utilized.

1. Ensure vegetation reaches 100% coverage from the current 80%.
2. Clean all culverts and ditches post home construction as they are completed.

Clerk Weber presented for consideration Resolution 2024-17 A Resolution Accepting Platted Roads in Pine Crest Estates West for Maintenance by the Township.

Motion/Second to adopt Resolution 2024-17 A Resolution Accepting Platted Roads in Pine Crest Estates West for Maintenance by the Township by: Goldsmith/Ellinger. In favor: Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: Adams. Motion Prevailed.

Kevin Kruger presented a memo stating that WSB has reviewed the request for a reduction in the letter of credit for the Pine Crest Estates development. The remaining amount will be retained for the two-year warranty period. Per the developer's agreement, that amount is 10% of the construction cost. The construction cost is \$491,562.15. The recommendation would be to lower the letter of credit to \$52,000.00 as this includes two years of inflation cost as well. The remaining amount for the letter of credit will be reviewed following the two-year warranty.

Motion/Second to approve the reduction in the Pine Crest Estates West letter of credit to \$52,000.00 by: Goldsmith/Ellinger. In favor: Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: Adams. Motion Prevailed.

The developer's escrow will be reconciled at a future date.

RES 2024-15 Resolution Designating Polling Location

Minnesota Statutes 204B.16, subd. 1 requires municipalities to designate by ordinance or resolution any changes to a polling place location for each election precinct; This designation must be made by December 31 of each year for the following calendar year and beyond unless changed pursuant to statute. This resolution establishes the polling location for the following calendar year and beyond.

There are statutory processes to follow if the polling location needs to be moved due to an emergency.

Motion/Second to adopt Resolution 2024-15 Resolution Designating Polling Location by: Felber/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: None. Motion Prevailed.

Election Recap

Clerk Weber reported the following:

- Number of voters registered at 7AM on election day: 2,662
- Number of election day registrations: 179
- Total voters cast election day: 1,747 (The highest number ever)
- Total absentee votes: 697
- Federal absentee ballots: 1 (This backup option is available to all overseas voters, as well as military voters whose ballots did not arrive in time,)
- Total votes cast: 2,445
- The total registered voters including election day registrations is: 2,841
- Voter turnout: 86%

Weber also thanked her election judges for their great service. Weber also thanked the electorate for voting to build the new town hall as it would have been difficult to run the election in the old town hall. Supervisor Felber thanked all election judges.

WSB Rate Schedule

WSB has sent their 2025 rates schedule reflecting a 5.75% rate increase in rates.

This increase is in line with past rate increases. Supervisor Goldsmith stated that WSB has always done a good job for the township and Chair Adams agreed.

Motion/Second to accept the WSB rate increase by: Goldsmith/Keiderling. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: None. Motion Prevailed.

Replacement of Lower Window Sash

Clerk Weber told the board that, when the shades were opened on election day, the election judges noticed that there was a broken pane of glass on the north side of the building. It appeared that there was a rock of some sort that

was propelled through the screen and broke the outside windowpane. A report was filed with Sherburne County. A new lower sash and screen needed to be ordered. Clerk Weber contacted Hagenmiller Lumber, who supplied the windows for the project. The cost for the replacement sash and screen is \$185.44 and they have been ordered.

Treasurer Vacancy

Treasurer Arnold submitted a letter of intent to resign from the treasurer's position effective December 31, 2024. This creates an upcoming vacancy in the treasurer position.

Clerk Weber presented Resolution 2024-18 A Resolution Accepting Resignation and Declaring a Vacancy. With this resolution the board accepts Treasurer Arnold's resignation, declares a vacancy and states that Minnesota Statute §367.03 provides that a vacancy in an elected town office must be filled by an appointment committee comprised of the town supervisors and the town clerk.

Motion/Second to adopt Resolution 2024-18 A Resolution Accepting Resignation and Declaring a Vacancy by: Adams/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: None. Motion Prevailed.

Clerk Weber presented a postcard that she proposed be mailed to residents in Orrock Township. Weber received a quote in the amount of \$738.42 to print and mail the postcard.

There was discussion on how to fill the treasurer's position and by what date. Supervisor Goldsmith stated that he would be willing to serve as Interim Treasurer until a suitable candidate for the position is found, since he would no longer be a supervisor. Goldsmith could then train the candidate in. There was discussion over the timing of the delivery of the postcard and the due date for applications. There is an "alternate" way to fill the position which would allow a non-resident to fulfill the treasurer's duties. That method would be to appoint an interim treasurer, who would not perform most of the duties of the treasurer but that treasurer would appoint a deputy treasurer. A deputy treasurer does not need to be a resident of the township. The appointed deputy treasurer would then perform much of the treasurer's duties.

Motion/Second to print and mail the postcard with a due date for applications of 4PM on January 10, 2025 and that the postcards to be delivered no earlier than December 2nd at a maximum cost of \$850.00 by: Ellinger/Keiderling. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: None. Motion Prevailed.

Clerk Weber had prepared a treasurer job description and application form for board review.

Motion/Second to direct the clerk to post the opening, job description and application on the township website by: Goldsmith/Felber. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: None. Motion Prevailed.

Sherburne County and Partnering Townships - Next Steps and Timeline in Establishing Regulation of Cannabis Businesses

Clerk Weber told the board that the county sent an email regarding the next steps and timeline in establishing the regulation of cannabis businesses. Assuming the Township is not planning on regulating these businesses and for the County to oversee these Business Regulations and Registrations, as well as to keep consistency across jurisdictions, the County is requesting the following:

1. That the Townships adopt the same Business Regulation and Registration Ordinance at your next meeting, preferably following the adoption by Sherburne County on November 19th; and
2. That the Township also approve a proposed Joint Powers Agreement (JPA) between the County and Township for administration and regulation of cannabis retail business registration.
3. If possible, the county is asking that these adoptions occur by year's end (December 2024) or as early as possible in January 2025.

Clerk Weber has sent the proposed ordinance and the Joint Powers Agreement to Bob Ruppe for review. Couri and Ruppe are working on the details of the Joint Powers Agreement and the Business Regulation and Registration Ordinance with the county as there are legal items to take into consideration. Sherburne County acts at Orrock Township's planning and zoning authority and such an ordinance should not need to be passed by the township. If the

county requires the township to pass such an ordinance, the township may need to have a Planning Commission to enact such ordinance. Supervisor Felber stated that, due to recent events, the legislation and due dates may change on this regulation. These items will be brought back to the board at the December meeting.

Roads

2024 Township Road Certification

Clerk Weber told the board that the 2024 Orrock Township Certified Road Mileage is 46.71 miles. Yearly, the township must certify their road mileage with Sherburne County. The county sends the certifications to the state. The certified mileage is used to calculate the township's state aid. The mileage did not change this year but will change next year when the Pine Crest Estates West roads are accepted for maintenance by the township and have maintained for a minimum of eight months.

Resolution 2024-16 Resolution Temporarily Closing Certain Town Roads During Winter Months

Clerk Weber presented Resolution 2024-16 Resolution Temporarily Closing Certain Town Roads During Winter Months for consideration by the board. The resolution allows the board to temporarily close the portion of 180th Street NW (south of 262nd Avenue NW) that is posted as a minimum maintenance road. The resolution states that the portion of road shall be closed effective as of the date the Town Board orders barricades and proper signage to be placed on said roads and running until such time in the spring when the Town Board determines the roads are able or needed to accommodate traffic and orders the barricades and signs removed.

Motion/Second to adopt Resolution 2024-16 Resolution Temporarily Closing Certain Town Roads During Winter Months by: Ellinger/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

Motion/Second that a barricade and a road closed sign be placed on 180th Street NW by: Felber/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: None. Absent: None. Motion Prevailed.

Supervisor Updates / Committee Reports

Supervisor Adams – Darryl started tree trimming on 11/20. Road grading will be completed at the end of this week or early next week. On 182nd, there is a property owner that has dead oak trees that have been falling in the road. The owner is in the process of cutting down those trees.

Supervisor Ellinger – None

Supervisor Felber – Rivers of Hope, Commissioner Lunch

Supervisor Goldsmith – Will be out of town for the December meeting.

Supervisor Keiderling – None

Treasurer's Business

Cash Control Statement

Treasurer Arnold presented the Board with the Cash Control statement. Ending cash balance after reconciling the books with the bank statements: \$1,501,140.88. This amount included 4M fund balance.

Motion/Second to accept the October Cash Control Statement by: Felber/Keiderling. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. 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 October 31, 2024 the Sherburne State Bank Checking was earning 1.09%, the Sherburne State Bank Debit Card Checking earned 1.08%, the money market account was earning 4.81%, the CD was earning 4.185%, and the 4M fund was earning 4.831%.

Treasurer's Report

Town Funds balances as of October 31, 2024:

General Fund: \$ 230,105.81
Fire: \$ 70,850.97
Driveway Escrows: \$ 27,000.00
SOEL Escrow: \$ 24,394.91

Road & Bridge: \$ 924,411.02
Capital Reserve: \$ 178,726.79
Pine Crest Estates Escrow: \$ 1,860.06

All remaining escrows are unchanged.

Motion/Second to accept the Treasurer's Report date ending 10/31/2024 by: Felber/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. 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 October Sherburne State Bank Securities Pledge Validation

Treasurer Arnold presented the Report of September Sherburne State Bank Securities Pledge Validation to the board. The required pledge amount was \$938,333.08. The securities pledge amount was \$ 1,532,105.74 which was \$593,772.66 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.

Transfer of Funds from the Money Market Account to the Checking Account

Supervisor Arnold asked the board to authorize the transfer of \$15,000.00 from the Money Market account to the Checking Account.

Motion/Second to authorize the treasurer to transfer \$15,000.00 from the Money Market account to the Checking Account by: Ellinger/Keiderling. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: None. Motion Prevailed.

Arnold told the board that the second half property taxes should be received by November 30th or shortly thereafter. After the second half payment is received, the transfer of \$200,000.00 from the capital fund to the road and bridge fund can be completed.

Motion/Second that after the second half property tax payment is received, to authorize the treasurer to transfer those funds from the Checking Account to the Money Market account by: Felber/Keiderling. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: None. Motion Prevailed.

Announcements

Clerk Weber Announced:

- December Board Meeting – Wednesday, December 18th @ 7PM
- MAT Annual Conference – December 13th-14th – River's Edge Conference Center – St. Cloud
- Joint Community Meeting – Thursday, January 16, 2025 @ 6PM, Big Lake City Council Chambers

Adjournment

Motion/Second to adjourn the regular meeting by: Felber/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Keiderling. Opposed: None. Abstained: None. Absent: None. Motion Passed, adjourning the Regular Monthly Meeting, on Wednesday November 20, 2024, at 8:02PM.

Respectfully Submitted,
Chris Weber
Town of Orrock, Clerk

Accepted this 18th day of December 2024 by the Orrock Township Board of Supervisors.

Bryan Adams, Chair

Attest: _____
Chris Weber, Town Clerk