



Regular Meeting
Wednesday September 25, 2024 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday September 25, 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 and Bob Hassett, Treasurer Arnold, Clerk Chris Weber and Deputy Clerk Shelley Erickson. Also, in attendance were Sergeant Derek Barrett, Kevin Kruger – Town Engineer, Brian Fleming – Sherburne County Economic Development Coordinator, Mitch Glines and Jillian Carlson – Sherburne County Planning and Zoning, fifteen 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 September meeting agenda as presented by: Hassett/Felber. 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 September routine claims was \$20,588.39.

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

B. Report of August Disbursement Not Paid Through the Claims Process

Treasurer Arnold had sent the board a memo and documentation regarding one transaction that occurred in August. This disbursement was for the purchase of a roll of stamps for the Treasurer to USPS in the amount of \$73.00 on the debit card. This disbursement occurred after the approval of August routine claims and did not go through routine claims.

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

C. Regular Payroll Claims – September 2024

The September regular payroll claims were in the amount of \$2,065.27.

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

Sergeant Derek Barrett reported that there were 80 traffic stops in Orrock Township in August of 2024, compared to 69 traffic stops in August of 2023. There were 219 total calls for service in August of 2024 and 213 total calls for service in August of 2023.

There was a vehicle fire on 253rd Avenue NW (the campground road). The owner's vehicle caught on fire and no arson was suspected. There was a house on 243rd Avenue NW struck by lightning which resulted in smoke in the garage.

Open Forum

Brenda Hansen, 15146 199th Ave NW, Elk River, representing the Sherburne County Action Team, spoke regarding election integrity.

Linda Schultz, 19561 York St. NW, Elk River, with the Sherburne County Community Action Team, spoke regarding election integrity.

Jim Lorch, 18931 238th Ave NW, Big Lake, with the Sherburne County Community Action Team, spoke regarding election integrity.

Approval of Meeting Minutes

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

Regular Business

Sherburne County Planning and Zoning Presentation

Mitch Glines and Jillian Carlson presented Sherburne County Planning and Zoning updates to the board. There are four divisions of planning and zoning - Building, Environmental, Office Administration, Solid Waste and Zoning.

Solid Waste provides for enforcement and regulation of the Solid Waste Ordinance and various Landfill Abatement related programs and initiatives. They have completed a feasibility study to determine the need for a permanent Household Hazardous Waste (HHW) facility due to increasing population and mobile events no longer being sustainable. They are conducting Source Separated Organic (SSO) and School Waste Characterization studies. They will be working on an SSO Institutional Grant Program, an SSO School Grant Program and a Food Waste Drop-Off program. They have a pilot program with Becker School district to implement SSO recycling.

On September 7th the county partnered with certified recyclers and Vonco II to host a mattress collection event.

The Septic Compliance program tracks failing septic systems. A compliance inspection is required for property transfers where the septic system is older than 5 years and for any land use permit where the septic system is older than 10 years. The county provides financial assistance to upgrade failing systems. There is a low-income grant program and a low interest loan program.

Planning and Zoning have completed updates to the SSTS, Shoreland and Floodplain ordinances (state-mandated ordinances). They are in the process of creating Cannabis (state-mandated), Accessory Dwelling Units (ADU's) and Short-Term Rental Ordinances.

There are upcoming discussions and meetings scheduled for the Cannabis Ordinance. Changes in the 2024 legislative session resulted in a new mandate for local units of government requiring Cannabis Ordinances to be in effect by January 1, 2025. They presented a map of Orrock Township outlining various buffer areas for cannabis businesses as well as draft land use designations for cannabis businesses. Sherburne County would need to allow 9 cannabis retailers (1 per 12,500 people in Sherburne County) to be licensed.

There are several items to consider related to land use: Odor/Ventilation, Security, Wastewater, Solid Waste, Energy Use and Water Use.

In 2023 and 2024 amendments to Cannabis Legislation established that the sale of cannabis products are subject to local planning and zoning restrictions and must comply with local zoning ordinances. Cannabis Legislation provides

local units of government, including counties, certain authority to regulate Cannabis Businesses. To determine what the necessary zoning and registration regulations should be in Sherburne County, the County Board adopted an Interim Ordinance (moratorium) in June to allow the county time to research and draft new ordinances and procedures. The moratorium ends on January 1, 2025, by which an ordinance regulating cannabis businesses must be adopted. The state's Cannabis ordinance is still in draft form. The department is asking for feedback on the appropriate zoning districts and regulations for different types of cannabis businesses.

The county would like comments by October 17th. The board agreed that they want to affirm that the County will oversee the registration and enforcement of Retail Establishments and they want to stay at the minimum of 9 retail licenses in the county. The board will send their comments regarding the zoning districts to the clerk for consolidation to be sent to the county.

Proposed Amendment to Zoning Ord. Sec.16.2 Solar Farm Related Business – Township Comments

The Planning and Zoning Department received a request to amend Section 16.2 of the current Interim Use Permit Ordinance to include a section relating to "Solar Farm Related Business." There has been a significant increase in solar farms in Sherburne County in the last decade. This addition to the ordinance will allow a facility to support monitoring, operations, preventive maintenance, corrective or condition-based maintenance (repair), or end of performance period (decommissioning) of a solar energy system, but which does not have solar arrays.

Their plan is to introduce this ordinance to the Planning Advisory Commission on October 17, 2024 then hold the public hearing for its formal review on November 21, 2024. Following the November public hearing, staff will bring the recommendations from the Planning Advisory Commission to be heard by the County Board of Commissioners on December 17, 2024. If the Town Board wishes to comment, they are welcome to join them at the public hearing or return the enclosed comment form to Mitch Glines.

The board agreed with the proposed Solar Farm Related Business amendment.

Sherburne County Economic Development Coordinator – Brian Fleming – Introduction

Brian Fleming, the new Sherburne County Economic Development Coordinator introduced himself to the board. The department supports the local economy and helps grow and support each of the economies in the cities and townships. The top three focuses of the department are business and jobs, housing and childcare. He is working on implementing a housing trust program that would help offset housing costs.

RES 2024-14 Resolution Appointing Election Judges – General Election

The board is required to appoint election judges at least 25 days prior to an election. Clerk Weber presented Resolution 2024-14 A Resolution Appointing Election Judges for the 2024 General Election to be held on November 5, 2024 for board consideration. The appointments are contingent upon the election judge(s) completing the required training and scheduling needs. All election judges that are being appointed have completed their election judge training.

Motion/Second to adopt Resolution 2024-14 A Resolution Appointing Election Judges for the 2024 General Election to be Held on November 5, 2024 by: Ellinger/Goldsmith. In favor: Adams, Ellinger, Goldsmith and Hassett. Opposed: None. Abstained: Felber. Motion Prevailed.

Couri & Ruppe 2025 Legal Service Rate

Clerk Weber told the board that, effective January 1, 2025, Couri & Ruppe's hourly rate will be increasing to \$275 for all general legal work and to \$300 per hour for all development work. The 2024 hourly rates were \$265 and \$290 respectively.

Motion/Second to continue to use the legal services of Couri & Ruppe and accept the 2025 Couri & Ruppe Legal Services Rates by: Goldsmith/Ellinger. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Roads

Quotes for Dredging Culvert at 232nd Ave. NW and 188th St. NW

Chair Adams presented a quote from Darryl Waletzko, LLC in the amount of \$9,000.00 for dredging of the pond at 232nd Ave. NW and 188th St. NW. Adams recommended that the board authorize Darryl Waletzko to dredge the pond as he had dredged the pond in 2022.

Motion/Second to accept the proposal to dredge the pond at 232nd Ave. NW and 188th St. NW from Darryl Waletzko, LLC in the amount of \$9,000.00 and authorize Darryl Waletzko to perform the work by: Hassett/Adams. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

2025 Road Improvements Projects Recommendation

Kevin Kruger presented his recommendation and initial costs estimates for the 2025 road improvement projects. The areas that Kevin is recommending for improvement are an overlay on 253rd Avenue and 180th Street (east of CSAH 4), an overlay project on 245th Ave and the southern portion of 190th Street (in Heritage Trails) and reconstruction of 234th Avenue, 188th Street and 232nd Avenue (west side of Eagle Lake). Kevin asked the board if they wanted to perform work on 253rd Avenue and 180th Street and stated that if an overlay isn't done shortly on those roads, the window to perform an overlay will be done and the roads would need to be left to deteriorate to the point of completing a reconstruction and/or letting the roads go back to gravel.

Kruger stated that with the erosion that is occurring on the west side of Eagle Lake, it makes sense to do a reconstruction of those roads. Supervisor Ellinger asked if it would be better to hold off on the Eagle Lake project until it is determined whether or not the dredging of the pond at 188th Street solves the drainage issue. Kevin stated that the goal of the project would be to get those roads up to current township standards and to install as much of a swale that can be installed in order to better contain water from running into yards. Chair Adams stated that the pond is in a floodplain and that there will always be drainage into that pond. Supervisor Goldsmith stated that he doesn't have a strong opinion, but if the reconstruction were held off, it would make the decision to complete the overlay 253rd Ave NW and 180th Street NW an easier decision to make. The board believed that it would be beneficial to have a meeting with the residents that would be impacted by the reconstruction project on the west side of Eagle Lake. Chair Adams stated that the flooding problem is not going to be alleviated and that, by holding off the project, the costs would increase. Supervisor Ellinger asked if it would make sense to add a couple of the gravel roads that are in that west Eagle Lake area to the project. If 253rd Ave NW and 180th Street NW were removed from the overlay project, project costs would be reduced. Chair Adams recommended removing 180th Street from the project and Supervisor Felber agreed. The opinion of probable costs for the two overlay projects is \$542,706.77 and the option of probable costs for the reconstruction project is \$672,050.48.

Motion/Second to have WSB move forward with preparing the specifications for the 2025 proposed overlay road projects and direct the engineering firm to prioritize the reconstruction project for 2026 by: Goldsmith/Ellinger. In favor: Ellinger and Goldsmith. Opposed: Adams/Felber/Hassett. Abstained: None. Motion Failed.

Motion/Second to move forward with the 2025 proposed overlay and reconstruction projects by: Adams/Goldsmith. In favor: Hassett/Goldsmith/Adams. Opposed: Ellinger/Felber. Abstained: None. Motion Prevailed.

Road Damage at 25348 167th Street NW

At the August meeting, the board directed the clerk to send a letter to the homeowners at 25348 167th St NW regarding damage done to the road at their driveway. The letter was mailed to the homeowner requesting that they reach out to Darryl Waletzko to have Darryl complete the road repair at the homeowner's expense. The homeowner called Darryl Waletzko and told him that the garbage truck turns around at their driveway and that is what is causing the damage. They provided pictures of the garbage truck turning around at the driveway. Supervisor Felber recommended capping the cost to repair the road to \$1,500.00.

Motion/Second to have Darryl Waletzko patch the road at 25348 167th Street NW at a cost not to exceed \$1,500.00 by: Adams/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed.

Road Projects – Final Pay Voucher 2

Kevin Kruger presented final pay voucher 2 from OMG Midwest/MN Paving in the amount of \$17,347.01 for the street improvements project. All required paperwork has been received.

Motion/Second to approve the street improvements final pay voucher number 2 from OMG Midwest/MN Paving in the amount of \$17,347.01 and authorize the clerk to electronically sign pay voucher by: Ellinger/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Motion Prevailed

Supervisor Updates / Committee Reports

Supervisor Adams – located a couple of culverts for new driveways. Hope Lutheran Church wants to install a sign on CSAH4 at 180th Street NW near the Orrock Township sign. Clerk Weber will work with the church on the location of the sign.

Supervisor Ellinger – None

Supervisor Felber – SWCD Conservation Tour, St. Cloud Airport ribbon cutting.

Supervisor Goldsmith – None

Supervisor Hassett – 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: \$1,570,792.67. This amount included 4M fund balance.

Motion/Second to accept the August Cash Control Statement by: Felber/Goldsmith. 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 August 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 5.176%.

Treasurer's Report

Town Funds balances as of August 31, 2024:

| | | | |
|-------------------|---------------|----------------------------|---------------|
| General Fund: | \$ 225,092.42 | Road & Bridge: | \$ 956,988.62 |
| Fire: | \$ 70,850.97 | Capital Reserve: | \$ 178,726.79 |
| Driveway Escrows: | \$ 15,000.00 | 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 08/31/2024 by: Goldsmith/Felber. 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 August Sherburne State Bank Securities Pledge Validation

Treasurer Arnold presented the Report of August Sherburne State Bank Securities Pledge Validation to the board. The required pledge amount was \$1,034,874.92. The securities pledge amount was \$1,595,347.84 which was \$560,372.92 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

Treasurer Arnold requested that the board approve the transfer of \$10,000 from the money market account to the checking account.

Motion/Second to approve the transfer of \$10,000 from the money market account to the checking account by: Ellinger/Goldsmith. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None.
Motion Prevailed

Announcements.

Clerk Weber Announced:

- October Board Meeting – Wednesday, October 23rd @ 7PM
- November General Election – Tuesday, November 5th from 7AM to 8PM. Early voting began on September 20th.
- Sherburne National Wildlife Refuge Wildlife Festival – Saturday, September 28th – 10AM – 2PM – Oak Savanna Learning Center - 16797 289TH Ave NW, Zimmerman, MN
- SCAT Meeting – Wednesday, October 16th, 6PM Meal, 7PM Meeting – Sherburne History Center
- Board of Canvass – Tentative Date is Wednesday, November 13th at 6PM. Board to set the date at the October meeting.

Adjournment

Motion/Second to adjourn the regular meeting by: Felber/Hassett. In favor: Adams, Ellinger, Felber, Goldsmith and Hassett. Opposed: None. Abstained: None. Absent: None. Motion Passed, adjourning the Regular Monthly Meeting, on Wednesday September 25, 2024, at 8:55PM.

Respectfully Submitted,
Chris Weber
Town of Orrock, Clerk

Accepted this 23rd day of October 2024 by the Orrock Township Board of Supervisors.

Bryan Adams, Chair

Attest: _____
Chris Weber, Town Clerk