



ANNUAL MEETING CONTINUATION  
WEDNESDAY AUGUST 31, 2016 6:00PM

The Orrock Township Electorate reconvened their Annual Meeting, on Wednesday August 31, 2016. The meeting took place at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota.

The meeting was called order by meeting moderator, Gary Goldsmith at 6:01PM and the Pledge of Allegiance was recited by the Electorate. Fifty-seven (57) residents, Mike Nielson, Town Engineer, WSB; Gary Meyer – Editor, West Sherburne Tribune and Mr. John M. Kysylyczyn, representative from Garbage Haulers for Citizen Choice were in attendance.

**CALL FOR MOTION TO APPROVE 2016 ANNUAL MEETING CONTINUATION AGENDA**

Motion/Second to Approve 2016 Annual Meeting Continuation Agenda by Brenda Kimberly-Maas/Bryan Adams.  
Electorate Vote: Unanimous approval of the 2016 Annual Meeting Continuation Agenda.  
Motion Prevails.

**UPDATED FINANCIAL REPORT**

Treasurer Jones addressed the meeting, reporting the ending balances to date:

|                    |               |
|--------------------|---------------|
| General Fund       | \$ 63,186.51  |
| Road & Bridge Fund | \$ 607,874.51 |
| Fire Fund          | \$ 71,967.05  |
| Capital Fund       | \$ 139,373.35 |

Town Engineer felt we are on target with the Road and Bridge fund. Laura felt there is a need to increase the General Fund by the amount of \$10,000 for a total of \$90,000. Laura noted there were some additional costs the Town will incur, which were unknown until after the March Annual Meeting. Specifically, the cost share of new election equipment and additional payroll.

Motion to increase the 2017 General Fund Levy from \$80,000 to \$90,000 by: Bob Hammer.  
Motion Second: Darryl Waletzko.  
Electorate Vote:  
AYE – 55  
NAY – 1  
ABSTAIN – 1  
Motion Prevails.

Approved 2017 Levy amounts presented by Treasurer Jones:

|                    |            |
|--------------------|------------|
| General Fund       | \$ 90,000  |
| Road & Bridge Fund | \$ 650,000 |
| Fire Fund          | \$ 80,000  |
| Capital Fund       | \$ 0       |
| Total Levy:        | \$820,000  |

**Road Report:** Township engineer Mike Nielson of WSB and Associates, was present to report to the Electorate. He reported the restructuring/resurfacing of 243<sup>rd</sup> west from Co Rd 75 to the Becker Township line has been completed. A significant amount of work was done to stabilize the ground under the road, as it travels through a wetland. 2016 project was to overlay several segments of roadway throughout the Township. Initially, the bid docs were written to have the rubberized crack fill material routed out, prior to the overlay. Vendors indicated the additional cost to remove the crack fill material would be roughly \$100,000. Having done overlays on one year old crack fill before without issue, Mike recommended the Board overlay the roads without removing the crack fill, to save money. This time, however, the crack fill material bubbled up during the process and created bumps in the roadway. The Board will

be considering some options to remedy the bumps during the regular meeting, such as micro-resurfacing (roughly \$15,000). Mike informed the audience the Town was able to save almost \$100,000 on the 2016 projects, because the cost of oil was very low.

Mike also informed the attendees the roads have an OCI/PCI of 'GOOD', but will require regular, properly timed maintenance to keep them at an acceptable level. Using a computer program WSB was able to project the annual amount of money which will be needed to keep the roads in their good condition.

### **ORGANIZED WASTE COLLECTION**

Gary Goldsmith informed the residents he volunteered to assist Supervisor Silverberg with the efforts of researching the process of organized waste collection. He apologized for the absence of Supervisor Corrie Silverberg, whose flight delays caused him to miss the meeting. Gary also gave the residents the history of why the Board was researching organized collection, the statutory process which must be followed and how the current haulers would still be involved in the process. He explained to the residents that, to date, the Board has only gathered information on the process.

Mr. John M. Kysylczyn, representative from Garbage Haulers for Citizen Choice addressed the meeting, by quoting MS §365.10 Subd. 15: "Refuse, household waste. The electors may let the town board find a way to collect and get rid of household waste and other refuse. The way must be consistent with other law."

Motion by Paul Meyer: The town board shall not spend any funds, or make any efforts to change the current refuse & household waste collection system, and stop debate or further discussion in perpetuity.

Motion Second: Rayme Herold

The question of whether the motion would bind the Board to the directive was asked. Gary stated he did not know the legal answer. Many residents asked if the Board would consider this motion similar to the motion in March. After discussion, the vote was taken.

Electorate Vote:

AYE – 55

NAY – 1

ABSTAIN – 1

Motion Prevails.

Motion by Myron Wilson: Before the Board ever enacts a single hauler, in Orrock Township in perpetuity, a vote at a general election of all residents.

Motion Second: Mark Schinkel

After discussion, the vote was taken.

Electorate Vote:

AYE – 56

NAY – 0

ABSTAIN – 1

Motion Prevails.

### **CALL FOR BUSINESS FROM THE FLOOR**

Paul Meyer addressed the meeting with concerns over 233<sup>rd</sup> Ave NW which travels through sections 35 and 36 and 166<sup>th</sup> St NW. He brought with him the signed Affidavit of Maintenance from 1998. He voiced his concern about future maintenance of the road. The document states the Easement has been maintained by Orrock for at least six (6) years. He felt the Board was obligated to continue to maintain it, including snow removal, based on his conversation with someone from Sherburne County. He had not attended the meeting(s) the Board had with DNR where this had been discussed. Gary noted this is a legal question which the Board has been working with their counsel on this. Another resident suggested the Board work with DNR representatives and State representatives to remedy the situation.

A resident asked how she could obtain meeting agendas. Agendas are normally posted on the website one week prior to meetings.

Motion by Gage Chaffee: Meeting Agenda be posted, on Township Website at least five business days prior to monthly meetings.

Motion Second: Rayme Herold

Electorate Vote:

AYE – 56

NAY – 0

ABSTAIN – 2

Motion Prevails.

A resident asked about the availability of DRAFT minutes online. Brenda Kimberly-Maas informed the residents the town's legal counsel suggested only post approved minutes online, as the DRAFT is not the true record of the meetings.

Mr. John M. Kysylyczyn, representative from Garbage Haulers for Citizen Choice addressed the meeting telling the residents the Town is not required to follow the data practices act as required by cities within the seven county metro area (Urban Powers). He informed them they could direct the Board to make draft documents available online.

Motion by Myron Wilson: The Board shall publish online the Annual Meeting Minutes DRAFT, on Township Website sixty days after the Annual Meeting recesses or adjourns.

Motion Second: Mark Schinkle

Electorate Vote:

AYE – 56

NAY – 0

ABSTAIN – 2

Motion Prevails.

Brenda Kimberly-Maas informed the residents should they wish to review any of the official documents, they must make an appointment with the Clerk to do so, as the town hall does not have office hours.

Gary Goldsmith commented to the residents the Board members take their positions very seriously and spend a lot of time preparing for meetings, driving roads, picking up trash, answering calls and emails from residents. Elections are now held in November and there will be seats available at the next election cycle. He encouraged the attendees to get involved and run for a seat, if they truly wished to be involved.

A resident was wondering if the Board still conducted annual road tours. He noted he found a lot of value in touring the roads. The Board informed the residents that it is still conducted and usually is held in April or May, depending on the weather and road visibility. The tour is published in both the West Sherburne Tribune and Elk River Star News.

Mr. John M. Kysylyczyn commended Gary on how well he conducted the meeting.

**MOTION TO ADJOURN OR RECESS THE ANNUAL MEETING**

Seeing no further business from the floor, Gary Goldsmith called for a motion to ADJOURN the 2016 Annual Meeting.

Motion made to ADJOURN the 2016 Annual Meeting by Mark Schinkle.

Second by Carol Spagenski.

Electorate Vote: Unanimous decision to ADJOURN 2016 Annual Meeting and certify the 2017 levy to the County Auditor's Office, at 7:06PM.

Motion Prevails.

Moderator Goldsmith declared the 2016 Annual Meeting ADJOURNED at 7:06PM on Wednesday August 31, 2016.

Respectfully Submitted,

Brenda Kimberly-Maas  
Orrock Township Clerk

Accepted this the \_\_\_\_\_ day of \_\_\_\_\_, 2017 by the Orrock Township Electorate.

Attest: \_\_\_\_\_

\_\_\_\_\_  
Annual Meeting Moderator

\_\_\_\_\_  
Town Clerk