



Regular Meeting  
Wednesday November 20, 2019 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday November 20, 2019, at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota.

In attendance were Chair Corrie Silverberg, Supervisors Bryan Adams, Paul Ellinger, Bob Hassett and Eric Peterson, Clerk Brenda Kimberly-Maas, Treasurer Gary Goldsmith. Also, in attendance were Deputy Clerk Chris Weber, Mike Nielson – Town engineering firm, Darryl Waletzko – Town Contractor and Commander Steve Doran.

A quorum was present, the meeting was called to order by Chair Silverberg, at 7:00PM and the Pledge of Allegiance to the United States of America was recited.

#### **Meeting Agenda Approval**

Motion/Second to accept the presented agenda by: Adams/Ellinger. All present Supervisors approved. Motion prevailed, and the meeting proceeded in accordance with the presented agenda.

#### **Approval of Meeting Minutes**

Motion/Second to approve the October Regular Minutes by: Ellinger/Adams. All present supervisors approved. Motion Prevailed.

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

Commander Steve Doran reported to the board that there 76 calls for the prior 30 days. Of note were one DUI, 13 crashes (11 of those being car/deer), one Criminal Sexual Conduct and one Drug Investigation. Information on streetlights was given to the township and Supervisor Hassett will discuss this information under Road Business.

#### **Open Forum**

There were no open forum items.

#### **Clerk's Business**

##### **Town Hall Inspection**

Supervisor Adams stated that the town hall inspection was completed on November 20<sup>th</sup>. It was found that the reason for the slope is that when the new foundation wall was added, they did not get it to the correct elevation. He reported that the walls do have vapor barrier fiberglass insulation and that there is 6" of blown insulation in the ceiling. The recommendation is to put more insulation in the top portion of the walls.

Bryan reported that other items of note are there is a 3' unheated, un-insulated crawl space underneath the building and that there are two electric heaters on top of the suspended ceiling and underneath the insulation – both of which are running at full force. It is not known where the switches are for those heaters and there are no vents for the heaters. The township will need to find the switches and Treasurer Goldsmith stated that the township needs to figure out what circuit the heaters are on. Clerk Kimberly-Mass noted that there is a breaker that says "heaters" – it is not known if that is the circuit breaker for these two heaters.

Supervisor Adams stated that the township will get a written report of the inspection results and that the initial report shows that the building is in fairly good shape. The full report should be available at December's meeting.

### Ace Solid Waste Continuation

Treasurer Goldsmith stated that the finance committee discussed the Ace Solid Waste Continuation at their meeting. It was decided that it would be cost-prohibitive to have Ace haul away couches, etc. The finance committee's initial recommendation is that the township discontinue the trash service.

Clerk Kimberly Mass questioned if going without trash service is an option for the township. Treasurer Goldsmith stated that he had checked on the Sherburne County website and found no information on what the trash requirements are for townships. Supervisor Hassett felt that if the county questions where and how the township is disposing of trash, the township would need to have an answer for them. Supervisor Adams will ask if there are any requirements at the next county planning meeting. Chairman Silverberg asked Darryl if he has any concerns about not having trash service. Darryl responded that it would be convenient to have trash service for cardboard, etc. The board's concern is whether the township is creating enough garbage to justify spending \$50 per month for trash removal. Supervisor Ellinger offered to take the trash for October through March. Clerk Kimberly Mass noted that the township could switch to a smaller container and Darryl recommended getting a price match. This item to be placed on the December agenda.

### Hall Furnace Repair

Treasurer Goldsmith reported that Clerk Kimberley Mass had contacted him over the weekend because there was no heat in the building. McChesney Heating was called out and they determined that the control board was faulty. Gary and Brenda had decided that this was an emergency repair and they authorized McChesney to install the new control board. The estimated total cost of the repair is approximately \$500-\$600. McChesney informed the board that the furnace is on its last leg. This is the second repair on the furnace in the past 2-3 years. If the township is going to replace the furnace, it will be best to do both units. No motion is needed for this repair. This repair bill will be in the December claims.

### Website SSL Certificate

Clerk Kimberly Mass noted that the township does not have an SSL certificate on their website. Brenda was told by GoDaddy that it affects the security of the township's website. There is a \$149 yearly fee for an SSL certificate and maintenance. Treasurer Goldsmith stated that an SSL certificate ensures that traffic from a user to the website and back is encrypted. Generally, an SSL certificate is needed when information is being shared via a website and if a website is an interactive website. Mike Nielson offered the services of WSB's IT staff to discuss with Brenda what an SSL is and if it's something that the township needs to have. Mike will pass along Brenda's contact information to WSB's IT support staff.

### Laserfiche (Records Management)

Clerk Kimberly Mass shared information on Laserfiche, which is an online document storage and archive system and asked the board if this is something that the township wants to research. Brenda informed the board that Big Lake Township worked with Sherburne County IT to set up Office365 Government for the Big Lake Township. Office365 Government is a cloud-based server used to store and back up files and access can be granted to other users to modify and edit information. Office365 Government has more security features than regular Office365.

Brenda noted that Laserfiche might be an appropriate system to use to archive files as that system has that capability to do so.

Supervisor Hassett's opinion is that any system that the township chooses for online document storage should be intuitive enough for current and future staff to use. From the board's point of view, it would be beneficial to be able to easily locate and access information and files. Brenda noted that Big Lake Township mimicked their physical filing system structure in the online structure of Office365 Government, ensuring that files could be easily located. Mike stated that WSB uses Laserfiche and the search system is user-friendly, and that the system is also good for locating and storing older files.

Bryan and Paul agree that the township should research online storage / filing system options. Brenda noted that all current work is being saved to computers and not on the cloud and that moving to an online system would make sense for the township. Deputy Clerk Weber will begin researching online storage / file sharing systems.

Clerk Kimberly Mass asked the board if she can give Chris a set of keys for the building. The board agreed to have Brenda give Chris a set of keys.

#### Office 365 License for Deputy Clerk

Clerk Kimberly Mass stated that Deputy Clerk Weber does not have a paid Office365 license for her computer and therefore cannot load and use the desktop applications (Word, Excel, PowerPoint, etc). Treasurer Goldsmith does not use his Office365 license, but it would be a cumbersome process to transfer that license to Chris until the year's subscription for Office365 is up for renewal. The pro-rated fee for the full version of Office365 for Deputy Clerk Weber is \$97.87 and falls within the budget given to purchase the Deputy Clerk computer. Going forward, the subscription is \$180.00 annually. Supervisor Ellinger questioned if we can then drop Treasurer Goldsmith's subscription when the year is up. Clerk Kimberly Mass confirmed that the township could do so.

Motion/Second to purchase the pro-rated Office365 license for Chris at the pro-rated cost of \$97.87 by: Ellinger/Hassett. All present supervisors approve. Motion carries.

#### Roads

##### 223rd Avenue Easement

Clerk Kimberly-Maas sent the revised easement that Bob Ruppe and the DNR approved. One of Bob's revisions, regarding the taking back of the easement, was not accepted. Martha told Bob that the state has never taken a road back. Treasurer Goldsmith asked Mike Nielson if the engineering firm is comfortable with Bob Ruppe's change in the legal description. Mike stated that he has a bit of concern regarding the legal description. Mike Nielson agreed that the description is not 100% correct, but also noted that the document has been reviewed twice. The township could easily spend an additional \$2,000 to make sure that the legal description is 100% correct. Mike's personal opinion and recommendation is that - given the circumstances as we know it today, along with the difficulty in making the change - the township should not spend any more money and time to make a change to the legal description.

Motion/Second to approve the revised easement agreement by: Adams/Hassett. All present supervisors approve. Motion carries.

Motion/Second to approve payment of the right of way easement claim by: Adams/Ellinger. All present supervisors approve. Motion carries.

##### 189<sup>th</sup> Street Eagle Point Vacation

Supervisor Adams stated that he had discussed the maintenance of 189<sup>th</sup> Street with the Martins and they informed Bryan that the township has been maintaining the road. Bryan discussed the history of 189<sup>th</sup> Street maintenance with Jerry Peterson. Jerry informed Bryan that he had applied reclaimed asphalt on 189<sup>th</sup> and that he had been maintaining the street in the time that he was plowing snow for the township. Jerry said that he had applied the reclaimed material to the road because it had become too much of a hassle to plow a gravel road. Jerry Peterson had informed Bryan that at one time 189<sup>th</sup> Street went all the way up to 235<sup>th</sup> and that the northern portion of the road was vacated.

Supervisor Adams recommended that the township continue to plow the road. Clerk Kimberly Mass noted that the road is really a private driveway and serves one resident and Darryl noted that 189<sup>th</sup> Street is only one car wide. Mike Nielson stated that technically, in order to be considered a road, the width of the road should be 20'. Supervisor Ellinger asked if the township does not maintain the road, will it then cause 234<sup>th</sup> Street to deteriorate faster. He noted that there is pooling at 190th and 234th to the stop sign. Mike Nielson said that unless the township improves 189<sup>th</sup> Street, it is not going to improve the drainage. Darryl expressed his concern that 189<sup>th</sup> Street is only one car wide and Mike agreed that that could be a safety issue. Darryl stated that he's not plowed it since he's taken over road maintenance. The township had plowed the road prior to Darryl taking over road maintenance. It is not known who is currently plowing the road. Chairman Silverberg's stated that if the township is going to vacate the road, that needs to be brought up at the annual meeting. Supervisor Adams believes we are obligated to maintain the road until it is either abandoned or turned into a minimum maintenance road. Supervisor Ellinger stated that the township should maintain the road through the winter and that the road should be brought up at the annual meeting. Corrie asked what a minimum maintenance road requirement is. Mike stated that is basically means "travel at your own risk", as there is minimum maintenance done to the road. The township would need to hold public meetings for either option (vacation or minimum maintenance).

There was concern brought as to whether, if the road is abandoned, the township would be landlocking the two lots (35-401-0110 and 35-401-0250). There would still be access to either lot along 234<sup>th</sup>. Darryl also expressed concern about township's possible liability due to the condition of the road.

Motion/Second to continue to maintain 189<sup>th</sup> Street (Eagle Point), that further discussion be held and that a letter be sent to the owners to advise them that the future status of the road will continue to be discussed by the board: Ellinger/Adams. All present supervisors approve. Motion carries.

#### 248<sup>th</sup> Avenue (Lake Ann)

Clerk Kimberly Mass had done research into the history of 248<sup>th</sup> Avenue, on the south side of Lake Ann. The road goes into the Leines' property and extends to the Britzius' property. These two property owners are relatives. Brenda located documentation that the road is a dedicated easement for public road purposes, however she could not find documentation confirming that the township accepted the road. Mike Nielson noted that the warranty deed states that it is a non-exclusive easement for roadway purposes and does not state that it was dedicated to the public. He also recommended that the township stay out of the road. Darryl said his crew has been plowing the road – but not every time that they plow – only because the drivers drive into the driveway because there is a street sign. There are “no trespassing” signs on the property. Because there are no E911 signs on this property, it is the consensus that the existing road sign is needed to remain for emergency location purposes. Darryl thought that it would be beneficial to put a private driveway sign next to the street sign, so that it is known that is a private driveway and not a public road. Mike did not see any reason why the township could not put a private driveway sign up. Authorization was given to Darryl to order and put up a private driveway sign. Clerk Kimberly Mass will notify the owners of the placement of such sign.

#### Supervisor Updates / Committee Reports

Supervisor Adams stated that tree trimming was completed by Darryl.

Supervisor Ellinger report that he had attended the Zimmerman fire meeting. Zimmerman is moving ahead with the new fire hall / community center project and they have hired an architectural firm. It is their plan is to build a community center building, but Paul is not sure if townships that are in the fire district are going to have to pay more for their district costs due to the cost of the new building. Paul will continue to gather information on this project. It is Paul's opinion that if Orrock Township's fire costs increase due of the cost of the new building, then Orrock Township residents should have the same access to the community center at the same rate as the Zimmerman residents.

Supervisor Hassett reported on the streetlight that is at the intersection of Eagle Lake Road and 230<sup>th</sup> and going into the development. The sheriff's department informed Bob that there is a good cost benefit ratio for having streetlights at intersections. They also told Bob that the county has a program in which the county takes over lights, however this light may not qualify for this program because of the low volume of cross traffic at this intersection. Bob is requesting clarification on this statement and whether the county would take over this light. The light was installed in 1998 and the cost to run the light is approximately \$200 per year. Bob's opinion is that the township should revisit whether this light is necessary. If it is determined that this light is not necessary, the township could then request the removal of the streetlight. Mike said that the township should first check to see if the county would take over the light. Mike's concern is if the township removes the light – and somebody gets killed – the township then opens themselves up to the possibility of a lawsuit. The consensus is that the \$200 cost per year to run the light is cheap insurance. Supervisor Silverberg noted that the finance committee should budget for this cost.

Supervisor Hassett recommended the township purchase and install a Wi-Fi thermostat in the town hall. This would save the time of having somebody come to the building to turn up the thermostat prior to meetings and would also aid in the monitoring of the temperature inside the building – especially given the furnace problems. Wi-Fi thermostats are generally priced at \$200 or less. There are rebates that are being offered by the power companies. Clerk Kimberly Mass noted that there is baseboard heat in the back room and that those are controlled by dial thermostat on the walls. The building has three thermostats upstairs and one in the basement. Chair Silverberg recommended that if the township installs a Wi-Fi thermostat, it should be the thermostat for the main heat. Chair Silverberg sells Wi-Fi thermostats at work,

will get a cost for thermostats and report back to the finance committee. Supervisor Ellinger noted that the thermostats with the rebates need to be purchased by December 31<sup>st</sup>. Corrie said that the township will not need an electrician to install the thermostat.

Supervisor Hassett had attended a meeting regarding energy and buildings. The key takeaway from this meeting is that the recommendation for new buildings is to run on electricity rather than natural gas. He had asked if the township would want to research the continued use of a furnace and electric versus the cost of switching to heat pumps. Treasurer Goldsmith stated that the township would never recoup the cost of a heat pump system. Supervisor Adams also noted that if we ever do anything to the town building then that would be the appropriate time to really dig into the options, however this is all good fuel for thought.

Supervisor Peterson reported that he is still checking into grading and is contacting people.

Supervisor Hassett asked if the township has any ordinances regarding the parking of semi-trucks in the road right-of-way. Treasurer Goldsmith stated that the township needs to modify ordinances but needs to get through budget first. Clerk Kimberly Mass recommended that Bob check with the county to see if they have an ordinance in place. Supervisor Adams stated that county ordinance would not cover township roads.

### **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 during the meeting. There was an additional claim to Scott Holthaus for driveway escrow refund. Of note is that animal control is billing the township less than the contract states.

#### **Routine Claims**

**Motion/Second** to approve routine claims as amended by: Ellinger/Hassett. In favor: Adams, Ellinger, Hassett, Peterson & Silverberg. Opposed: none. Abstained: None. **Motion Prevailed.**

#### **Payroll Claims - November 2019**

Gary presented the Board with the payroll claims for the month of November.

**Motion/Second** to approve payroll claims by: Peterson/Adams. All present supervisors approved. **Motion Carries.**

#### **Treasurer's Report**

Town Funds balances as of October 31, 2019:

General Fund: \$ 68,910.63	Road & Bridge: \$ 660,100.06
Fire: \$ 20,571.33	Capital Reserve: \$ 195,373.68
State Park Roads: (\$473,851.74)	

All escrows are unchanged

**Motion/Second** to accept the Treasurer's Report date ending 10/31/2019 by: Silverberg/Peterson. Approved by: Adams, Ellinger, Hassett, Peterson and Silverberg. Opposed: None. Abstained: None. **Motion carries.**

#### **Cash Control Statement**

Treasurer Goldsmith presented the Board with the Cash Control statement. Ending cash balance after reconciling the books with the bank statements: \$618,464.38. This amount included 4M fund balance information.

**Motion/Second** to accept the October Cash Control Statement by: Peterson/Ellinger. Approved by: Adams, Ellinger, Hassett, Peterson and Silverberg. Opposed: None. Abstained: None. **Motion carries.**

#### **Investment Update**

Treasurer Goldsmith reported that there were no investment changes.

Budget Analysis and Discussion

Treasurer Goldsmith reported that he had met with the finance committee. Gary will meet with the road committee after Thanksgiving and then separately with the chair. The budget has been moved into CTAS and he is working through account structure. Each of the committees will come with recommendations to the full board – possibly at the December meeting.

Announcements

Clerk Kimberly-Maas announced:

- MAT had sent a request for training ideas and they are also looking at putting together Webinars. Their goal is to have the first Webinar in December on the topic of the Presidential Nomination Primary.
- Presidential primary on March 3 – could be interesting due the fact that to voters have to designate their party.
- December Meeting Reminder – December 18<sup>th</sup> at 7pm

Adjournment

Motion/Second to adjourn regular meeting by: Silverberg/Peterson. All present approved. Motion Passed, adjourning the Regular Monthly Meeting, on Wednesday November 20, 2019 at 8:42PM.

Respectfully Submitted,  
Chris Weber  
Town of Orrock, Deputy Clerk

Accepted this 18<sup>th</sup> day of December 2019 by the Orrock Township Board of Supervisors.

\_\_\_\_\_  
Corrie Silverberg, Chair

Attest: \_\_\_\_\_  
Brenda Kimberly-Maas, Town Clerk