



Regular Meeting  
Wednesday December 18, 2019 - 7:00PM

The Orrock Township Board met in regular session, on Wednesday December 18, 2019, at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota.

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

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: Ellinger/Adams. 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 November Regular Minutes by: Adams/Silverberg. All present Supervisors approved. Motion Prevailed.

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

No sheriff's report was presented.

#### **Open Forum**

There were no open forum items.

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

##### **Post in ROW – 16786 – 239th Ave.**

Supervisor Adams had received a call from the resident at 16786 239<sup>th</sup> Avenue requesting that snow be moved further out into the cul-de-sac. Bryan went out to inspect the property and noted that there is a steel post at the property that is in the road right-of-way along the asphalt. Supervisor Adams asked if the board wants to write a letter to the resident requesting the removal of the steel post. The suggestion was made by the board that Bryan have a face-to-face meeting with the resident. Darryl noted that he has talked with the resident in past years and it is his opinion that it would be better to send a letter to the resident. Clerk Kimberly Mass' opinion was that it would be best to have a board member have a face-to-face meeting with the resident. Supervisor Ellinger's recommendation was that Bryan call the resident to discuss the situation and inform them that a letter will also be sent out to advise them of the issue. Bryan will let Clerk Kimberly Maas know when he has completed the conversation with the resident so that the letter can be mailed. The board agreed that this would be the best course of action.

#### **Presidential National Primary (PNP) Information**

Clerk Kimberly Maas presented information on the Presidential Nomination Primary Election, which will be held on Tuesday, March 3, 2020. Due to the time of year that the primary is being held, the township is going to be limited on Regular Meeting – Wednesday December 18, 2019 – 7:00PM

availability of election judges. The polls will be open the same as any other primary election – 7am to 8pm. The Presidential National Primary is new to Minnesota this year and there are four parties that will be on the primary ballot. Primary voters will be required to specify which party they will be voting for. Brenda believes voters may be upset that they must disclose their party affiliation. If there is cross-over party voting, the ballot will then become a spoiled ballot.

Clerk Kimberly Maas also noted that the state representative special election (for Representative Nick Zerwas' seat) does not affect Orrock Township. The first election for this seat is January 14 and the second is February 4.

#### Call for Board of Equalization Meeting – Wed. 04/08/2020 @ 4PM

Clerk Kimberly Maas requested that the board call for the board of equalization meeting to be held on April 8, 2020 at 4pm. The meeting will be at the township hall. Chair Silverberg is certified and will need to attend the equalization meeting. Supervisors Adams and Ellinger will check to see if they can take the certification course.

Motion / Second to Call for the Board of Equalization Meeting in Wednesday, 4/8/2020 at 4pm by Ellinger/Adams. All present supervisors approved. Motion Carried.

#### Metzler Driveway Escrow

Clerk Kimberly Maas presented the settlement agreement for the Brian Metzler Driveway escrow. In 2019, Mr. Metzler applied for and received a permit to install a driveway. In September 2019, the Township inspected the driveway and determined that it failed to comply with the Township Driveway Ordinance, noting that it did not meet the 70% vegetation coverage and that part of the culvert still needed to be covered with class 5 aggregate and as a result had not refunded the Escrow funds. Mr. Metzler disputed the final inspection and maintained that the driveway construction complied with the ordinance and, thereafter filed a lawsuit in Minnesota State Conciliation Court. The township attorney's recommendation is that the township settle this case out of court. Mr. Metzler agreed to a partial escrow funds refund in the amount of \$2,500 with the remaining escrow funds to be refunded to Metzler only on the condition that on or before August 1, 2020 he complies with the vegetation coverage and class 5 coverage requirements.

Motion/Second to accept the Metzler Settlement Agreement by Adams / Ellinger. All present supervisors approved. Motion Carried.

Supervisor Ellinger asked what the current process is for determining whether a homeowner needs to install a culvert when constructing a driveway. It was stated that the Darryl goes out to inspect the property and determines if the homeowner needs to install a culvert. Paul then questioned what documentation the township has that confirms whether a culvert is required. Treasurer Goldsmith suggested that the permit/checklist have a check box for "culvert required" (yes or no). The board agreed that would make sense to have that check box.

Supervisor Adams recommended that a check box be added to the driveway permit checklist stating, "culvert required – yes or no" and that a culvert drawing be incorporated into the ordinance. Supervisor Ellinger and Clerk Kimberly Mass expressed concern that by adding the drawing to the ordinance, the township then needs to ensure that - when there are any changes in the standard -the drawing in the ordinance is updated. Clerk Kimberly Mass also noted that a culvert is the property owner's responsibility to maintain. Mike Nielson stated that the wording "the culvert shall be installed and maintained by the property owner" should be in the ordinance.

Supervisor Ellinger suggested that the board review and discuss the driveway ordinance at the ordinance meeting, with any changes to the ordinance be made prior to the spring building permit season. It was agreed that the Road and the Ordinance Committees will review the driveway ordinance. Clerk Kimberly Mass will add check box for culvert is required / not required and have a space for initials on the permit.

#### Laserfiche Information

Deputy Clerk Weber presented information on the Laserfiche document storage software as a service. Chris' opinion is that Laserfiche is a good platform, however due to the cost of \$5,000+ to implement it would not be a good fit for the township's current needs. Deputy Clerk Weber's opinion is that Office365 Government would be a more cost-effective option for the township and would be a better starting point for getting the township's files electronically stored.

Clerk Kimberly Maas noted that Big Lake Township uses Office365 Government as a file share and is of the opinion that Office365 Government would probably be a good starting point for the township. Big Lake Township had worked with SHI, which is an authorized government reseller. Treasurer Goldsmith also noted that going to digital storage will

take discipline by all to standardize file format, naming and filing. The current clerk, treasurer and deputy clerk are currently saving their files to their township personal account Office365 One Drives. The board's concern and goals are to centralize historical files. Deputy Clerk Weber will continue to research Office365 Government and other options and will give a monthly update.

Supervisor Ellinger would like to be able to easily access ordinances, minutes, etc. and would like to see some of those items on the township's website. Deputy Clerk Weber noted that since there is no longer a newspaper covering the township's business, it would be a good idea to have the updated minutes and business on the township's website.

### Town Hall Inspection

Supervisor Adams presented the town hall inspection report that was completed by Ken Geroux Construction. The report stated that the building is above average for a building of its age and that no major issues were discovered. Overall, the building is in pretty good shape. Bryan noted that the conclusion is that it would be worthwhile to add onto the township building. There was a recommendation in the report to add more attic insulation and a support. Bryan also reported that the heaters above the ceiling have been unplugged. Supervisor Ellinger asked if the township wants to prioritize and install the beam. Supervisor Adams will research that option and noted that at some point in time the discussion will need to be had as to the future of the building. Chair Silverberg stated the big issue with the current building is space for elections and Clerk Kimberly Maas also noted that storage space is also an issue.

Supervisor Adams asked if the town hall can be used as a temporary shelter for hazard mitigation. Supervisor Ellinger stated that, in the event of an emergency, it would be more practical to rely on other area facilities - such as schools - as they have more capabilities and capacity.

Supervisor Adams asked when the last time the septic system was pumped. Clerk Kimberly Maas responded that Mark's Septic had pumped the system in 2013 or 2014.

### Roads

Mike Nielson stated that WSB is working on road plans and getting bids out. The target date for sending out for bids is late January.

### Supervisor Updates / Committee Reports

Supervisor Ellinger reported that the Zimmerman fire department meeting is December 19th at 5:30 and that they will be discussing the event center and fire hall at that meeting. Paul stated that the preliminary figure to build the facility is \$6.5 million. Paul will attend the meeting and gather further information.

Supervisor Adams had received a call inquiring as to which fire department services which area of the township and requested a map of the fire district. Clerk Kimberly Mass will email the map to the board. Supervisor Ellinger recommended putting the map on the township website.

Chair Silverberg informed the board that the township can purchase a Honeywell basic wi-fi thermostat through Ferguson at their cost of \$117 and noted that thermostats can go for as high as \$200+. Supervisor Ellinger's opinion was that the township should purchase the thermostat.

Motion/Second to purchase a Honeywell basic thermostat from Ferguson at their cost of \$117 by Ellinger/Adams. All present supervisors approved. Motion Carried.

Chair Silverberg had asked who made the call to forego snow plowing on the first 3" snowfall the week of December 12th. Supervisor Adams' understanding was that, since it was going to snow the next day, Supervisor Peterson made the call to not plow the roads. Bryan also stated that in hindsight it would have been easier to plow the first snowfall day, as after that snowfall the roads had been driven on and that then created ice. Chair Silverberg noted that the decision not to deploy snowplows went against what the board had previously discussed regarding the snow plowing policy. It was also noted that any board member can call Darryl to plow, however the board is trying to work through the road authority. Bryan's opinion is that Darryl should be able to make a recommendation to the road authority to plow, based on conditions.

Darryl had asked if the township wants to scrape the roads the next weekend when it warms up. The board concurred that Darryl should scrape the roads. Darryl will keep in contact with Bryan regarding the upcoming warm up and any action that should be taken. Supervisor Ellinger also noted if we get that snow and slush off the roads now, it will help down the road. Corrie had asked if sloped cul-de-sacs are getting grade sanding. Darryl responded that the cul-de-sacs have been cleaning up well and that he's not had to put any effort into salt / sanding cul-de-sacs. Corrie's concern is,

Regular Meeting – Wednesday December 18, 2019 – 7:00PM

where there is a grade, the school buses have a difficult time stopping. Darryl stated that if he is aware of such a situation, he will take care of it and asked that board members notify him if they see such a situation.

**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.

**Routine Claims**

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

**Supplemental Claims**

Treasurer Goldsmith presented one supplemental claim in the amount of \$2,500, which was for the Metzler settlement agreement partial escrow refund.

Motion/Second to approve this supplemental claim by Adams/Ellinger. In favor: Adams Ellinger & Silverberg. Opposed: none. Abstained: None. Motion Prevailed.

**Payroll Claims - December 2019**

Treasurer Goldsmith presented the Board with the payroll claims for the month of December.

Motion/Second to approve payroll claims by: Ellinger/Adams. All present supervisors approved. Motion Carried.

**Treasurer’s Report**

Town Funds balances as of November 30, 2019:

General Fund: \$ 66,430.87	Road & Bridge: \$556,460.01
Fire: \$ 20,571.33	Capital Reserve: \$195,373.68
State Park Roads: (\$498,218.75)	

Escrows remain unchanged

Treasurer Goldsmith noted that In December the township received the second half tax payment. This amount will be reflected on the December financial reports.

Motion/Second to accept the Treasurer’s Report date ending 11/30/2019 by Silverberg/Ellinger. Approved by: Adams, Ellinger and Silverberg. Opposed: None. Abstained: None. Motion Carried.

**Cash Control Statement**

Treasurer Goldsmith presented the Board with the Cash Control statement. Ending cash balance after reconciling the books with the bank statements: \$487,978.06. This amount included 4M fund balance information.

Motion/Second to accept the November Cash Control Statement: Silverberg/Adams. Approved by: Adams, Ellinger, Hassett and Silverberg. Opposed: None. Abstained: None. Motion Carried.

**Treasurer Action Items**

**Ace Solid Waste Review**

Treasurer Goldsmith contacted Elk River Landfill and was told that the township can haul debris to the landfill. Gary then asked if the township wants to discontinue Ace Solid Waste service. Supervisor Adams said that he had checked with planning and zoning and there are no requirements for the township to have waste disposal service. Supervisor Ellinger suggested that the township discontinue trash service and purchase a trash container. Paul stated that he can take garbage from October – March and Gary said that he can take it any other time.

Motion/Second to discontinue Ace Solid Waste trash removal beginning in January by: Ellinger/Silverberg. All present supervisors approved. Motion Carried.

Treasurer Goldsmith stated that he can take metal, tires and electronics and his recommendation is that the board authorize Darryl’s crew to haul solid waste disposal as needed. He also noted that Becker Furniture World charges \$15 for mattresses.

Motion/Second to have Darryl take items to landfill as needed by Adams/Silverberg. All present supervisors approved. Motion Carried.

**Treasurer Informational Items**

**Investment Update**

Treasurer Goldsmith reported that given that the township received the second half tax payment he put in for another CD in the amount of \$200,000. The current rate for the CD that was purchased is 1.7%

**Budget Analysis and Discussion**

Treasurer Goldsmith presented the preliminary 2020 budget and stated that he has held meetings with the finance and road committees and with Chair Silverberg. Gary noted that the budget is a road map and goal. Gary reported that the General Fund proposed budget is \$90,100 for revenues and expenditures. The Road and Bridge levy is \$731,000, total revenues of \$783,000 and total expenditures are budgeted at \$740,000. Gary noted that after discussions with Supervisors Adams and Ellinger, \$100,000 has been budgeted for snow removal in 2020. The township had budgeted \$80,000 for snow removal in 2019 but has spent over \$100,000. The Fire Fund levy is \$130,000 and expenditures are \$128,000. The 2020 budget does not affect the 2020 levy. A vote to adopt the budget as a working document will be taken when the full board is present.

**Other Treasurer’s Items**

Treasurer Goldsmith will schedule meetings with ordinance and road and bridge committees.

Treasurer Goldsmith reported that, after discussing with board members, he made the decision to purchase a remote read thermometer to place in the crawl space. The approximate cost for the thermometer is \$25.

**Announcements**

Clerk Kimberly-Maas announced:

- The Joint Community Meeting is Thursday, January 16, 2020 at 6 pm at the Big Lake Council Chambers.

**Adjournment**

Motion/Second to adjourn regular meeting by Ellinger/Adams. All present approved. Motion Passed, adjourning the Regular Monthly Meeting, on Wednesday December 18, 2019 at 8:32PM.

Respectfully Submitted,  
Chris Weber  
Town of Orrock, Deputy Clerk

Accepted this 29<sup>th</sup> day of January 2020 by the Orrock Township Board of Supervisors.

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

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