



Regular Meeting  
Wednesday July 15, 2020- 7:00PM

The Orrock Township Board met in regular session, on Wednesday July 15, 2020, at the Orrock Town Hall, 26401 – 180th St. NW, Big Lake, Minnesota.

In attendance were Chair Corrie Silverberg, Supervisors Bryan Adams, Paul Ellinger, and Clerk Brenda Kimberly-Maas. Also, in attendance were Deputy Clerk Chris Weber, Darryl Waletzko – Town Contractor, Town Engineer Mike Nielson and seven audience members. Tele-conferencing into the meeting were Supervisor Bob Hassett and Treasurer Gary Goldsmith. Absent was Supervisor Eric Peterson. Roll Call was taken by Chair Silverberg.

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**

Mike Nielson added under Roads, Letter A - 2020 Road Improvements Consideration for authorization to bid. Bryan Adams added under Roads, Letter B – Culverts. Clerk Kimberly-Maas added Open Forum to the agenda.

Motion/Second to accept the revised agenda by: Hassett/Ellinger. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: none. Abstained: None.

Motion prevailed, and the meeting proceeded in accordance with the revised agenda.

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

Motion/Second to approve the June Regular Minutes by: Ellinger/Adams. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: none. Abstained:.. Motion Prevailed.

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

No sheriff's report was given

#### **Open Forum**

There were no open forum items.

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

##### **Filmore Septic Variance Application**

Clerk Kimberly-Maas presented a Septic Variance Application from Elaine Fillmore for her sold property at 16491 254<sup>th</sup> Ave NW, Big Lake, MN 55309. The property is on Ann Lake. Elaine is requesting a 40' variance in setback from the OWHL of Ann Lake for a septic system upgrade. The required setback from a recreational development is 100'.

Supervisor Adams had asked Mitch Elness, from Sherburne County, if there were any other alternatives and Bryan was told that this is the best option. Supervisor Adams recommended board approval, contingent on the county requirements being met.

Motion/Second to send favorable comments to the county, contingent upon following county guidelines by: Adams/Silverberg. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: None Abstained: None Motion Prevailed.

### Poultry/Rooster Considerations / Follow Up

Clerk Kimberly-Maas presented Poultry Ordinances / City Codes for the Township of Big Lake, City of Big Lake, City of Elk River and the City of Zimmerman. She noted that, generally speaking, townships - other than Big Lake Township - have no poultry ordinances in place. The City of Zimmerman and the City of Big Lake recently enacted their ordinances and Big Lake Township recently loosened restrictions in their ordinance.

Supervisor Ellinger questioned whether any of the sample ordinances would serve the township's needs, due to the size of the properties in the township. Supervisor Silverberg noted that there are many scopes to the ordinances and that not many townships have ordinances regulating poultry. Corrie also stated that no other resident in the neighborhood has complained and his opinion is that if the township created an ordinance for every complaint that comes to the board, many residents would not choose to live here. Supervisor Adams also noted that many residents have chickens and that by passing an ordinance, it would create more problems than the township currently has. Supervisor Silverberg's recommendation is if the township receives more complaints, then the ordinance committee should consider enacting a poultry ordinance.

### Ann Lake Boat Landing – No Power Loading Sign

Clerk Kimberly-Maas presented a quote for a No Power Loading Sign for placement at the Ann Lake Boat Landing. The cost for the sign is \$110.01.

Clerk Kimberly-Maas stated that the township owns the lot and Ann Lake Improvement Club maintains the landing. Power loaders have damaged the landing ramp. Since the township owns the landing that the improvement club maintains, Brenda's opinion is that it would be a good gesture to purchase the sign.

Motion/Second to approve the purchase of the sign and installation by Darryl Waletzko, LLC by Silverberg/Ellinger. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: None Abstained: None Motion Prevailed.

### Elections

- Resolution 2020-08 Appoint Election Judges for August 11, 2020 Primary Election – action
  - Clerk Kimberly-Maas presented Resolution 2020-08 to Appoint Election Judges for the August 11, 2020 Primary Election. Supervisor Ellinger asked if the township was going to notify the judges regarding dates to serve. Clerk Kimberly-Maas stated that she and Deputy Clerk Weber will discuss the scheduling of judges. She also noted that the township needs to have 4 election judges but plans to have up to 7 judges scheduled per shift; therefore, if a judge gets sick, the township will still be staffed.

Motion/Second to adopt Resolution 2020-08 – A Resolution Appointing Election Judges for the August 11, 2020 Primary Election by: Ellinger/Adams. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: None Abstained: None Motion Prevailed.

- Election PPE
  - Clerk Kimberly-Maas informed the board that there are several PPE items in the works. The township will have the shields for the tables and the county is providing some PPE. Brenda also recommended food handler gloves, hand sanitizer and extra pens. Supervisor Ellinger showed the board a sample face shield that gives protection – it does not replace the mask - and feels that the township should offer as many options for protection to the judges as possible. The approximate cost per shield is \$7.

Motion/Second to order 48 face shields and other PPE as necessary by Ellinger/Adams. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: None Abstained: None Motion Prevailed.

### CARES Act Funding

Clerk Kimberly-Maas presented information on the CARES Act grant as well as FAQ sheet from the MAT website. The township has \$93,975 available for use. She noted that the board should determine who will perform what roll in

applying the grant funds. Supervisor Ellinger stated that he listened to the MAT webcast and that the board should apply for the grant. The township would receive the full amount up front and then would need to account for expenses that are applied to the grant. Some expenditures that might be applied to this grant are the election expenses incurred due to COVID-19. Any unused grant funds will be returned to the state or can be returned to Sherburne County by board action. Treasurer Goldsmith stated that he will work with Clerk Kimberly-Maas and Deputy Clerk Weber to begin tracking specific items and will work with the finance committee on further details of the CARES grant. Treasurer Goldsmith has created a temporary fund for tracking of expenses that are being applied to the grant and will have a meeting with the finance committee. Brenda stated that the Sherburne County Association of Townships is having a meeting on Wednesday, July 22<sup>nd</sup> at 7pm and the township should send one or two people to the meeting. Treasurer Goldsmith and Deputy Clerk Weber will attend the meeting.

Motion/Second to authorize Treasurer Goldsmith apply for the CARES Grant by: Ellinger/Hassett. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: None Abstained: None Motion Prevailed.

## Roads

### 2021 Road Improvement Discussion

Mike Nielson informed the board that the information has been put together and he is ready to advertise for bids for the 2021 road projects. He presented the opinion of probable cost for four projects. The cost summary includes a 5% contingency and engineering costs. The base package, Schedule A – 189<sup>th</sup>, 191<sup>st</sup> and 261<sup>st</sup> Street - is \$344,095.85. Schedule B – 189<sup>th</sup> St. Alt. from 258<sup>th</sup> to 261<sup>st</sup> Ave is \$35,994.00 Schedule C – 190<sup>th</sup> St. Alt. from Cul-De-Sac to 261<sup>st</sup> Ave. is \$41,413.06. Schedule D – 261<sup>st</sup> St. Alt. from Cul-De-Sac to 191<sup>st</sup> St. is \$38,908.93. The total estimated cost for all four projects is \$480,412.54. Mike stated that if the board were to delete any segments, they should delete from the bottom (Schedule D), up. He also stated that he is reluctant to bid out by Schedules A, B, C, and D individually and would like to bid out as one bid. Mike would like to place bids with the contractors with the understanding that the township can eliminate quantities. The bid options will be for completion this fall or next spring. The advertisement for bids will be published on Saturday, July 25<sup>th</sup> and bids will be opened on August 17<sup>th</sup>.

Supervisor Adams recommended that Mike Nielson place the bids in The Patriot newspaper.

Motion/Second to authorize Mike Nielson place bids for the 2021 road projects by Adams/Hassett. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: None Abstained: None Motion Prevailed.

## Culverts

Supervisor Adams asked if there is another alternative to requiring the installation of culverts. Mike Nielson stated that he discussed with Dan Knapek, the assistant county engineer, who stated that the Sherburne County does not have a specific culvert policy. Mike's opinion is that, for many of the homes that are built in the township, culverts are a bit of an overkill. Supervisor Adams stated that culverts are expensive for the homeowner to install. Supervisor Adams also noted that Andrew Whitaker, the county engineer, said that he would require culverts unless the design engineer for a development makes the decision not to require culverts. Mike stated that, by doing so, that would take the responsibility off the township. The township could over-rule the design engineer's decision if they do not agree with the decision. Supervisor Ellinger recommended that this item be referred to the ordinance committee for review and recommendation to the board. Clerk Kimberly-Maas recommended that, if a development needs a culvert, the township put it in the developer's agreement and have the developer install the culverts. Darryl's concern is if the township does not require a culvert and a driveway washes out – who is responsible for the repairs. Darryl's opinion is that it is best to have a driveway by driveway decision on culverts. Supervisor Adams stated that the township requires a culvert unless the design engineer certifies that they do not need it. Chair Silverberg noted that the township does not want to make the issue more complicated than it is. Paul's concern is not with the developers, but with additional driveways after the development. Mike Nielson will draft a culvert policy that can be changed at any time and believes that an ordinance will be too difficult to change. Supervisor Ellinger believes that a policy would be beneficial, and that the policy should be given to the homeowner with their driveway application

## Supervisor Updates / Committee Reports

Supervisor Adams informed the board that the potholes have been patched and Darryl completed the grading. Bryan and Darryl noted that this fall the township will need to put down some Class 5. Darryl noted that all the roads look good, except for an access road off 234<sup>th</sup> Ave. Now that some of the forestry is gone, the road tends to wash out. Supervisor Ellinger noted that sooner or later there will be a problem with erosion on that road.

Darryl Waletzko needs upper and lower signposts – 20 each. Clerk Kimberly-Maas will order.

Clerk Kimberly-Maas recommended that the township rent solar powered traffic signs for use at the elections. Any costs for signs will probably qualify for CARES grant reimbursement. Deputy Clerk Weber presented pricing for electronic signs that would be approximately \$2,000 per election. Deputy Clerk Weber will research sign options. Supervisor Adams noted that the township should place a sign at the town hall indicating the change of polling location. Deputy Clerk Weber presented a quote in the amount of approximately \$150 for a 4'x8' banner to be placed at the town hall.

Motion/Second to authorize up to \$6,000 for election signs by Ellinger/Adams. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: None Abstained: None Motion Prevailed.

Supervisor Adams presented a homeowner request for a road sign on County Road 1 and 147<sup>th</sup>. The homeowner told Bryan that the road is difficult to find. Bryan stated that 147<sup>th</sup> is a private road, not an official street, and the street is not mapped. Mike Nielson, stated, in lieu of safety, it would be acceptable to put up the sign. Supervisor Silverberg noted that it is a private road and feels that the homeowner should bear the cost. Mike Nielson agreed that the cost should be borne by the homeowners. Supervisor Adams will inform the homeowners that they can pay for the sign and the township can have Darryl install the sign. The board agreed that the sign should be an orange "private drive" sign.

Supervisor Ellinger reported that the ZLFD had a board meeting on 7/14. The fire department is well underway on the fire hall/community center project. Supervisor Ellinger would like to have a committee meet with the ZLFD board regarding the project and how the project may affect fire contract rates. The board agreed that a meeting with the ZLFD would be beneficial. Supervisor Ellinger will contact ZLFD about scheduling a meeting within the next two months.

Supervisor Hassett stated that he will count the road signs and let Clerk Kimberly-Maas know how many stickers to order for the signs. The purchase of the stickers was approved at the June meeting.

Supervisor Hassett noted that the township produces a lot of paperwork for maps, plats, boundaries and rights-of-way. His opinion is that, to aid in communication at meetings, the township should purchase a large screen TV, or projection screen, for projecting maps and other items. The board agreed that this is a good idea. The board's concern is the possibility of theft and feels that the township would want to install a better lock system. The finance committee will research and come up with a plan for tv, locks and security system.

Supervisor Silverberg told the board that, on Livonia Township's last paving project, Livonia Township removed all mailboxes and had the contractor install swing-away mailboxes. Livonia Township is moving towards installing swing-away mailboxes and is enacting a policy that the township is no longer responsible for mailboxes that do not swing away. Corrie believes that this might be a good Orrock Township policy moving forward - to replace mailboxes with swing-away mailboxes - when a paving project is being done.

## 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: Adams/Silverberg. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: none. Abstained: None. Motion Prevailed.

Claim for Individual Consideration

There is a request from Bev Harvey, Eagle Lake Development Corporation, to be reimbursed from the Shores of Eagle Lake escrow for crack filling and patching that had been completed. This claim was completed in 2018. Gary stated the finance committee had discussed this item. The finance committee recommended that the Shores of Eagle Lake escrow be referred to the road committee. Bryan asked if the developer’s agreement differentiates between maintenance and new construction. Gary stated that the original developer agreement was never filed, and the developer agreement was poorly written and does not state when the roads will be turned over to the township or what the escrow funds can be held for. Gary will set up a meeting with the road committee to discuss the developer’s agreement and escrow fund. Payment of the claim will be further discussed at the August board meeting.

Payroll Claims – July 2020

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

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

Treasurer’s Report

Town Funds balances as of June 30, 2020:

General Fund: \$99,884.30	Road & Bridge: \$620,523.53
Fire: \$72,605.54	Capital Reserve: \$191,125.32
State Park Roads: (\$0.00) The last reimbursement reports have been received for this fund.	

All escrows are unchanged.

Gary informed the board that the balance of the first half property tax payment has been received.

Motion/Second to accept the Treasurer’s Report date ending 06/30/2020 by: Silverberg/Ellinger. Approved by: Adams, Ellinger, Hassett and Silverberg. Opposed: None. Abstained: None. Motion Carried.

Cash Control Statement and Investment Update

Treasurer Goldsmith presented the Board with the Cash Control statement. Ending cash balance after reconciling the books with the bank statements: \$ 1,129,352.23.

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

Investment Update

Gary informed the board that interest rates have dropped drastically. The 4M fund regular checking account going interest rate is .02%. The 3-month CD going rate is .2%. Gary had received a call from Sherburne State Bank – they have been monitoring the rates. Sherburne State Bank has moved the checking account rate to .025%. Gary discussed the CD rate with the bank, and they agreed to pay .7% on the township CD’s. Gary will continue to monitor interest rates.

Announcements

Clerk Kimberly-Maas Announced:

Affidavits of Candidacy begin July 28<sup>th</sup> and run through August 11<sup>th</sup>. The town hall needs to be staffed on August 11<sup>th</sup>. There are two supervisors and the clerk’s position open.

Deputy Clerk Weber asked the supervisors to think about what items they would want to have stored on the Office 365 SharePoint once the township moves to that platform.

**Adjournment**

Motion/Second to adjourn the regular meeting by: Ellinger/Hassett. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: none. Abstained: None.

Motion Passed, adjourning the Regular Monthly Meeting, on Wednesday July 15, 2020 at 8:40PM.

Respectfully Submitted,  
Chris Weber  
Town of Orrock, Deputy Clerk

Accepted this 19<sup>th</sup> day of August 2020 by the Orrock Township Board of Supervisors.

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

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