



Regular Meeting  
Wednesday October 21, 2020- 7:00PM

The Orrock Township Board met in regular session, on Wednesday October 21, 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, Marc Schneider and Dave Lucas from Sherburne County and five audience members. Tele-conferencing into the meeting were Supervisor Bob Hassett, Treasurer Gary Goldsmith and Town Engineer Mike Nielson. 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**

Bryan Adams added under Roads – Road Updates.

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 September Regular Minutes by: Ellinger/Silverberg. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: none. Abstained: None Motion Prevailed.

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

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

No sheriff's report was given

#### **Open Forum**

There were no open forum items.

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

##### **David and Carolyn Larson Encroachment/License Agreement**

Deputy Clerk Weber presented an Application for Encroachment/License Agreement to Township Easement from David and Carolyn Larson at 16489 253 ½ Ave NW, Big Lake, in Ann Lake Beach. The Larsons would like to enter into the agreement to install their septic line under 253 ½ Ave NW. Supervisor Adams stated that their application looked correct to him. Clerk Kimberly-Maas told the board that she had discussed the septic plan with the county and that the plan is the only option for their septic. Mike Nielson wants the agreement to state a required depth of 8 feet with a directional bore. Mike Nielson confirmed that the agreement states that the line should be encased.

Motion/Second to enter into the license agreement contingent upon the plan having a directional bore with a depth of 8 feet by: Adams/Ellinger. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: None Abstained: None Motion Prevailed.

Sherburne County Planning and Zoning Ordinance Amendment Proposal

Marc Schneider, Senior Planner and Dave Lucas, Solid Waste Administrator from Sherburne County presented a planning and zoning ordinance amendment proposal updating the township on the county’s efforts to respond to complaints connected to the exterior storage of vehicles. This proposal is in the planning stages and they are requesting input from townships and the amendment would apply to motor vehicles parked outside on all County residentially platted properties and/or residentially assessed properties 2.5 acres or less. They have been working on this issue for several years.

Dave reported that, since 2017 the Planning and Zoning Department has responded to over 335 solid waste complaints and of those complaints junk vehicles are the most complaints filed to the department. Junk vehicles have a visual impact and negative impact on the neighboring property value.

Marc and Dave noted that upon receipt of a complaint, they send out a notice of contact explaining to the homeowner why they are out of compliance and giving them a date to come within compliance. They noted that 85% of the complainants will work with them to rectify the situation. It takes a significant amount of staff resources to get the remaining 15% of homeowner into compliance. Their opinion is the current solid waste ordinance is not working effectively. The current Sherburne County ordinance was amended in 1992. They are looking for township guidance in drafting a new solid waste zoning ordinance.

Marc Schneider stated that the county’s goal is voluntary compliance of the ordinance. Dave noted that the key to any ordinance change is to educate and inform the public as to why the standard is being laid out. Supervisor Adams asked if this ordinance balances the rights of the property owner vs. encumbering the neighbor. Supervisor Ellinger stated that in Orrock township, watercraft, snowmobiles, and RV’s could be a potential problem if the ordinance limits the homeowner to 2 RV’s on their property.

Elk River Youth Hockey Gambling License Application

Deputy Clerk Weber presented a Gambling Premises Permit Application from Elk River Hockey for a license at KJ’s Refuge Bar and Grill. Desiree Hillman, from Elk River Youth Hockey, will be the gambling manager and she stated that Elk River Youth Hockey will be replacing the Elk River Lions club gambling license at KJ’s Refuge.

Motion/Second to approve the Gambling Premises Permit Application for Elk River Youth Hockey by: Adams/Silverberg. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: None Abstained: None Motion Prevailed.

Plowing Contract and Agreement Reviews

I. Plowing Contract Extension with Darryl Waletzko, LLC

The snow removal contract between Orrock Township and Darryl Waletzko, LLC commenced on October 15, 2018, with an option to extend each year to the term of five (5) years.

Motion/Second to renew the one-year continuation of the snow removal contract by: Adams/Ellinger In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: none. Abstained: None Motion Prevailed.

II. Review Plowing Agreement with Livonia Township and Becker Township

Deputy Clerk Weber presented the Livonia Township plowing agreement and proposed amendment to the agreement. The original agreement has a transposition – 145<sup>th</sup> Street was typed in as 154<sup>th</sup> Street. The amendment corrects this error. Livonia Township is aware of this change.

Motion/Second to approve the Amendment to Road Maintenance Agreement By and Between Livonia Township and Orrock Township by: Ellinger/Silverberg. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: none. Abstained: None Motion Prevailed.

Deputy Clerk Weber presented the Becker-Orrock Joint Plowing Agreement for annual review. There were no changes to the contract. No board action needed.

III. Proposed One-Year Plow Agreement for SoEL – No Acceptance of Roads

Clerk Kimberly-Maas presented a One-Year Snowplow Agreement proposal for SoEL (Shores of Eagle Lake) Chair Silverberg stated Bev Harvey does not want the township to plow the roads. He also stated that he is not sure that the township should be on the roads as they are private roads and doing so would be setting a bad precedence. Clerk Kimberly-Maas stated that there are homeowners in the development that are paying property taxes. The roads are posted “no trespassing” and no homeowner’s have approached the township requesting action. No board action was taken.

#### IV. Contract for Trimming/Brushing Services

Deputy Clerk Weber presented the Contract for Trimming/Brushing Services with North Metro Tree Service for ratification. Bryan Adams stated that North Metro Tree will begin trimming/brushing on November 1.

Motion/Second to Ratify the Contract for Trimming/Brushing Services with North Metro Tree by: Ellinger/Adams. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: none. Abstained: None Motion Prevailed.

### Elections Update

#### I. General Election

Deputy Clerk Weber stated that the township is prepared for the general election. The township has their election judges hired and will be meeting with the judges prior to the election to review procedures for the election. “Vote Here” flags will be at the polling entrance, along with solar spotlights shining on those flags. Public accuracy testing is October 30<sup>th</sup> and food has been ordered. Supervisor Adams asked if the township anticipates any poll watcher issues. Deputy Clerk Weber stated that she does not anticipate any issues. Clerk Kimberly-Maas stated that poll watchers are not allowed, challengers are.

Clerk Kimberly-Maas requested the board place ads in the ER Star News and Patriot Newspapers to remind voters of the polling location change.

Motion/Second to place Notice of Polling Location Change ad in the ER Star New and Patriot and apply to CARES funding by: Silverberg/Ellinger. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: none. Abstained: None Motion Prevailed.

#### II. Absentee Balloting

Deputy Clerk Weber told the board that absentee voting is in progress. Clerk Kimberly-Maas stated that the county has received approximately 8,000 absentee ballots. The electronic poll pads will reflect the voters that have absentee voted. The poll pads refresh through election day and the information is pushed back and forth between the polling place and the county.

### Roads

Supervisor Adams told the board that mowing is complete and gravel roads have been graded. He stated that there is a large pothole on the southern section of 165<sup>th</sup> Avenue, north of 245<sup>th</sup>. This pothole will be patched next year.

Supervisor Adams informed that board that he received a few complaints about mailboxes that were damaged during snow plowing. He noted that it would cost the township \$120-\$130 for each swing-away mailbox installed. Bryan stated that current mailboxes create snow plowing issues. Chair Silverberg stated that the finance committee should review and decide if this cost should be added the roads budget. The estimated annual cost to phase-in and install swing-away mailboxes is \$10-\$15,000 per year. Supervisor Adams stated that the ancillary issue is Daryl Waletzko must swing around mailboxes during snow plowing and he gets resident complaints. Supervisor Hassett agreed that when a road project is completed, swing away mailboxes should be added to the project. He also stated that the board should present budget numbers at the annual meeting so that the electorate can decide if swing-away mailboxes will be added to the annual budget. This item will be brought up at the annual meeting.

Supervisor Adams asked how the township would use an ice breaker - on troubled areas or over all roads. Supervisor Silverberg’s opinion is that the township should use it as needed. Supervisor Adams stated that, if Darryl

Waletzko purchases an ice breaker, the township should give Darryl guidance on how to use the ice breaker. The other option is the township purchases it and leases it to Darryl. Darryl Waletzko's concern, if he purchases the equipment, is his snow contract – he is not guaranteed to have the contract in two years. Supervisor Adams stated that the township can put it in their snow plowing request for quote specifications that the contractor have the equipment to carry the ice machine. Supervisor Silverberg noted that perhaps purchasing the ice breaker is not something that the township should get into, however last year there were a lot of ice issues. If the township purchased an ice breaker, they could lease to Darryl and to other townships. The issue is the ice breaker would be set up to put on Darryl's wheel loader. Chair Silverberg stated that then the township would want to purchase and lease a complete unit. The township had that in the past, is it something that the township wants to get back into – owning their own equipment?

Supervisor Adams asked of the board should write a letter to residents regarding plowing snow across the roads. Clerk Kimberly-Maas stated that should have done that earlier in the year. Supervisor Ellinger asked what the township does if a resident plows snow across the road. Clerk Kimberly-Maas stated that the road authority should contact the homeowner and that any action depends on how heavy-handed the township wants to be. Darryl Waletzko noted that, in the past, the township has sent letter to residents and they do not comply. Clerk Kimberly-Maas replied that it is a matter of enforcement. Supervisor Ellinger asked that this item be brought up at the annual meeting, that the township send out a letter in the spring and gets "some teeth" behind the letter, such as a fine. Clerk Kimberly-Maas stated that the board should review the ordinances prior to the meeting. Darryl Waletzko stated that many homeowners do not install their mailboxes properly and it creates logistical issues.

The proposed culvert ordinance has not been finalized will be placed on the November meeting agenda.

### **Supervisor Updates / Committee Reports**

Supervisor Ellinger told the board that the ZLFD fire hall/community center is progressing. They will be hiring an activities director at the community center. The community center budget will be separate from the fire budget will not affect the fire rates. Chair Silverberg, Supervisor Ellinger and Treasurer Goldsmith met with the ZLFD committee and have not heard on fire rates. Chair Silverberg stated that ZLFD is going to research the possibility of changing the contract rate calculation to a model that BLFD uses.

Supervisor Hassett told the board that the township is relying on paper-based record keeping. His opinion is that the township is doing a lot of road improvements and losing track of when improvements should be completed. The township is depending on yearly inspections to determine if road items needs repairs or improvements. Bob would like to transition to the use of a GIS mapping system to develop a historical record. Bob will research options and present to the board at the November meeting.

Chair Silverberg informed the board that BLFD held a special meeting at which they accepted the Orrock Township CARES money in the amount of \$11,760. They will be purchasing a turnout gear extraction device. They were appreciative of the grant.

### **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, Hassett & Silverberg. Opposed: none. Abstained: None. Motion Prevailed.

#### **Routine CARES Act Claims**

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

#### **Payroll Claims – October 2020**

Treasurer Goldsmith presented the Board with the payroll claims for the month of October.  
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Motion/Second to approve payroll claims by: Ellinger/Silverberg. In favor: Adams, Ellinger, Hassett & Silverberg. Opposed: none. Abstained: None. Motion Prevailed.

Treasurer’s Report

Town Funds balances as of September 30, 2020:

General Fund:	\$98,242.40	Road & Bridge:	\$638,071.59
Fire:	\$29,140.44	Capital Reserve:	\$191,125.32
CARES:	\$87,766.85		

Shores of Eagle Lake Escrow balance is \$88,663.99. Developer funds are as reported in the past.

Motion/Second to accept the Treasurer’s Report date ending 09/30/2020 by: Adams/Hassett. 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: \$ 1,187,070.07.

Treasurer Goldsmith noted that the board approved September expenses at September meeting, however at times debits that are authorized in a month come in after the meeting claims have been approved, as happened in September. These claims would not have appeared on the claims list, are on the bank statement and would not appear on the next month’s claims package. These items need to be entered into CTAS in the month expended. Supervisor Ellinger clarified with Gary that, in this case, the items will be a separate claim presentation so that the board sees those items. Treasurer Goldsmith stated that the finance committee should review the clerk purchase policy.

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

CARES Act Year-to-Date Report (Informational Only)

Treasurer Goldsmith presented the year-to-date CARES Act report, showing the disbursements to date through 10/21 with total payment of \$71,000.

Accounting Adjustments

Treasurer Goldsmith presented the following accounting adjustments. This memo is attached to the October minutes.

Change #1: The Town rented space for its 2020 elections polling place. Initially the charge was recorded to object code for miscellaneous items. To facilitate more understandable reports, the object code in CTAS for building rentals was activated and the transaction was recoded to that object code.

Change #2: Two Cisco Webex invoices were charged to the object code for “Contracted services”. One Cisco Webex invoice was charged to the more specific code for “Contracted services: email, web and software”. The two generic transactions were re-coded to the more specific object code.

Motion/Second to approve the October Accounting Adjustments by: Silverberg/Ellinger Approved by: Adams, Ellinger, Hassett and Silverberg. Opposed: None. Abstained: None. Motion Carried.

Other Business

Announcements

Deputy Clerk Weber Announced:

- The Board of Canvass followed the Special CARES Meeting will be on November 12 at 6pm.
- The A/V system and computer have been ordered. The A/V items are currently on backorder and the computer system should arrive at the end of the month.

Clerk Kimberly-Maas Announced:

- Security Installation is scheduled for Thursday, October 22
- Newly election board positions will take their oath of office in January.

**Adjournment**

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

Motion Passed, adjourning the Regular Monthly Meeting, on Wednesday October 21, 2020 at 8:52PM.

Respectfully Submitted,  
Chris Weber  
Town of Orrock, Deputy Clerk

Accepted this 18th day of November 2020 by the Orrock Township Board of Supervisors.

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

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



Date: October 19, 2020  
To: Town Board  
From: Gary Goldsmith  
Treasurer  
Re: Accounting adjustments

This memo is to document and seek Board approval of an accounting change made by the treasurer.

**Change #1:** The Town rented space for its 2020 elections polling place. Initially the charge was recorded to object code for miscellaneous items. To facilitate more understandable reports, the object code in CTAS for building rentals was activated and the transaction was re-coded to that object code.

**Change #2:** Two Cisco Webex invoices were charged to the object code for “Contracted services”. One Cisco Webex invoice was charged to the more specific code for “Contracted services: email, web and software”. The two generic transactions were re-coded to the more specific object code.

Recommended motion:

The treasurer’s accounting change described in the accounting change memo dated October 21, 2020, is approved. A copy of the October 21, 2020, memo shall be made a part of the permanent minutes of the meeting at which the change was approved.