

Minutes of the Meeting of the Avon Township Board of Supervisors

May 6, 2020

Avon Township Hall, 16881 Queens Road, Avon (MN)

Call to Order: Chair Mike Linn called the meeting of the Avon Township Supervisors to order at 7:00 P.M. in the Main Chamber of the Avon Township Hall.

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Mike Linn, Kelly Martini, Ken Mergen, Rich Sanoski, and Stephen Saupe. Also present – Marion Gondringer (*Deputy Clerk*) and Joe Koopmeiners.

Approval of Agenda: The agenda was amended to move the discussion of the Thelen Road Vacation (agenda item 12A) to the Planning Commission report. Mergen moved to approve the agenda as amended. Sanoski second. All in favor. Motion carried.

Minutes: Linn moved to approve the minutes of the March 4, 2020 meeting as presented. Mergen second. Two in favor. One abstain (Sanoski). Motion carried. Mergen moved to approve the minutes of the April 14, 2020 meeting with the correction of the spelling of Sanoski's name (p1, #3). Sanoski second. All in favor. Motion carried.

Planning Commission Report – presented by LeRoy Gondringer:

Items listed on the agenda had been discussed at prior meetings so there was no need for additional discussion tonight. Motion by Mergen to approve the Planning Commission report. Linn second. All in favor. Motion carried.

Treasurer's Report: Martini read the Treasurer's Report and presented the Cash Control Statement for the period 03/01/2020 to 03/31/2020 (*below*). Mergen moved to approve the Cash Control Statement and Treasurer's report. Linn second. Two in favor. One abstain (Sanoski). Motion carried.

For the Period : 3/1/2020 To 3/31/2020

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$157,095.55	\$3,408.39	\$5,506.08	\$154,997.86
Road and Bridge	\$387,580.11	\$14,324.04	\$2,789.74	\$399,114.41
Demolition Escrow	\$2,000.00	\$0.00	\$0.00	\$2,000.00
Road Damage Deposit	\$3,350.00	\$500.00	\$500.00	\$3,350.00
Fire Fund	\$4,996.58	\$0.00	\$0.00	\$4,996.58
General Capital Projects	\$45,168.13	\$0.00	\$0.00	\$45,168.13
Total	\$600,190.37	\$18,232.43	\$8,795.82	\$609,626.98

Martini read the Treasurer's Report and presented the Cash Control Statement for the period 04/01/2020 to 04/30/2020 (*below*). Mergen moved to approve the Cash Control Statement and Treasurer's report. Sanoski second. All in favor. Motion carried.

For the Period : 4/1/2020 To 4/30/2020

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$154,997.86	\$366.90	\$7,562.13	\$147,802.63
Road and Bridge	\$399,114.41	\$0.00	\$12,034.67	\$387,079.74
Demolition Escrow	\$2,000.00	\$0.00	\$0.00	\$2,000.00
Road Damage Deposit	\$3,350.00	\$0.00	\$0.00	\$3,350.00
Fire Fund	\$4,996.58	\$0.00	\$0.00	\$4,996.58
General Capital Projects	\$45,168.13	\$0.00	\$0.00	\$45,168.13
Total	\$609,626.98	\$366.90	\$19,596.80	\$590,397.08

Martini reported that she submitted the reimbursement request for the Presidential Nominating Primary (\$1908.66). Budget models will be discussed at a future meeting.

Claims & Payroll: Martini presented the March PERA claims (3766 & 3767), which totaled \$525.54. The March payroll was \$2,818.70. The April claims (3768 – 3783) totaled \$12,159.39 and the April payroll was \$4083.17.

Martini presented the April PERA claims (3784 & 3785), which totaled \$535.54. The April payroll was \$2818.70 and the May payroll was \$1409.35. The May claims (3786 – 3802) totaled \$6471.70 and the May payroll was \$1357.78. Check 9948 was voided (printer error).

Mergen will contact Rinke-Noonan for an explanation of one the charges on their invoice.

Mergen moved to approve all the Claims and Payroll. Sanoski second. All in favor. Motion carried.

Town Hall Maintenance Report – presented by *Koopmeiners*. Among the things done were: changing batteries on smoke detectors, changing furnace filters, trimming shrubs, and garbage was taken to Opatz. Gardens need to be re-mulched. M Gondringer will contact our housekeeper to see if she wants to continue. Mergen moved to approve the Town Hall Report. Sanoski second. All in favor. Motion carried.

Road Report – presented by *Koopmeiners*

- Road/Maintenance Report** – Work this month included fixing potholes, shouldering, street sweeping, and work on cul de sacs. A culvert on 140th is pushing up; the road needs to be milled and the culvert dug up. We will consider hiring whoever does the Tower Road milling work this summer. Koopmeiners noted that there are some additional areas on Tower Road requiring attention, as well as some on Kopy Lane and Parkwood Circle. He was authorized to contact Lange, Bardson and others for quotes. A culvert on Quaker needs work.
- Salt/Sand** – we have about 100 yards remaining. Koopmeiners was authorized to keep track of prices and order more to refill.
- Road Inspection** – will wait until late summer.
- Utility ROW Work** – Telcom Construction contacted the Town about whether a permit was required for work in the road right-of-way. The Clerk told them that no permit was required. The Supervisors requested that the Clerk should alert the Supervisors to future requests. The Planning Commission was

authorized to consider potential permitting for roadwork.

5. **Roadwork Project Alert to County** – if there is any roadwork, Dean Schramel in the County Surveyor's Office should be alerted.
6. **2020 Road Projects** – StanTec will soon finish bid documents for proposed road projects on Tower Road and Shorewood Drive. The Supervisors will need to approve the documents.

Mergen moved to approve the Road Report. Sanoski second. All in favor. Motion carried.

Public Hearings: *None scheduled.*

Business:

1. **Thelen Road Vacation** – David & Ann Thelen presented a petition with 11 signatures requesting that the road on the north side of Lots 19 – 22, Connaught Addition, be vacated. One resident submitted an email opposing the plan. Mergen moved to set a public hearing at the Planning Commission meeting on May 27, 2020 at 7:15 PM to consider the request by David & Ann Thelen to vacate the road in Connaught Addition. Sanoski second. All in favor. Motion carried. The Clerk was authorized to contact the Town attorney to insure that everything is done correctly in the process.
2. **Board of Appeals & Equalization** – Sanoski moved to approve the minutes of the April 20th meeting of the Avon Township Board of Appeals & Equalization (LBAE). Mergen second. All in favor. Motion carried.
3. **Qualification Meeting** – Mergen moved to approve the minutes of the March 18th, 2020 Qualification & Organizational Meeting. Sanoski second. All in favor. Motion carried.
4. **Liquor Licenses** – Mergen moved to approve a Resolution allowing Stearns County to issue an On-Sale Intoxicating License for Pelican Lake Ballroom. Sanoski second. All in favor. Motion carried. Mergen moved to approve Resolutions allowing Stearns County to issue both On-Sale and Off-Sale Liquor Licenses for The Landing. Sanoski second. All in favor. Motion carried.
5. **Resolution Authorizing Contract** – Mergen moved to approve Resolution 05-06-20: Authorizing a contract with Linn. Sanoski second. Two in favor. One abstain (Linn). Motion carried.
6. **COVID19 Plan** – no action was taken.
7. **MN Senior Games** – Linn moved to approve the request by the MN Senior Games to hold a bike race that would include Tower Road and 360th Street on August 7th with two caveats: (a) Tower Road will be resurfaced during the summer at a time that the Town cannot control; and (b) the Township accepts no liability for use of this road by the bike race. Sanoski second. All in favor. Motion carried.
8. **Stray Cats** – no action was taken concerning our arrangement with Tri-County Humane Society.
9. **Mail Balloting Option** – the Supervisors want to use the Town Hall for voting in the Primary and General Elections rather than via mail ballots.
10. **Enterprise Column & email signup** – The *Enterprise* newspaper is now the *Star Post*. They have cancelled our Township column. To help maintain communications with Town Residents, we have

added a new feature on the website Home Page – an email signup. Residents who signup will receive copies of legal announcements, periodic updates, and possibly in the future, an electronic newsletter.

11. **Stearns County Survey** – no action was taken.
12. **Resolution Establishing a Town Officer Compensation Policy** – will be discussed at the next meeting.
13. **Joint Planning Commission** – The MOU with the City calls for a Joint Planning Commission meeting in April, which didn't occur due to COVID restrictions. The City and Town both agree that there is currently no need for a meeting. There may soon be an agenda item: Ms. Sandra Zwilling may need a construction site permit. She will be encouraged to attend the May Planning Commission meeting to determine what she will need to be done and whether or not the Joint Planning Commission will need to meet.
14. **Compost Site/SCORE funding** – The City has developed a draft plan for use of the Compost Facility. They will permit Town residents to use the site if they purchase a permit (\$60). Supervisors agreed to seek SCORE funding to help support the Avon Compost Site.
15. **Dumping on Sara Lane** – a complaint was received about residents dumping yard waste in a communally-owned area. No action was taken – this is an issue for the residents to work out.

Other/Old Business: *Permitting to County; Peach Drive N – possible vacation, Insulation, Drop box, LBAE training*

Signatures / Documents / Treasurer: *documents were signed as necessary.*

Recurring Reports:

1. **911 sign** requests were received for Bauer (19498 Quaker Road) and Arnot (18795 Two Rivers Road).
2. **Construction Site Permits** were received for Pierskalla (370th St., 40 x 80 pole building); Preusser (15588 360th St.; residence); Huston (17559 360th; co-locate towers); Krebs (18831 Quaker Road; 40 x 42 shed); Jarnot (18795 Two Rivers Road (residence, accessory structure); Knapp (17553 Springwood Lane, screen porch); Toughill (37769 190th Ave; addition & shed); and Sauerer (32672 Co Rd 156; pre-fab building)
3. A **Feedlot Permit** was received for Baker (36861 Co Rd 9; 15 x 45 barn, 3x15 feed storage area).
4. **Special Assessment Searches** were completed for Knettel (37541 190th Ave); Gaebel (15702 Parkwood Circle); Gertken (34206 Smiley Dr); Koglin (15715 Parkwood Circle); Klocker (35389 Co Rd 155); Preusser (15512 360th St.); Kurtzman (03.00966.0000); 32907 Narnia Lane; Lashinski (14279 Co Rd 52); Fruth (33208 154th Ave); Wilke (33492 Shorewood Dr); and Bullert (Two Rivers Road).
5. There were no pertinent Stearns County hearings.

Announcements & Brief Reports:

1. Township contact cards were created.
2. Cory Belmont (*Create Contracting*) contacted the Town about work on the Hennen property in the Joint Powers area. He was referred to Nancy Scott, though she reports that no one has contacted her.
3. A resident request to use the Hall for bridal shower was denied according to current policy.
4. An ad was received from MN Native Landscapes about their flood response & mitigation work.
5. GameTime & Kay Park Recreation catalogs were received.

6. The County Board passed a resolution to allow forgiveness of tax penalty payment prior to July 15th. Late fees will be reduced. Tax settlements will be paid on June 18, July 2, July 30.
7. A brochure advertising Carr's Tree Service was received.
8. CenterPoint Energy reports that their spring flood and emergency plan is in effect.
9. Municibid sent information regarding their services.
10. The *Technology Exchange* March 2020 issue was received.
11. The US Census – Boundary and Annexation Survey was ignored.
12. Road Groom manufacturing sent an advertisement concerning their road grader attachment for gravel roads.

Continuation – Linn moved to continue the meeting on May 13th at 7:00 PM in the Avon Township Hall. Mergen second. All in favor. Motion carried.

Continuation of the May 6th Board of Supervisors Meeting May 13, 2020

Call to Order: Chair Mike Linn convened the continuation meeting of the May 6th Board of Supervisor's meeting at 7:00 PM in the Main Chamber of the Avon Town Hall.

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Mike Linn, Kelly Martini, Ken Mergen, Rich Sanoski, and Stephen Saupe. Also present – Marion Gondringer (*Deputy Clerk*).

Agenda: Two main items were on the agenda – Approval of bid documents for planned road projects and Thelen Road Vacation.

Bid Documents: Mr. Jeremy Mathiasen, Stantec, appeared to present the bid documents for the Tower Road & Shorewood Drive road projects. The plans are essentially complete. A specs manual will be available online for bidders. Announcement of the project would begin immediately. Bids will be opened on June 10th (to allow for three weeks). The final project would be completed by August 14th. Mr. Mathiasen confirmed specific locations for the roadwork. He anticipates that the projects will cost about \$300K. Mergen moved to approve the bid documents from Stantec and authorize the publication of the plans. Sanoski second. All in favor. Motion carried. Bids will be opened on June 10th (the June 3rd Supervisor meeting will be continued).

Thelen Road Vacation: A petition for a road vacation was submitted by David & Ann Thelen at the May 6th meeting. At that time, the Supervisors approved an order for a public hearing at the Planning Commission meeting (see above). However, after discussions with our township attorney, Adam Ripple (Rinke-Noonan), he indicated that the hearing must occur at the Supervisors meeting and it must also include a site inspection. Mr. Ripple also indicated that it appears the Skalicky Trust should be included on the Vacation Order and that there must be a waiver of damages by affected residents. This is especially important if there is a contested vacation, as it appears there will be in this case. If the Board proceeds, it must set another hearing, publish a legal notice, the petitioners must serve the affected parties, and there must be a site hearing. Mr. Dave Nathe indicated that one concern they have is that an easement agreement drafted by the Thelen's will not provide a wide enough access to their property. The Supervisors generally agreed. Mr. Thelen was encouraged to work with the neighbors to seek a reasonable compromise. Mergen moved to rescind his motion for a public hearing at the May 6th meeting (*see above; Business, Item #1*) and to issue

an Order to Set a Public Hearing for Wednesday, June 10th at 7:30 PM, preceded by an onsite inspection that will meet at 32957 Upper Spunk Tree Circle at 6:00 PM. Sanoski second. All in favor. Motion carried.

Announcement of Next Regular Supervisor Meeting: The next regular meeting will be held on Wednesday, June 3, 2020 at 7:00 PM.

Announcement of Other Town Meetings:

- *Road Inspection – will be scheduled for the late summer/early fall (August?)*
- *Planning Commission – May 27, 2020; 7 PM*

Adjournment: Mergen moved to adjourn the meeting at 8:25 PM. Sanoski second. All in favor. Motion carried.

Respectfully submitted,
Stephen G. Saupe, Clerk

Clerk signature: _____

date: May 14, 2020

Supervisor Signatures:

date: _____

Mike Linn

Ken Mergen

Rich Sanoski