

Minutes of the Meeting of the Avon Township Board of Supervisors

August 5, 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, and Stephen Saupe. Absent – Rich Sanoski. Also present – LeRoy Gondringer (*Planning Commission*), Marion Gondringer (*Deputy Clerk*).

Approval of Agenda: The agenda was amended to include discussions of a gambling permit and the Hennen construction site permit (CSP). Linn moved to approve the agenda as amended. Mergen second. Both in favor. Motion carried.

Minutes: Mergen moved to approve the minutes of the July 1, 2020 meeting. Linn second. Both in favor. Motion carried.

Sheriff Department Update: Deputy Sheriff Mark Lust visited and introduced Deputy Brandon Merklung who will also serve Stearns County. Deputy Lust reported that there were 115 calls in June which ranged from traffic stops to grass fires to water patrols. July stats have not yet been compiled but Deputy Lust speculates they will be similar to July. Deputy Lust was not aware of any improvements in the parking situation on Pelican Lake and urged calling the Sheriff's Department if vehicles block potential access by emergency vehicles. The Sheriff's department will use their discretion concerning enforcement of the mask law; they are especially interested in educating the public about mask use.

Planning Commission (PC) Report – presented by LeRoy Gondringer.

- Ward Variance** – The PC held a public hearing to consider a variance request by Mr. Edward Ward. After the hearing and considering the Findings of Facts, the PC recommends approval. Mergen moved to approve a variance from Section 9.9, Avon Township Ordinance #4, for Mr. Edward Ward to place a travel trailer on his property at 17731 Upper Spunk Lane on the existing foundation, no closer to the road than the existing foundation. Linn second. Both in favor. Motion carried.
- Beckmann Variance** – The PC held a public hearing to consider a variance request by Kayla & Alexander Beckmann. After the hearing and considering the Findings of Facts, the PC recommends approval. Mergen moved to approve a variance from Section 9.3, Ordinance #4, for Alexander & Kayla Beckmann to construct a shed on their property at 32679 Nutcracker Lane, no closer than 44 feet to the center-of-the-road. Linn second. Both in favor.
- Ramler Variance** – The PC held a public hearing to consider a variance request by Christopher & Amy Ramler. After the hearing and considering the Findings of Facts, the PC recommends approval. Linn moved to approve a variance from Section 9.3, Ordinance #4, for Amy & Christopher Ramler, to construct a 30 x 40 shed on their property at 36903 Pelican Lake Road, 8 feet closer to the road than is currently permitted. Mergen second. Both in favor. Motion carried.
- Sand Driveway Permit** – Mr. Morgan Sand appeared at the PC meeting to request an approach/driveway permit for his property at 35063 County Road 155. He has a driveway off Co Rd 155 but requests a field approach from Queens Road to more easily get machinery in/out of the field. The

area is wet and will likely need a culvert and aprons. The PC recommended approval. There is a question whether the site is in a wetland. The Clerk was authorized to contact a wetland specialist at the County to see if there are issues to consider prior to issuing a driveway permit. Once any wetland concerns are addressed, the Supervisors will consider approval of the driveway permit.

5. **CARES Funding** – The Planning Commission recommends obtaining funding for COVID-19 related expenses including masks, hand sanitizer, computers for Supervisors to participate in Zoom meetings, staff to sanitize during elections, walkie talkies to be used for road inspection between vehicles, folding voting booths, and so on. Mergen moved to authorize Treasurer Martini to initiate the process of receiving funding from CARES. Linn second. Both in favor. Motion carried.
6. **Red Maple Drive** – a complaint was received about vehicles, including junk cars and campers, parked on private property, along the south side of the road (opposite the lake). Because the road is not centered in the right-of-way, it is not clear exactly where vehicles are parking and how the Town should proceed. It was suggested that the Town should seek advice from either the Town or MAT attorney. The Supervisors authorized the Clerk to contact the MAT attorney to see if there is anything that can be done.
7. **Utility Work in Road ROW** – The PC discussed a possible resolution (08-05-20) concerning a permitting process for utility work that occurs in the Township road right-of-way (ROW). The PC doesn’t support this resolution because it would be difficult to enforce and doesn’t distinguish between large and small projects. The Supervisors discussed and edited the resolution to exclude projects involving single-family homes and to require attendance at only the Supervisors meeting. Mergen moved to approve Resolution 08-05-20: Policy for Utility Work in the Road Right-of-Way. Linn second. Both in favor. Motion carried.
8. **Road Maintenance Plan** – no action taken; waiting for feedback from Road Inspection.

Mergen moved to approve the PC report. Linn second. Both in favor. Motion carried.

Treasurer’s Report: Martini read the Treasurer’s Report and presented the Cash Control Statement for the period 07/01/2020 to 07/31/2020 (*below*). The Ending Balance from the June Cash Control Statement does not match the Beginning Balance from the July Cash Control Statement because a settlement from Stearns County was received after the statement was run. Mergen moved to approve the Cash Control Statement and Treasurer’s report. Linn second. Both in favor. Motion carried.

For the Period : 7/1/2020 To 7/31/2020

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$173,283.73	\$3,641.15	\$4,946.84	\$171,978.04
Road and Bridge	\$551,002.44	\$5,327.57	\$26,058.63	\$530,271.38
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	\$7,490.61	\$1,183.32	\$0.00	\$8,673.93
General Capital Projects	\$46,271.94	\$34.82	\$0.00	\$46,306.76
Total	\$783,398.72	\$10,186.86	\$31,005.47	\$762,580.11

Claims & Payroll: Martini presented the July PERA claims (3834 & 3835), which totaled \$525.54. The July payroll was \$2,818.70. The August claims (3836 – 3854) totaled \$221,970.00. The August payroll was \$1763.15. Regular Election Judges will receive a single training stipend; those judges who also trained on

the epoll books will receive a second stipend for the additional training. Linn moved to approve the Claims and Payroll. Mergen second. Both in favor. Motion carried.

Town Hall Maintenance Report

1. **Shelves & Filing Cabinets** – were donated by Saint John’s. They will be used in the Record Storage Room. Koopmeiners cleaned them up moved them into the storage room and office.
2. **Landscaping** – the front garden beds were mulched.
3. **Flag** – A new flag was installed.
4. **Parking Lot** – was graded and rain damage was fixed.
5. **A/C** – Mice chewed wires on the air conditioner unit. Koopmeiners contacted Elite about repair.
6. **Garbage** – taken to Opatz.
7. **Drop Box** – a dropbox was installed by the front door.

Road Report

1. **Road/Maintenance Report** – Koopmeiners was absent but submitted a report summarizing the work for the month that included: brush cutting, spraying weeds including around the Town Hall, maintenance on the ditch mower, grading nearly all gravel roads, fixing potholes on Kopy Lane, and fixing Meadowview Road.
2. **Tower Road Project** – Jeremy Mathiasen, StanTec, was present to provide an update. Resurfacing Tower Road, Shoreview Drive, Orchid Court and Highland Terrace is complete. Work went quickly because Knife River used two crews. There were some concerns about some driveways not matching the road; these were fixed. Some shouldering work was also done. Mr. Mathiasen stated Knife River did a great job and that their payment (excluding the 5% holdback) should be processed.
3. **Norway Road** – Mr. Mathiasen has been in contact with Westwood. They both recommend no action on the slight dips over some of the culverts. Their opinion is that the dips won’t get worse and that more damage would result if a repair is attempted. They have discussed the situation with the contractor who is not willing to extend the warranty. The Clerk will follow up with the County Engineer to determine the existing warranty and whether or not we need to pursue this option further before signing off on the project.
4. **Lower Spunk Lane** – The Supervisors approved a request to spread more gravel on the cul-de-sac. Trees planted in the road right-of-way and a log in the road ROW make it difficult for the plow to turn around – a letter will be sent to the resident requesting that they be removed. Koopmeiners will provide the Clerk with the proper address.
5. **140th Ave** – will soon be milled. Project should start past the farm access.
6. **Pelican Lake Road; Lower Spunk Lane, St Anna Drive** – no action taken at meeting.

7. **Road Inspection** – Koopmeiners and the Supervisors conducted road inspection on Monday, August 3 at 3:30 PM. Sanoski took notes and will send to the Clerk to type. Letters requesting compliance for road safety issues will be sent to some residents. A communication was received from Mr. Steve Fenske, MAT Attorney, stating that a road inspection is not a legally mandated requirement, but is an implied duty.
8. **Snow Season Readiness** – no action taken.

Public Hearings: *none scheduled*

Business:

1. **Hennen Project** – Ms. Nancy Scott has been working with the Hennen’s on the CSP for their new residence. One concern is how to make the existing home a ‘non-residence.’ Suggestions included removing all but one bathroom and/or the kitchen. Ms. Karen Hennen was scheduled to attend the meeting tonight but didn’t make it. The Supervisors will wait for further feedback from Nancy Scott.
2. **Ruprecht Gambling Permit** – Mr. John Ruprecht inquired about a gambling permit for a church function. He planned to attend the meeting tonight – but did not – if Town approval was required by the County/State.
3. **Election Planning** – Potential plans to maintain health and safety during voting at the Primary and General elections were discussed. It was generally agreed that we will: (a) reduce the number of voting stations; (b) have most voters wait outside the Town Hall to vote – the greeter would meet the voter near the airlock; (c) have a one-way flow of voters (exiting through the west door); (d) hire a person to sanitize stations between voters; (e) no secrecy covers will be provided; (f) “I Voted” stickers will either not be provided or individualized ones placed at each voting station after sanitizing; and (g) single-use pens will be supplied; voters could keep the pen or leave it to be sanitized for a future election.
4. **St. Anna Sportsmen’s Club Raffle** – The Supervisors approved the revised plan for the raffle due to COVID-19. Supervisor Linn signed the approval document.
5. **Shorewood Drive** – A resident expressed concern about the potential for increased speeds on the road after resurfacing. There is a currently 30 mph speed limit sign. At this point, the Supervisors will wait to see if further action is required.
6. **CARES Act** – The Supervisors decided to not apply for any funding through the CARES act.

Other/Old Business: *Permitting to County; Peach Drive N – possible vacation, Maintenance Shed insulation, LBAE training*

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

Recurring Reports:

1. Requests for **911 signs** were received for Jarnot (18795 Two Rivers Road) and Notch (18781 Two Rivers Road).
2. A **Construction Site Permit** was received for Jensen (37939 186th Ave, shed).
3. No **Feedlot Permits** were received.

- 4. **Special Assessment Searches** were completed for Jarnot (19357 Red Oak Circle); Clubb (36399 Co Rd 155); Stellmach (33432 Shorewood Dr); Loso (18703 Two Rivers Road); Hennen (15593 Co Rd 159P; and Ehrlichmann (34319 Co Rd 155).
- 5. **Stearns County Hearing** – There will be a variance hearing for Luitjens (19471 Co Rd 154) on August 24th. The Nierenhausen variance was approved at the July 23 meeting.

Announcements & Brief Reports:

- 1. CenturyLink issued a notice of a rate increase.
- 2. The District 5 Meeting will occur on August 20th at 7:00 PM via Zoom.
- 3. If any Town residents receive unordered seeds from China, they should not be planted. Report it to Arrest the Pest website operated by contact the MN Department of Agriculture.
- 4. MAT hosted a Zoom meeting regarding CARES funding on August 4, 2020.
- 5. 2021 LBAE is now available for Supervisors.
- 6. The plat for Kasner Acres was withdrawn by Mr. David Braegelmann.

Announcement of Next Regular Supervisor Meeting: The next regular meeting will be held on Wednesday, September 2, 2020 at 7:00 PM.

Announcement of Other Town Meetings:

- *The Primary Election – August 11, 2020; 7 AM – 8 PM*
- *Planning Commission – August 26th, 2020; 7 PM*

Adjournment: Mergen moved to adjourn the meeting at 9:40 PM. Linn second. Both in favor. Motion carried.

Respectfully submitted,
Stephen G. Saupe, Clerk

Clerk signature: _____

date: August 17, 2020

Supervisor Signatures:

date: _____

Mike Linn, Chair

Ken Mergen

Rich Sanoski