

Minutes of the Meeting of the Avon Township Board of Supervisors

December 1, 2021

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

Call to Order: Chair Will Huston called the meeting of the Avon Township Supervisors to order at 7:00 P.M. in the Main Chamber of the Avon Township Hall. The meeting was also available virtually via Zoom at <https://us02web.zoom.us/j/8325486945>, Passcode: AvonTown.

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – LeRoy Gondringer, Will Huston (*Chair*), Kelly Martini (*Treasurer*), Rich Sanoski, and Stephen Saupe (*Clerk*). Also present – Paul Buttweiler (*Deputy Treasurer*), Marion Gondringer (*Deputy Clerk*), Joe Koopmeiners (*Maintenance*), and Lori Yurczyk (*PC Chair*).

Approval of Agenda: A request for a Certificate of Compliance was added to the agenda. Sanoski moved to approve the agenda as amended. Gondringer second. All in favor. Motion carried.

Minutes: Gondringer moved to approve the minutes of the November 3, 2021 meeting as presented. Sanoski second. All in favor. Motion carried.

Public Hearing: *Parking Ordinance.* At 7:05 PM, Huston opened the continuation of the public hearing from the November meeting to consider a Parking Ordinance that would prohibit parking for more than 24 consecutive hours on a Township road. There were no additional public comments. Sanoski moved to close the public hearing. Gondringer second. All in favor. Motion carried.

The PC reviewed the ordinance at their November meeting and suggested no additional changes. The Township attorney advised that the Town could pass a parking ordinance without authorization by residents at the Annual Meeting or a Special Township Meeting because we are a metro Township. The Supervisors thought that a 24-hour parking limit might be problematic for weekend visitors to lake residences, but that a parking ordinance is necessary to avoid people living in their vehicles on Town roads. Huston moved to approve Ordinance 12-01-21 (“An Ordinance Establishing Limitations for Parking on Avon Township Roads”) that prohibits parking on Township roads for more than 48 consecutive hours. Sanoski second. All in favor. Motion carried. The Clerk will edit Section 4 of the draft (*changing 24 hours to 48 hours*) and return the ordinance for signatures next month. Gondringer moved to approve Resolution 12-01-21-1 (Resolution for Summary Publication of Ordinance 12-01-21). Sanoski second. All in favor. Motion carried. Gondringer moved to approve the Summary Publication of Ordinance 12-01-21 with the appropriate change of time limitation from 24 to 48 hours. Sanoski second. All in favor. Motion carried.

Planning Commission (PC) Report – presented by Lori Yurczyk, PC Chair

1. **Gertken/Novel Energy Solutions Solar Garden** – Mr. Scott Tempel, from Novel Energy Solutions, appeared via Zoom to request an Interim Use Permit (IUP) for a solar garden to be constructed on the property of Brian & Linda Gertken, 34206 Smiley Drive, Albany (MN). Mr. Tempel provided an overview of the project. The PC recommends setting a public hearing. Gondringer moved to set a public hearing on December 29, 2021 at 7:10 PM to consider a request by Brian & Linda Gertken and Novel Energy Solutions for a 1 MW solar garden. Sanoski second. All in favor. Motion carried. Due to the weather and early darkness, there won't be a group site visit, but individuals (PC & Supervisors) should inspect the site on their own. Mr. Tempel will alert the Gertken's that Township representatives will be coming for a site visit. Mr. Tempel was requested to provide the documents specified in section 6.54.1.L. of the 439 Ordinance including a contour map. The Clerk was requested to provide a packet of these

application items to the PC and Supervisors, and to find the conditions specified for the previous Gertken solar gardens.

2. **Parking Ordinance Review** – The PC reviewed the Parking Ordinance draft and recommended no changes (*see Hearing above*).
3. **ARPA Fund Use** – The PC discussed additional ideas for ARPA funding including COVID test kits and keyless entry on exterior doors.
4. **439 Ordinance Copies** – the PC recommends purchasing additional hard copies of the 439 Ordinance. They would cost \$15 each. Gondringer moved to authorize the purchase of 6 additional copies of the 439 Ordinance. Sanoski second. All in favor. Motion carried.

Treasurer’s Report: Martini read the Treasurer’s Report and presented the Cash Control Statement for the period 11/01/2021 to 11/30/2021 (*see below*). Martini reported that she responded to an IRS inquiry regarding Cobra; this is not applicable to the Town. Gondringer moved to approve the Treasurer’s report. Sanoski second. All in favor. Motion carried.

For the Period : 11/1/2021 To 11/30/2021

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$151,498.80	\$5,017.11	\$9,794.64	\$146,721.27
Road and Bridge	\$140,297.53	\$133.42	\$5,834.42	\$134,596.53
Demolition Escrow	\$2,000.00	\$0.00	\$0.00	\$2,000.00
Road Damage Deposit	\$2,950.00	\$0.00	\$0.00	\$2,950.00
Fire Fund	(\$4,267.93)	\$0.00	\$0.00	(\$4,267.93)
General Capital Projects	\$49,609.68	\$0.00	\$0.00	\$49,609.68
ARPA Fund	\$131,160.20	\$0.00	\$0.00	\$131,160.20
Total	\$473,248.28	\$5,150.53	\$15,629.06	\$462,769.75

Claims & Payroll: Martini presented the November PERA claims (4136 & 4137), which totaled \$560.00. The November payroll was \$2,993.76. The December claims (4138 – 4152) totaled \$70,736.96. The December payroll was \$1,643.39. An underground ‘dog fence’ was damaged during summer road construction in the Blattner addition. The resident requested reimbursement. After determining that the fence did not appear to be in the Town right-of-way, the Supervisors agreed to reimburse the full amount (\$344).

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

Town Hall Maintenance Report – *presented by Joe Koopmeiners*

1. **Lions Event** – The Lions Club did a good job cleaning up after their event. The Lions donated to the Township a stepstool and new First Aid kit. Huston moved to approve Resolution 12-02-21-2 – Resolution accepting gift. Gondringer second. All in favor. Motion carried.
2. **Assorted Maintenance** – Among the maintenance done included washing windows, cleaning the Hall, and fixing the parking lot. The lock box was moved to the Hall entrance to keep it from freezing up. The AC cover has been installed for winter. LP is at 70%.

3. **Touchless Access and Keyless Entry** – a quote was received for \$5,192. Koopmeiners was authorized to request the company to separate quotes for the two items for a decision at a future meeting.

Road Report – presented by Joe Koopmeiners

1. **Road/Maintenance Report** – Among the work completed this month included: maintenance on the plows (strobe lights), winterizing the lawn mower and sprayer, servicing the pickup for winter, leveling hay in the ditch on Norway Road, installing a 911 sign, and sanding roads twice.
2. Koopmeiners reported that there are some dead trees in the screening planted in the existing Gertken solar garden. The driveway is not being maintained as per original agreement, but it is a private road over which the Town has no authority.
3. 360th – water is coming out of cracks in the tar where the culvert was repaired. The Town will need to keep track of this.
4. **Weed Report** – Gondringer moved to approve the 2021 Annual Weed Report. Sanoski second. All in favor. Motion carried.
5. **Tools** – socket and wrench sets were purchased for the pickup.
6. **Tree in Sunnyfield Circle** – a tree growing in the right-of-way is pushing up the tar. Huston will check to see if it needs to be removed. If so, he will seek a quote from Weaver's Tree Service.
7. **Signs on 165th** – 'Stop Ahead' and 'No Passing' signs fell off a post. It was decided that Koopmeiners will reinstall the 'Stop Ahead' sign; the other is not necessary in that location.

Business:

1. **Computers** – Buttweiler obtained quotes for ARPA-funded computers from Community Technology Center. Gondringer moved to authorize Buttweiler to work with Community Technology Center to purchase 8 laptop computers, cases, and software at the quoted price. Sanoski second. All in favor. Motion carried.
2. **Escrow Agreements/Letters of Credit** – The Township attorney, Adam Ripple, examined the letters of credits and recommends signing it. Huston moved to approve the cancellation of the existing letter of credits and signing the Cash Escrow agreements with Stearns Community Solar that were reviewed and approved by our attorney. Gondringer second. All in favor. Motion carried. Huston will contact the attorney to clarify some questions prior to signing.
3. **Altus Power America** – Riders were received from Altus Power America to reflect a change of address for bonds for Decommissioning and Beneficial Habitat. No action is necessary.
4. **Chiado Certificate of Compliance** – Jacob Chiado appeared at tonight's meeting to request a Certificate of Compliance to transfer a triangle of land from his neighbor to his property in an administrative subdivision. The Supervisors saw no concerns. Gondringer moved to approve a Certificate of Compliance for Jacob and Rachel Chiado for their property at 32091 Nob Hill Drive, Avon (MN). Sanoski second. All in favor. Motion carried.

5. **Zoom Update** – To make things simpler to access Town meetings via Zoom, we will have a single login for any meeting. Now, to access any Town meeting, go to: <https://us02web.zoom.us/j/8325486945>. The pass code, if requested, is “AvonTown.”
6. **Parking Pad** – no action needed.

Old Business: *none*

Signatures / Documents / Treasurer: Completed as necessary including the MOU and Resolution 11-03-21-1.

Recurring Reports:

1. There were no **911 sign** requests.
2. There were no **Construction Site Permits** issued.
3. No **Feedlot Permits** were received.
4. **Special Assessment Searches** were performed for Loehlein ((17953 Upper Spunk Lake Road), Holland (17065 Norman Road), and Donabauer (35005 Goosehaven Road).
5. There will be a **County Hearing** on December 9th to consider a request from David & Brandi Lashinski for a variance for a setback from a feedlot. No action will be taken.

Announcements & Brief Reports:

1. **Fifth Monday** – Sanoski attended the meeting and reported that the major focus of the meeting was the potential purchase of the hospital for school programming. They are looking at various options (lease, purchase, bonding).
2. A newsletter from *North Central International* was received.
3. **Affidavits of Candidacy** – Three positions are up for election in March: Supervisors for a three-year term now occupied by Huston; Supervisor for a one-year term now occupied by Gondringer; and Clerk for a two-year term now occupied by Saupe. An affidavit should be filed with the Clerk from December 28, 2021 until January 11, 2022. The Town Hall will also be open from 1-5 PM on January 11, 2022.
4. The *Stearns County News* magazine was received.
5. **Tractor** – After this year, the Town will not be able to rent a tractor from our current source. The Town will need a plan for options.
6. **Amundson Rental Property** – The Town received a memo from the County that Timothy & Alisse Amundson (19308 Two Rivers Road) will require an Interim Use Permit to rent their property and they will need to bring an unpermitted deck into compliance.

Announcement of Next Regular Supervisor Meeting: The next regular meeting will be held on January 5, 2022 at 7:00 PM and will be available via Zoom (*see above*)

Other Upcoming Meetings: Planning Commission – December 29, 2021 *(also available via Zoom)*.

Adjournment: Gondringer moved to adjourn the meeting at 9:05 PM. Sanoski second. All in favor. Motion carried.

Respectfully submitted,

Stephen G. Saupe, Clerk

date: December 11, 2021

Supervisor Signatures:

date: _____

LeRoy Gondringer

Will Huston, Chair

Rich Sanoski