

Minutes of the Meeting of the Avon Township Board of Supervisors

April 6, 2022

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

Call to Order: Chair LeRoy Gondringer called the meeting of the Avon Township Supervisors to order at 7:00 P.M. in the Main Chamber of the Avon Township Hall. This meeting, like other Town meetings, 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 – Richard Bresnahan, LeRoy Gondringer (*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: Several items, including tractor purchase, liquor license, plat review for County, and a County nuisance complaint, were added to the agenda. Sanoski moved to approve the agenda as amended. Bresnahan second. All in favor. Motion carried.

Minutes: Sanoski moved to approve the minutes of the March 2, 2022 meeting as presented. Gondringer second. All in favor. Motion carried.

Public Hearing: *none scheduled*

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

- Amundsen Variance** – Alisse Amundsen appeared at the PC via Zoom to request a variance to site a shed and deck closer to the road than is currently permitted by ordinance. They also built the deck without receiving a Construction Site Permit (CSP), but received an after-the-fact permit from the County. The Supervisors measured the shed during road inspection and it was 10 x 16, which likely should have also required a CSP. Yurczyk reported that the PC recommends setting a public hearing. Bresnahan moved to set a public hearing on April 27 at 7:10 PM to consider a request for a variance by Alisse & Tim Amundson, 19308 Two Rivers Road (Avon), for a deck and shed to be 5 and 20 feet, respectively, closer to the road than is currently permitted by ordinance. Sanoski second. All in favor. Motion carried.
- Kelley Certificate of Compliance** – Taylor Kelley, 37312 185th Ave., appeared at the PC meeting via Zoom to request a certificate of compliance to attach to his property a parcel of land from his neighbor because the property line currently runs through his home. He is having a survey done which should be completed soon. The PC supports the request. The Supervisors found no problems with the request. Bresnahan moved to approve a Certificate of Compliance for Taylor Kelley, 37312 185th Ave., Avon (MN) contingent on a survey confirming the situation as presented to the PC and Supervisors and that Mr. Kelley pays the requisite fee. Sanoski second. All in favor. Motion carried.
- County Hazard Mitigation Plan** – The Town is waiting for a quote on a whole-building generator system. Otherwise, there are no other identified Town needs. The Supervisors will take no action.
- Gertken Solar Project** – The PC considered a request from Novel/Gertken solar project for a letter as a part of an application for financial assistance for USDA Rural Development funds. The PC recommends taking no action. The Supervisors agreed. The NHIS review is now available; the project will not directly impact natural communities. The Town will soon need to formalize our contract with SWCD

since the CSP will likely be requested soon. According to Town Ordinance 5, Interim Use Permits expire after 6 months, but can be renewed. Since Gerkten/Novel is not likely to begin within 6 months, the Clerk was authorized to contact Gerkten/Novel to request an extension/renewal of their IUP.

5. **439 Ordinance Amendments** – The PC discussed proposed amendments to the 439 Ordinance. The main concern was the proposed requirement for a survey if a structure was proposed to be less than 1.5x the required set back. Though this makes sense in shoreland and residential areas, the PC thought this would be an unnecessary burden on larger lots (*i.e.*, A40 zoning areas) which would now require a 75-foot set back. The Supervisors agreed. In addition, there was also discussion about removing the requirement for DNR review of solar projects within 2 miles of an NHIS site. Though it was generally agreed that DNR review wasn't necessary for projects 2 miles away from a NHIS site, perhaps reviews should occur for closer projects (*i.e.*, one-quarter to one-half mile). Alternately, it could be required that the DNR is simply alerted to the proposed project. Bresnahan moved to authorize the Chair of the Planning Commission to attend the County Public Hearing to express the Township's concerns. Sanoski second. All in favor. Motion carried.
6. **ARPA & Broadband** – the County is requesting ARPA funds of \$350 per resident for extending broadband in the Township in Phase I & II. The Township contribution would be more than \$50,000. Sanoski moved that the Township not use ARPA funds for broadband because the proposal serves an inadequate number of residents, there will still be a large number of unserved residents at the completion of the project, and the Town has many other needs. Bresnahan second. All in favor. Motion carried.
7. **Document/Policy Review** – the PC has begun a process to review Township documents and policies. Resolution 06-03-20-1 (Policy for Compensation and Reimbursement of Town Officers) was reviewed and minor suggestions/corrections were made. Sanoski moved to approve Resolution 04-06-22-1, updating Resolution 06-03-20-1. Bresnahan second. All in favor. Motion carried.
8. **Open House & Newsletter** – the PC discussed several possible topics that could be included in a Township newsletter. The Supervisors agreed that the newsletter should be tied to an Open House. The Supervisors tentatively set the Open House to be Monday, September 12th from 5 – 8 PM. It was recommended that it is an ice cream social.
9. **Applications** – two applications were received for the Planning Commission. This is good news because the Town has been seeking new members for a while. There are currently two Supervisors on the PC because no one has been found to replace them. Gondringer offered to step down from his position on the Planning Commission. Bresnahan moved to accept the resignation of LeRoy Gondringer from the PC. Sanoski second. All in favor. Motion carried.

Gondringer stated that it would be good to bring to the PC new people and not replace one elected official with another. PC chair Yurczyk concurred that non-elected offices would be best but that elected officials could attend meetings as advisors. Bresnahan noted that the two applicants – Kelly Martini and Andrew Wensmann – were both well-qualified. Martini said that she applied to give the current Supervisors on the PC a break/rest. Bresnahan said that he has recruited his neighbor, a school principal, to apply for a PC position.

The PC application of Andrew Wensmann was reviewed by the Supervisors. Mr. Wensmann was present. He was interviewed by the Supervisors. The "Avon Township Planning Commission Applicant Evaluation Form" was completed. After the review, Sanoski moved to appoint Andrew Wensmann to

the Planning Commission effective April 27, 2022. Bresnahan second. All in favor. Motion carried.

Sanoski moved to approve the PC report. Bresnahan second. All in favor. Motion carried.

Treasurer’s Report: The Treasurer’s Report was read and the Cash Control Statement for the period 03/01/2022 to 03/31/2022 (*copied below*) was presented. There is a difference of \$1,502.43 in the “total per bank statement” on the cash control statement and the amount in the bank because Koopmeiners’ pay was withdrawn from the bank on March 30 but he was paid on April 1. Sanoski moved to approve the Treasurer’s report and Cash Control Statement. Bresnahan second. All in favor. Motion carried.

Topics discussed included: (1) the MMB Survey and required documents for ARPA are up to date; (2) a DUNS number inquiry from the US Treasury has been taken care of. Martini stated that they are switching to a new UEI number; (3) Martini will update the chair to Gondringer; (4) Insurance for our new laptops has been paid; (5) the Town will receive \$969.86 in solar tax from the Geronimo project (St. John’s). No tax will be received from recent projects at the Gertken farm because the three projects are each not great than one megawatt; and (6) Martini will check into the 2022 Census – Survey of Public Employment and Payroll.

A typo in the Audit Board report was noted at the Annual Meeting. The typo was corrected. Sanoski moved to approve the revised Audit Board Report for 2022. Gondringer second. All in favor. Motion carried.

The Letters of Credit for the Gertken solar projects have been formally cancelled and replaced by a cash escrow deposited at Falcon National Bank, Foley. We will follow up to ensure we have the appropriate documentation confirming the deposit of the escrow money.

Gondringer moved to authorize the following individuals to sign checks for the Township: LeRoy Gondringer (Supervisor), Rich Sanoski (Supervisor), Kelly Martini (Treasurer), Stephen Saupe (Clerk), Paul Buttweiler (Deputy Treasurer), and Marion Gondringer (Deputy Clerk), and he moved to remove Will Huston as an Avon Township check signatory. Sanoski second. All in favor. Motion carried.

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$174,128.86	\$1,068.05	\$7,843.54	\$167,353.37
Road and Bridge	\$273,614.83	\$0.00	\$6,357.91	\$267,256.92
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	(\$18,135.46)	\$0.00	\$0.00	(\$18,135.46)
General Capital Projects	\$53,455.46	\$0.00	\$0.00	\$53,455.46
ARPA Fund	\$121,689.23	\$0.00	\$277.04	\$121,412.19
Total	\$609,702.92	\$1,068.05	\$14,478.49	\$596,292.48

Bresnahan moved to approve the Treasurer’s report. Sanoski second. All in favor. Motion carried.

Claims, Receipts & Payroll: The March PERA claims (4205 & 4206) totaled \$560.00. The March payroll was \$3,004.86. The April claims (4207 – 4221) totaled \$3,704.97. The April payroll was \$3,511.67. It does not appear to be possible to print documents from the township laptops to our current printer. We have replaced drivers and spent several hours working with the printer company. We may need a new printer. Bresnahan moved to approve the purchase of a new printer and network cable for up to \$700 and \$50 each, respectively. Since a new member of the PC was appointed, at least one additional computer is required; and it would be desirable to have an extra. Sanoski moved to authorize the purchase of 2 new laptop computers. Bresnahan second. All in favor. Motion carried. Martini and Buttweiler will follow up.

Town staff who attended the Qualification meeting were underpaid by \$20; they should add this amount to their next claims form. The Supervisors agreed that all staff should receive the same fee for attending the Qualification meeting. Bresnahan moved to remove from the Fee & Salary Schedule the entry “\$55 for Qualification Stipend for Staff.” Sanoski second. All in favor. Motion carried. The Supervisors indicated that Claims forms should not be changed; people should be paid based on what is submitted on their claims form. If there is a question about an item on a claim form, the employee should be contacted to clarify or revise the form, or the Supervisors be consulted for advice.

Sanoski moved to approve the Claims, receipts and payroll. Bresnahan second. All in favor. Motion carried.

Town Hall Maintenance Report – *presented by Joe Koopmeiners*

The **furnace filters** were changed. The **LP** is at 32%. Koopmeiners received a quote from Pat Panek for repairing the **sidewalk**. The Supervisors requested Koopmeiners inquire about an updated quote using chopped fiber instead of rebar and to clarify why the project would not be sealed for a month. **Paint** on the walls was touched up.

Sanoski moved to approve the Town Hall Maintenance Report. Bresnahan second. All in favor. Motion carried.

Road Report. *Presented by Koopmeiners*

1. **Monthly Update/Report** – The majority of work this month was snow-related. Roads were plowed and/or sanded on 5 different days. In addition, some maintenance was done on the trucks and ditch mower. We’re currently good with cutting edges on the pickup plow.
2. **Tractor** – We have been unable to find a tractor to rent for ditch mowing, etc. It will likely be necessary to purchase one. Sanoski moved to authorize Gondringer, Sanoski and Koopmeiners to purchase a tractor up to \$88,000 if a reasonable machine is located. Gondringer second. All in favor. Motion carried.
3. **Tree Removal** – After road inspection, a variety of trees need to be removed. Bresnahan moved to authorize Koopmeiners to obtain a quote from Weaver’s for tree removal. Sanoski second. All in favor. Motion carried.
4. **Parkwood Circle Engineering** – Sanoski moved to approve the quote from Jeremy Mathiasen, Stantec Engineering, for \$30,945 for engineering on the proposed Parkwood Circle road project. Bresnahan second. All in favor. Motion carried.
5. **Gravel** – Bresnahan moved to authorize Koopmeiners to order 350 yards of gravel for 360th (5 loads), 365th (1 load), 370th (west; 5 loads) and Peach Drive (8 loads). Sanoski second. All in favor. Motion carried.
6. **Back up driver Follow-up** – no action.

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

Business:

1. **Qualification Meeting Minutes** – Sanoski moved to approve the minutes from the Qualification Meeting as revised (clarification on Joint Powers Board membership and removal of separate Qualification Meeting fee for staff on Fee & Salary Schedule). Bresnahan second. All in favor. Motion carried.
2. **Hennen Decommissioning** – septic completed as per communication from Brian Krippner, Stearns County.
3. **MAT Officer's List** – was updated for recent election results.
4. **Resolution in Support of Road Reversion Reform** – Bresnahan moved to approve Resolution 04-06-22-2: Road Reversion Reform. Sanoski second. All in favor. Motion carried.
5. **Resolution in Support of Annexation Reform** – Gondringer stated that this will likely not affect the Township since we have an orderly annexation agreement in place with the City. Bresnahan moved to approve Resolution 04-06-22-3: Annexation Reform. Sanoski second. All in favor. Motion carried.
6. **Koopmeiners Performance Review** – Bresnahan moved to close the meeting at 9:40 PM to conduct the annual performance review of Joseph Koopmeiners. Sanoski second. All in favor. Motion carried. The Supervisors met with Koopmeiners in private to discuss his review. Gondringer reopened the meeting at about 10 PM. The Supervisors reported that Koopmeiners has done an excellent job for the Township. Sanoski moved to approve the performance review for Joseph Koopmeiners. Bresnahan second. All in favor. Motion carried. Bresnahan moved to increase Koopmeiner's salary by 7% effective April 10, 2022. Sanoski second. All in favor. Motion carried.
7. **RRev's Liquor License** – Sanoski moved to approve the Consent of the Town Board for an On-Sale Intoxicating Liquor License at RRev's Lakeside Tavern & Banquet Hall. Bresnahan second. All in favor. Motion carried. Sanoski moved to approve the Consent of the Town Board for an Off-Sale 3.2 Percent Malt Liquor License at RRev's Lakeside Tavern & Banquet Hall. Bresnahan second. All in favor. Motion carried.
8. **Plat Review** – The County is requesting that the Town provide a review of the plat review process. The Supervisors authorized the Planning Commission to review the documents and provide a report.
9. **Nuisance Complaint** – The County is considering enforcement of the nuisance ordinance at 17724 Upper Spunk Lake Road owned by Daniel & Linda Pitzer. Sanoski moved to have the County to go forward with enforcement. Gondringer second. All in favor. Motion carried.

Old Business:

1. Former Supervisor Ken Mergen has not returned his key to the Town Hall after multiple requests. We will contact him again.
2. M. Gondringer is still working on computer file backup.
3. The tree on Sunnyfield was examined during Road Inspection.
4. Koopmeiners will examine and record locations of culverts this summer.

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

Recurring Reports:

1. The correct address for the Blinking Lights, Inc **911 sign** is 35011 Tower Road. The company has still not contacted the Town.
2. **Construction Site Permits** were issued to Backes (16115 Queens Road; 36x64x14 shed); Gondringer (Tower Road; residential dwelling; 48 x 32 accessory structure); A&K Blinking Lights (35011 Tower Road; antennae); and Schneider (18353 Co Rd 154; deck & gazebo).
3. **Feedlot permits** – none.
4. **Special Assessment Searches** – none.
5. There will be a **County Hearing** to consider amendments to the 439 Ordinance on April 26 at 9 AM. The County approved an after-the-fact non-conforming deck for Alisse & Tim Amundson, 19308 Two Rivers Road (Avon).

Announcements & Brief Reports:

1. Flyers from Bertam Asphalt Services and Midwest Asphalt were received.
2. Former Supervisor Huston returned his Town Hall key and other materials.
3. The Township Officers Meeting will be held April 7 at 7:45 PM at the Freeport Community Center. Bresnahan moved to authorize Gondringer to attend. Sanoski second. All in favor. Motion carried.
4. The Tour of Saints will be held this year on July 17, 2022.
5. The Township sends its condolences to the families of Martin Pilarski and Maynard Sand who recently passed. Both had a long connection with the Town.
6. Kathy Korte, Avon Township Assessor, reports that assessments in the Township have gone up considerably this year.
7. Township contact information for emergency management services was submitted to Stearns County.
8. Redistricting forms were submitted to the County and State. The Township will now be a single precinct as a result of 2022 redistricting.
9. The County will be redetermining benefits and damages regarding Ditch 28.
10. The Fifth Monday meeting will be held on April 21, 2022 at 7 PM.
11. MAT Township Virtual Lobby Day will be April 20 from 9 AM – 12 PM.
12. The Township should contact Dean Schramel regarding any roadwork regarding survey pins.

Announcement of Next Regular Supervisor Meeting: The next regular meeting will be held on May 4, 2022 at 7:00 PM and will be available via Zoom (*see above*).

Other Upcoming Meetings/Events: (meetings are available on Zoom at the URL above):

- LBAE meeting – April 18, 7 PM

Adjournment: Gondringer moved to continue the meeting until Wednesday, April 13 at 7 PM to discuss roads and any other business that is necessary. Sanoski second. All in favor. Motion carried.

Continuation of the April 6, 2022 Meeting of the Avon Township Board of Supervisors

Call to Order: On Wednesday, April 13, 2022, at 7:00 PM, Chair LeRoy Gondringer called to order the continuation of the April 6th, 2022 meeting of the Avon Township Supervisors, in the Main Chamber of the Avon Township Hall. This meeting, like other Town meetings, 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 – Richard Bresnahan, LeRoy Gondringer (*Chair*), Kelly Martini (*Treasurer*), Rich Sanoski,

and Stephen Saupe (*Clerk*). Also present –Marion Gondringer (*Deputy Clerk*) and Joe Koopmeiners (*Maintenance*).

Roads: There is currently about \$267,000 in the Road & Bridge account and we expect another \$200K later in the year. Last year the Town spent roughly \$300K on roadwork.

The Supervisors reviewed results from the annual Road Inspection which showed that several roads are in need of work. In some recent past projects, some roads were only partially milled. The Supervisors questioned whether the entire road should be milled. The general consensus is that all of the road should be milled and to make them 9-ton roads.

The Supervisors plan to crack-seal roads that are newer and have been resurfaced since 2014. This would hopefully maintain the roads in better condition for a longer time. The roads recommended for crack-sealing are: Blattner addition roads, Upper Spunk Lake Road, 325th Street, Shorewood Drive, Lower Spunk Lane, Kopyy Lane, Spunk Tree Circle, 355th, Tower Road, 160th Avenue, and 165th Avenue. Bresnahan moved to authorize Koopmeiners to obtain and accept a reasonable quote for crack-sealing for up to \$15,000. Sanoski second. All in favor. Motion carried. If, once the quote(s) is received, not all roads can be done, Koopmeiners should prioritize and crack-seal the newest roads first. Chip-sealing is another option that the Supervisors considered. Koopmeiners was requested to contact a company for more information and to determine if it would be beneficial to chip-seal some Town roads.

The Supervisors discussed planned road work in Parkwood Circle. The Road Inspection results suggest that there are other roads (*i.e.*, 145th, 370th) in greater need this year and that the limited budget for roads could be used elsewhere. The cul-de-sacs in Parkwood Circle will need to be fixed and re-engineered prior to resurfacing the roads. Sanoski moved to rescind the original contact with StanTec for engineering for Parkwood Circle and request a revised quote for engineering the two cul-de-sacs and resurfacing 145th and 370th as 9-ton roads. Bresnahan second. All in favor. Motion carried. Bresnahan moved to authorize Koopmeiners to obtain a quote from Jeremy Mathiasen at StanTec for the proposed roadwork. Sanoski second. All in favor. Motion carried.

Koopmeiners stated that shouldering is best to do early in the year.

Gondringer will contact Holding Township concerning a joint Two Rivers Road project next year.

Town Hall – a quote was received from Panek, Inc. regarding sidewalk replacement. A concern is that there is a slight step up to the sidewalk. Koopmeiners was authorized to contact Panek for a quote on a 20-foot strip along the sidewalk to make it more easily handicap-accessible. It was suggested that the curb could be painted with a reflective coating to make it more visible.

AWAIR Policy & Annual Review – The Supervisors reviewed the AWAIR policy and the annual AWAIR review. Bresnahan moved that no changes were necessary to the Avon Township Workplace Accident and Injury Reduction Program (AWAIR) and to approve the 2022 AWAIR Program review. Sanoski second. All in favor. Motion carried.

Treasurer/Claims – Martini reported that a check inadvertently sent twice to Melrose Implement was voided. Sanoski moved to approve the revised contract for Koopmeiners. Bresnahan second. All in favor. Motion carried.

Broadband – The Supervisors want clarification on a possible commitment to using ARPA funding for broadband. It is not clear whether Town participation will affect the ability of the County to obtain other

funds/grants. The Supervisors suggested inviting Mr. Williams to a Planning Commission meeting to discuss the issue. The Clerk will follow up.

Adjournment: Bresnahan moved to adjourn the meeting at 9:00 PM. Sanoski second. All in favor. Motion carried.

Respectfully submitted,
Stephen G. Saupe, Clerk

date: April 20, 2022 revised: May 11, 2022

Supervisor Signatures:

date: _____

Richard Bresnahan

LeRoy Gondringer

Rich Sanoski