

# Minutes of the Meeting of the Avon Township Board of Supervisors

May 4, 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. Absent: Stephen Saupe (*Clerk*). Also present – Craig Blonigen (*PC*), Marion Gondringer (*Deputy Clerk*), Joe Koopmeiners (*Maintenance*) and Lori Yurczyk (*PC Chair*).

**Approval of Agenda:** Sanoski moved to approve the agenda of the May 4, 2022 meeting as presented. Bresnahan second. All in favor. Motion carried.

**Minutes:** April minutes will be approved in June.

**Public Hearing:** *none scheduled*

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

- Amundson Variance** – A public hearing was held 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. Both structures were built without permits. An after-the-fact Construction Site Permit (CSP) was granted by Stearns County for the deck. The shed was a replacement of an existing (10' X 15' of 150 sq. feet) but was built larger (10' X 16' or 160 sq. feet). It remains unpermitted because the Amundson's did not realize it would need a permit at the larger size. Sherry Fredricks (neighbor) attended the hearing to express concerns by herself and other neighbors. Fredricks was opposed to the after-the-fact permit granted by the county, since it was not applied for before construction, and was also opposed to the variance for the road setback. Yurczyk explained that since the Town does not approve permits, it's only concern at this point is the road setback. Amundson explained that he could not move the shed back because it would then be too close to the shoreline. The deck is a replacement for a deck in poor condition but is not the same size as the original deck and is now 5 feet too close to the road. He stated that they were unaware the structures were not in compliance of the permitting parameters. The PC recommended approval of the variances, but requested more information from Amundson as far as the original permit applications. Yurczyk stated that the conditions of the county variance were that Amundsons were to pay the fees applicable, maintain a no-mow area by the lakeshore, and get a variance for the road-setback from the Town. Motion by Bresnahan to approve the variance as requested with the caveat that the county be notified that there was no permit for the shed. Second by Sanoski. All in favor. Motion carried.
- Permit Extension:** PC recommendation is to change the expiration date from 6 months to one year with the requirement of the public hearing process. Discussion took place concerning the necessary actions required to extend the expiration date from 6 months to one year with a one-year extension upon request. More research is needed to determine the actions required.

3. **Open House & Newsletter** – PC would like to see the newsletter go out in time to link it to the open house / ice cream social on the September 12<sup>th</sup>.
4. **Xcel power pole replacement** – work in the road right of way. PC recommends approval of this request. Motion by Gondringer to approve the request for Xcel to replace power poles in the Township without including the poles designated on the diagrams provided that are actually in the city. Sanoski second. All in favor. Motion carried.
5. **Policy review:** Plat process review and update - county ordinance in reference to minor and major plats. PC feels both should be viewed by the Town before approval. PC would like this policy to remain as it is currently set. Motion by Bresnahan to leave the plat review process for minor and major plats as it is currently set so they can be reviewed multiple times by the Town. Second by Sanoski. All in favor. Motion carried.
6. **Chair and Vice Chair-** Yurczyk will remain as Chair, and Blonigen will remain as Vice Chair.
7. **County Ordinance 439** – In reference to the county requirement for any setback of less than 1.5 times the setback requiring a survey. Agricultural-zoned land (A40) is not included in this survey requirement. All the amendments proposed did pass the county board.
8. **Broadband:** Mr. Williams from the county provided many details about the upcoming broadband project which would provide broadband availability to 216 residents in Avon Township. The county would credit the Town back \$23,614 of the CARES money submitted to them. Yurczyk reports that new information today provided by Williams offers a lesser amount for the Town of \$27,136 which is Phase I and Phase II. Blonigen shared his thoughts that this service, in the physical sense, may actually be a short-lived solution as the availability of wireless is rapidly increasing in availability to our area. Therefore, it seems that this project may prove to be obsolete in short time. Blonigen also shared that Williams stated AlbanyTel, as the broadband provider in the area, COULD end their requirement for customers to pay for a landline in order to get the broadband service. Gondringer stated that County Commissioner, Steve Notch, indicated that whenever the county applies for a grant, it always looks good if all townships sign on to participate which gives them better chance to be awarded grants for funding. He also stated that at this time, Phase I and Phase II funding is the most vital. Motion by Gondringer to approve the funding requested for this project \$27,136. Second by Sanoski. All in favor. Motion carried. Gondringer will communicate with Commissioner Notch concerning this decision. This will alter the resolution passed last month for spending ARPA money; therefore, an amendment of that resolution may be required.
9. **Solar:** Motion by Gondringer to grant a six-month extension of the solar garden permit requested by Scott Tempel for Novel Energy for the Gertken solar garden. Second by Sanoski. All in favor. Motion carried.

Bresnahan moved to approve PC report as presented by Lori Yurczyk. Second by Sanoski. All in favor. Motion carried.

**Treasurer's Report:** The Treasurer's Report was read and the Cash Control Statement for the period 04/01/2022 to 04/30/2022 (*copied below*) was presented.

For the Period : 4/1/2022 To 4/30/2022

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$167,353.37	\$430.85	\$10,207.57	\$157,576.65
Road and Bridge	\$267,256.92	\$0.00	\$2,468.46	\$264,788.46
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	\$121,412.19	\$0.00	\$0.00	\$121,412.19
<b>Total</b>	<b>\$596,292.48</b>	<b>\$430.85</b>	<b>\$12,676.03</b>	<b>\$584,047.30</b>

Sanoski moved to approve the Cash Control Statement. Bresnahan second. All in favor. Motion carried.

**Additional topics** discussed included: (1) Lost Revenue Resolution: signing of the resolution which lists the dollar amount as \$131,000. Because of tonight's decision to spend toward Broadband funding, it may change the dollar amount on the resolution 05-04-22-1, and could specify broadband in the spending. The board will hold off on signing resolution at this time. (2) Computer purchases: Martini shared details about computers available at this time. Motion by Bresnahan to authorize Martini to purchase two additional computers as available up to \$1,000 each. Sanoski second. All in favor. Motion carried. (3) Martini reminded members of the board who have not signed the signature card at the bank to do so. (4) Solar funding information provided. (4) Note: Gondringer requested the presence of Craig Blonigen at tonight's meeting to keep him in the loop regarding road plans being discussed. (5) Gondringer requested a follow up as to why we did not receive a permit fee from Kyle Smith permit application. (Orderly annexation area)

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

**Claims, Receipts & Payroll:** The April PERA claims (4222-4224) totaled \$879.20. The April payroll was \$4,702.25. The May claims (4225-4241) totaled \$78,353.61. The May payroll was \$3,279.51.

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

**Town Hall Maintenance Report** – presented by Joe Koopmeiners

1. **Parking pad:** Quote from Pat Panak to add a parking pad 20 X 90, 4" thick, in the Town Hall parking lot for a total of \$8,855.00. Motion by Bresnahan to approve the concrete work for the parking pad for \$8,850. Second by Sanoski. All in favor. Motion carried.

2. **Flag:** Koopmeiners will purchase a new flag for the flag pole.

3. **Generator:** would operate furnaces but not the in-floor heat system. (\$25,000 to \$30,000) Generator would operate on LP gas. Koopmeiners will pursue a formal quote.

Bresnahan moved to approve the Town Hall Maintenance Report. Sanoski 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 are currently good with cutting edges on the pickup plow.
2. **Road restrictions** come off on Friday May 7.
3. **Queens Road** will be tar patched when it warms up enough.
4. **Tree Removal** – Trees identified on the road inspection will be removed soon.
5. **Culvert:** on 145th Ave. is still under water so cannot be inspected. No aprons. 50' long.
6. **Seal cracking:** for selected roads will take place in June. Bid from Midwest asphalt, Belgrade. (\$14,980). Norman, Sunnyfield Circle, and part of St. Anna Drive were added.
7. **Salt Sand bid:** Double R Trucking bid of \$84.97/yard. 20% salt 20% granite sand, with beet juice added to allow it to work better in severe cold, delivered and stockpiled in shed. 90 yards. Motion by Sanoski to approve the salt sand bid for \$84.97 for 90 yards. Bresnahan second. All in favor. Motion carried.
8. **Shouldering disc:** research has been undertaken. Approximate cost is \$10,000. A 24-week order time. More research will be undertaken on possibly purchasing a used one or get pricing from other dealer. Sanoski requested from Krain township to see if we could possibly rent the one owned by them.

Motion by Bresnahan to accept the road report as presented by Koopmeiners. Sanoski second. All in favor. Motion carried.

**Business:**

1. **Fifth Monday Meeting:** information was shared by Sanoski on the meeting attended recently, possible purchase of Hospital building in Albany to be used for preschool and kindergarten with referendum approval needed.
2. Sanoski moved to approve the Board of Appeals and Equalization minutes. Gondringer second. All in favor. Motion carried. Bresnahan abstained.
3. Bresnahan motion to approve Qualification Minutes. Sanoski second. All in favor. Motion carried.
4. **Pelican Lake Liquor License** – Bresnahan moved to approve the On-Sale Intoxicating Liquor License for the Pelican Lake Ballroom for the period of July 1, 2022 to June 30 2023. Sanoski second. All in favor. Motion carried.

**Old Business:**

1. Former Supervisor Ken Mergen has returned his key to the Town Hall.

**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:** Matthew Ebensteiner, no driveway permit required.
- 3. **Feedlot permits** – none.
- 4. **Special Assessment Searches** – none.
- 5. Town law review and legal short course – May 25<sup>th</sup> Otsego, MN. Motion by Bresnahan to allow Martini to attend. Sanoski second. All in favor. Motion carried.
- 6. St. Joseph well head protection plan discussed. No action taken.
- 7. Clerk and Treasurer training May 16, St. Cloud.
- 8. Belgrade Coop newsletter received.

**Announcements & Brief Reports:**

- 1. Flyers from Bertam Asphalt Services and Midwest Asphalt were received.

**Announcement of Next Regular Supervisor Meeting:** The next regular meeting will be held on June 1, 2022 at 7:00 PM and will be available via Zoom (*see above*).

**Other Upcoming Meetings/Events:** PC Meeting will be May 25, 2022.

**Adjournment:** Bresnahan moved to continue the meeting until Wednesday, May 11, at 7 PM to discuss roads and any other business that is necessary. Sanoski second. All in favor. Motion carried.

The Deputy Clerk alerted the Supervisors to an email from Jeremy Mathiasen regarding the upcoming road projects.

**Adjournment:** Motion by Bresnahan to rescind the continuation of this meeting. Sanoski second. All in favor. Motion carried.

**2022 Roadway improvements:** Motion by Sanoski to approve the proposal for Geotechnical Services for soil borings for 145<sup>th</sup> Ave, Parkwood Circle, and 370<sup>th</sup> street for \$2,590.00. Second by Bresnahan. All in favor. Motion carried. Sanoski sent an email to Mathiasen regarding these actions in moving forward.

Motion by Sanoski to adjourn at 10:12. Second by Bresnahan. All in favor. Motion carried.

**Respectfully submitted,**

Marion J. Gondringer, Deputy Clerk

date: May 4, 2022

**Supervisor Signatures:**

date: \_\_\_\_\_

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Richard Bresnahan

\_\_\_\_\_  
LeRoy Gondringer

\_\_\_\_\_  
Rich Sanoski