

Minutes of the Meeting of the Avon Township Board of Supervisors

June 1, 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 – Marion Gondringer (*Deputy Clerk*), Joe Koopmeiners (*Maintenance*) and Lori Yurczyk (*PC Chair*).

Approval of Agenda: Several items, including Highland Terrace drainage, Gondringer CSP, and audit requirements, were added to the agenda. Bresnahan moved to approve the agenda as amended. Sanoski second. All in favor. Motion carried.

Minutes: Bresnahan moved to approve the minutes of the April 6, 2022 as corrected. Sanoski second. All in favor. Motion carried. Bresnahan moved to approve the minutes of the May 4, 2022 meeting as presented. Sanoski second. All in favor. Motion carried.

Public Hearing: *none scheduled*

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

- Chinook Ave SW** – Several residents from Chinook Ave SW appeared at the PC meeting, and also at tonight's meeting, to inquire about leaving the City and joining the Township. The residents were discouraged because they didn't receive any City services (*i.e.*, water, sewer), often needed to plow their road, the noise level had increased in their neighborhood since the installation of the I-94 noise barrier, they are not allowed to construct more than one shed on their property, and there have been water issues since the construction of storage sheds. Though the orderly annexation agreement with the City clearly outlines the procedure for Township residents to become part of the City, the Planning Commission and Supervisors were unaware of specific guidelines for detaching parcels from the City. The residents were directed to review the annexation documents posted on the Township website and to contact the City. It was suggested that the residents would likely need to sign a petition to request detaching their parcels from the City, and that both the City and Town would need to agree to any changes. Bresnahan was authorized to contact the Township attorney for clarification on the process. After the residents left the meeting, a State Statute (414.06) was discovered that appears to pertain to this situation. The Clerk will forward this information to the residents.
- Ordinance #5 Extensions** – The PC discussed options (act now, or wait and bundle changes with future ordinance changes) to amend Ordinance #5 to extend the expiration date of Interim Use (IUP), Conditional Use (CUP), and variances from 6 months to one year. This is necessary because 6 months may not provide enough time to get a project started, especially considering recent supply chain disruptions. Sanoski moved to extend the expiration of the IUP's, CUP's and variances to one-year and to initiate the process of amending Ordinance #5. Bresnahan second. All in favor. Motion carried.
- Construction Site Permits (CSP) in the Urban Expansion (UE) area** – Currently any CSP request in the UE area is handled by the Township Zoning Administrator, Nancy Scott. To clarify the process, the PC

discussed the process for issuing permits. After discussion, the Supervisors approved the following process: The Clerk (*or other Town official*) receives from a resident or County a request for a CSP in the UE area. The Clerk forwards the request to our Zoning Administrator (*i.e.*, Nancy Scott) who will issue the permit. The Clerk also alerts the Supervisors and PC about the request to keep everyone informed, especially regarding neighborhoods in which the project is occurring. The Zoning Administrator (ZA) requests from the applicant the standard County fee for the requested CSP. Once the fee is received, the ZA takes the necessary action to approve the request and ensure that the project follows all pertinent rules and guidelines. The ZA will provide periodic updates to the Township (Clerk) on the status of the application. The ZA completes the necessary work, signs the permit and provides a copy to the applicant. The ZA sends the original to the Clerk along with the applicant’s check and invoice for issuing the permit. The ZA fee is currently the same as the permit. The Clerk sends a receipt to the applicant for the fee payment and also sends a copy of the completed CSP to the County as per our MOU.

4. **Storm Damage** – see *Road Report*.

5. **Ditch 4 Meeting Request** – Chad Martini, Stearns County, requested to use the Town Hall for a public meeting to discuss the Ditch 4 project. Bresnahan moved to approve the use of the Town Hall for a Ditch 4 meeting sponsored by Stearns County and for a Supervisor to attend the meeting to represent the Township. Sanoski second. All in favor. Motion carried.

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

Treasurer’s Report: The Treasurer’s Report was read and the Cash Control Statement for the period 05/01/2022 to 05/31/2022 (*copied below*) was presented. Bresnahan moved to approve the Treasurer’s report and Cash Control Statement. Sanoski second. All in favor. Motion carried.

For the Period : 5/1/2022 To 5/31/2022

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$157,576.65	\$1,469.29	\$7,919.22	\$151,126.72
Road and Bridge	\$264,788.46	\$450.00	\$4,957.86	\$260,280.60
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	\$72,545.86	\$48,866.33
Total	\$584,047.30	\$1,919.29	\$85,422.94	\$500,543.65

Signatures for check signing are completed at the bank. The A&C Certificate of Extension has been received. Martini submitted the expenditure report for the ARPA State and Local Fiscal Recovery Funds (SLFRF) report. An article in the new issue of *Township Insider* recommends that townships reassess whether an outside audit is required if federal funds are accepted (*i.e.*, ARPA). Martini will follow up.

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

Claims, Receipts & Payroll: The May PERA claims (4242 & 4243) totaled \$560.00. The May payroll was \$3,199.82. The June claims (4244 – 4265) totaled \$63,715.53. The June payroll was \$1,695.19.

Martini reported that there was an error in the amounts reported for PERA. Sanoski moved to correct the PERA claims. Bresnahan second. All in favor. Motion carried. Mike Linn is still authorized to make

purchases with our Menard's credit card. Martini will follow up. Bresnahan reported receiving calls from four different residents who lost their Homestead tax credit. According to our assessor, Kathy Korte, this likely occurred because home values have increased and if the value goes above \$500,000 then the Homestead credit disappears. Residents could be alerted to this in the newsletter.

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. New flags were purchased.
2. The parking lot was graded/repared.
3. Someone complained that the Town Hall lawn should be mowed diagonally.
4. Emergency Generator – A quote from Liberty Electric was received to install a whole building generator for \$47,450. The Supervisors are hesitant to use this amount of ARPA money. Another option was to run a generator from the PTO of the new tractor. Koopmeiners will investigate. A fuel storage tank may be also needed.
5. A wire was run from the modem in the storeroom to the printer in the office. All Township computers should be able to print to this printer.
6. Parking lot concrete work will start next week.

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** – An assortment of work was done this month, especially related to repairing storm damage. Among the work was grading gravel roads, shouldering, and repairing potholes.
2. **135th Ave** – St. Wendel Township Supervisor Scott Volkens and Clerk Renee Salzer appeared to discuss a possible joint project on 135th Ave. This road was resurfaced a few years ago but hasn't held up too well. St. Wendel Township received a quote of \$81,236 from Astech to apply an ultra-thin bond layer coating, roughly three-quarters of an inch thick. They have used this product with success on other roads including the town line road with Le Sauk Township. Bresnahan suggested that it might be most costs effective to grind and resurface the road to provide better wear. The Supervisors will do some research and then plan to meet with St. Wendel Township in the fall/early winter to formalize a plan for 2023.
3. **Highland Terrace** – Mr. Jason Orne appeared to alert the Supervisors to water problems on Highland Terrace. An existing storm drain on Highland Terrace may be clogged, and/or an additional drain(s) could be needed. Koopmeiners will investigate and report back.
4. **Storm Damage** – There was a large amount of storm damage. Sanoski reported that a culvert had to be replaced on 365th. This work is completed and once it dries, we will still need to do some shouldering and seeding to help prevent future washouts. There was a collapsed culvert on 355th; Kotzer Excavating will repair it sometime this coming week. A load of gravel was hauled on Peach Drive to fill in a washout.

Extensive dirt washed onto Norway Road. Once it dries the ditch will need to be cleaned out. A berm may be necessary to keep it from happening again. Kotzer and Lange will be contacted for quotes. The ditch will need to be reseeded.

Sanoski provided an estimate of costs/repairs from the recent storms: Culvert 365th – \$3500; Culvert 355th – \$3500; Clean ditch and put dirt back in field on Norway – \$3000; Gravel roads and fix washouts on 140th, 360th, Peach Dr., 355th, 170th, 370th, 365th – \$7500; Fuel for trucks and tractor – \$200; Employee overtime (27.5 hours) – \$1031.25; Supervisor assistance (11 hours) – \$175. The total was \$18,956. Gondringer and Saupe met with representatives from FEMA with the possibility of getting reimbursed for many of these expenses. FEMA’s estimated reimbursement costs were \$28,155. A take-home message from the meeting with the FEMA reps is that we should maintain good records of storm-related expenses including time spent using each type of machine, depth and area of any dirt in the ditch, and amount of fill required. The Supervisors discussed spreading emergency repair work around among various local contractors. When inspecting for storm damage, the road gave way and the pickup fell into a large washout. Koopmeiners was authorized to take it to the shop to check for damage.

5. **Bridge Signs** – a vandal(s) continues to steal the chevron signs marking the bridge on Queens Road. Various fixes have not worked. The vandals have also wrapped plastic-wrap across the road between the signs on two occasions. This could be extremely dangerous for an unsuspecting motorist. The Supervisors suggested we should set up a camera to try and catch the perpetrator(s). We will alert the sheriff’s department about the situation.
6. **Pelican Lake culvert** – Koopmeiners was authorized to remove the rebar screen to allow better drainage.
7. **Tree Removal** – Weaver’s Tree Service cleaned up some trees on Highland Terrace. Koopmeiners inquired about how to handle brush from downed trees in the right-of-way. He was authorized to remove and chip the brush in the road right-of-way, but leave the firewood.
8. **Lower Spunk Lane** – Bresnahan will follow up with the resident about the apple tree in the road right-of-way.
9. **Cutting Ditches** – Koopmeiners was authorized to mow ditches as necessary.
10. **Summer Road work** – Jeremy Mathiassen sent a note that test bores are not completed yet, which are required to produce the bid documents for proposed roadwork this summer on 145th & 370th and the Parkwood *cul-de-sacs*. It’s not clear how this will affect completion of any summer work.

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

Business:

1. **ARPA Resolutions** – The Supervisors decided to pass resolutions for spending ARPA funds on ‘big-ticket’ items. Sanoski moved to approve Resolution 06-01-22-1: Resolution to Spend ARPA Funds on Lost Revenue Replacement, which was used to purchase a tractor. Bresnahan second. All in favor. Motion carried. Bresnahan moved to approve Resolution 06-1-22-2: Resolution to Spend ARPA Funds on Broadband. Sanoski second. All in favor. Motion carried. This motion provides funding to support broadband expansion work through Stearns County. The Supervisors suggested that additional resolution could be done for other spending, including the new computers, as it arises.
2. **Plat Approval Process** – The County has requested that the Township review the current plat review process and existing resolution (02-07-18-4) that outlines the process. The Supervisors support the

existing process. The Clerk will alert the County.

- 3. **Frontline Workers** – Koopmeiners was alerted to the Bonus Pay for Minnesota’s Frontline Worker program. Gondringer moved to authorize Sanoski to take necessary action to support an application by Koopmeiners. Bresnahan second. All in favor. Motion carried.
- 4. **Lion’s Club Meeting** – the Supervisors have no problem with the Avon Hills Lion Club moving their meeting to the third Sunday.

Old Business: Blinking Lights 911 sign (35011 Tower Road)

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

Recurring Reports:

- 1. A **991 sign** was purchased and installed for Dockendorf (15265 Co Rd 159). A request for a sign was received from Mueller (34319 Co Rd 155).
- 2. **Construction Site Permits** were issued to Pflueger (18501 Upper Spunk Lake Road; 10 x 20 home addition, 6 x 12 deck), Smith (17675 Co Rd 54), and R. Gondringer (35962 Tower Road, shed).
- 3. A **Feedlot permit** was received for David & Brandi Lashinski (14279 Co Rd 52).
- 4. **Special Assessment Searches** were performed for Ward (17731 Upper Spunk Lake Road), Jonas (34759 Co Rd 9), and Gertken (34206 Smiley Drive).
- 5. There were no relevant **County Hearings**.

Announcements & Brief Reports:

- 1. Martini attended the Town Law Review and Legal Short Course. She provided a brief report. Among other things she reported that if Township emails are forwarded to a personal computer, that machine could potentially be confiscated if the Town is involved in a law suit. In addition, a personal phone could be confiscated if it is used to send texts to Town board members.
- 2. Martini was recognized in an e-newsletter from Senator Jeff Howe.
- 3. MAT membership cards were distributed to Board members.
- 4. Xcel has rebates for LED lighting – no action will be taken.
- 5. A letter was received from DARE soliciting donations and participation in a Golf Scramble.
- 6. A brochure was received from M&R Sign.

Announcement of Next Regular Supervisor Meeting: The next regular meeting will be held on July 6, 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):

- PC – June 29 2022; 7 PM

Adjournment: Bresnahan moved to adjourn the meeting at 10:35 PM. Sanoski second. All in favor. Motion carried.

Respectfully submitted,
Stephen G. Saupe, Clerk

date: June 8, 2022

Supervisor Signatures:

date: _____

Richard Bresnahan

LeRoy Gondringer

Rich Sanoski