

Minutes of the Meeting of the Avon Township Board of Supervisors

December 7, 2022

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

Call to Order: *Vice-Chair* Rich Sanoski 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, Kelly Martini (*Treasurer*), Rich Sanoski, and Stephen Saupe (*Clerk*). Absent – LeRoy Gondringer (*Chair*). Also present – Paul Buttweiler (*Deputy Treasurer*), Marion Gondringer (*Deputy Clerk*), Joe Koopmeiners (*Maintenance*), and Lori Yurczyk (*PC Chair*).

Approval of Agenda: Bresnahan moved to approve the agenda as presented. Sanoski second. All in favor. Motion carried.

Sheriff's Department Report: Deputy Sheriff Jace Rosenfeld appeared at the meeting to update the Supervisors. He stated that last month there were 85 calls in the Township, mostly traffic stops (28). Deputy Rosenfeld was alerted to the situation where a bus, camper on blocks, a Suburban, and a boat are parked in the road right-of-way on 185th, and that someone is apparently living in the bus. These are a significant safety hazard and make it difficult to plow snow. The owner was sent a notice in mid-November to move them all out of the right-of-way. The bus was moved off the road, but it is still in the right-of-way. The Supervisors authorized the Clerk to send another letter to the owner, requiring the items be moved 33 feet from the center of the road. Deputy Rosenfeld will alert the Sheriff's Department about the situation and document it with photos.

Minutes: Bresnahan moved to approve the minutes of the November 2, 2022 meeting as amended. Sanoski second. All in favor. Motion carried.

Public Hearing: none scheduled.

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

- Plum Hill Lane Cul-de-sac** – A resident alerted the Township that they had received a notice from Waste Management stating that the residents would need to place refuse containers at an alternative location because the trucks couldn't navigate the new cul-de-sac for trash pickup. Our engineer for this project, Mr. Jeremy Mathiassen, was contacted about the complaint. He reported that the cul-de-sac is appropriately-sized for a turnaround for garbage trucks, school buses and snowplows. Mr. Mathiassen also directly contacted Waste Management and reported that they said that there was no problem, though they noted a slope on the road that could be difficult in slippery conditions. The Town will be sure to salt/sand this area to prevent the WM trucks from sliding.
- Co Rd 54 CSP** – A realtor working with a potential buyer for a home on Co Rd 54 inquired about a Construction Site Permit (CSP) to build an addition. Because the property is in the Joint Powers Area, the Township is responsible for issuing the permit, not the County as is the case for most CSP's in Avon Township. The home is close to the road (within the 100-foot right-of-way for county roads). Any addition on the front of the building will require a variance, and depending on the precise location, an addition even on the back of the home or elsewhere on the property may require a variance. There is also a wetland complex to the rear of the home. Any addition must be setback from the wetland. The County says that an addition could be no larger than 50 feet before it would encroach. No action was taken - the Town will wait to see if the

realtor/buyer submits an application for a CSP.

3. **Shape 2040** – It was suggested that the PC could study and review new County ordinances/plans (*i.e.*, Shape 2040).
4. **Potential PC Meeting Cancellation** – Like the recent PC meeting in which there was no scheduled business, there is typically little business during the December PC meeting. To save money, the PC suggested that the December meeting be cancelled if there is no scheduled business. Bresnahan moved to authorize Yurczyk and Saupe to assess whether there is enough scheduled business to warrant holding the December 28th PC meeting, and if not, they should make a joint decision by Dec 20th to cancel or not, and if so, to make the public aware of the cancellation (*i.e.*, posting, website). 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 11/01/2022 to 11/30/2022 (*copied below*) was presented. Martini confirmed that the Township submitted required ARPA documents. A summary of our liability coverage for 2023 was received from MATIT. Our insurance costs have remained relatively constant.

For the Period : 11/1/2022 To 11/30/2022

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$154,530.68	\$579.66	\$4,950.40	\$150,159.94
Road and Bridge	\$352,171.78	\$1,267.62	\$272,966.92	\$80,472.48
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	(\$5,986.14)	\$0.00	\$0.00	(\$5,986.14)
General Capital Projects	\$40,638.66	\$0.00	\$0.00	\$40,638.66
ARPA Fund	\$181,613.30	\$0.00	\$0.00	\$181,613.30
Total	\$727,918.28	\$1,847.28	\$277,917.32	\$451,848.24

Sanoski moved to approve the Treasurer’s Report and Cash Control Statement. Bresnahan second. All in favor. Motion carried.

Claims, Receipts & Payroll: The November PERA claims (4381 & 4382) totaled \$599.20. The November payroll was \$3,199.82. The December payroll was \$1,552.34 and the Election Judge payroll was \$2,177.48. The December claims (4383-4394) were \$42,148.81. Check 10712 was voided because it needed to be reissued because the recipient didn’t want taxes removed.

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. **Window Treatments/Parking Lot Striping/Sign/Clothing** – no update/action taken on any of these items.
2. **Solar Panel Proposal** – two new proposals were submitted by REAL Solar to reflect that there will be no rebate from Xcel Energy. One of the proposals is for a smaller system (20 kW) because Township energy use didn’t qualify for one rebate. The general consensus is that a system should be as large as feasible (*i.e.*, 52 kW). The Supervisors approved the Sept 18 proposal at a previous meeting but that proposal is no longer valid because parameters have changed (*i.e.*, rebates don’t exist). Based on the amount of the proposed expenditure, there is a question of whether the Town can simply purchase the system, or whether there

needs to be a quote from another vendor. The Clerk will seek an answer from MAT. A decision about Town Hall solar panels will be made next month.

3. **Maintenance Shop** – the doors were spray-foamed. New seals and cord reel were installed.

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

Road Report. *Presented by Joe Koopmeiners*

1. **Monthly Update/Report** – Among the work completed this month included work on 365th, and repairing a pothole on 363rd.
2. **Snow Report/Update** – Roads were plowed and salt/sanded on 5 occasions. Koopmeiners trained two new drivers (Dylan Hedlund, Josh Raab). Raab will primarily work weekends as needed.
3. **Tractor** – has been returned from the shop (oil leak repaired, beacon and cutting edges installed).
4. **Road Inspection** – notes from the recent road inspection were edited. The Clerk will make corrections.
5. **154th Shouldering** – work will be completed in spring.
6. **Posts along roads** – the Township was alerted that a resident on Upper Spunk Lake Road has installed plastic posts along the road. They were inspected and will not be a problem; no action taken. Also, a resident on Parkwood Circle installed steel posts along the road. These posts were also inspected and are a significant hazard to the plow and need to be removed. The Supervisors authorized the Clerk to send a letter to the resident requesting that they be removed.
7. **Shorewood Drive Ditch Work** – an inquiry was received about maintaining the ditch opposite 33786 Shorewood Drive. The Town maintains this ditch. It will be brushed next growing season.
8. **Motor Home along Upper Spunk Lake Road** – A complaint was received about a motor home in the Upper Spunk Lake Road right-of-way. It has been moved. No action taken.
9. **Missing Road Signs** – road signs are missing at the intersections of Co Rd 9 & Queens Road and Parkwood Circle & Co Rd 155. Since they are on county roads, they are likely the responsibility of the Stearns County Highway Department. The Clerk will follow up with Stearns County Engineer Jodi Teich.
10. **Summer Road Work** – The Supervisors are considering resurfacing 190th, Red Maple Circle, and Two Rivers Road in 2023. The latter road would be done jointly with Holding Township. The Supervisors prefer to have an engineering firm provide assistance with bid documents, etc. The Clerk was authorized to send letters to local engineering firms (*i.e.*, Westwood, StanTec, WSB) for quotes for services. Holding Township doesn't usually hire an engineer for their road projects.

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

Business:

1. **Liquor License** – Kris Schiffler appeared via Zoom to seek both off- and on-sale liquor licenses for Shady's Sunset Bay, which was formerly RRev's Tavern. They plan to take over January 1, 2023 and are waiting on final permits. Bresnahan moved to adopt a resolution approving a County On-Sale Intoxicating Liquor License

and a County Off-Sale Intoxicating Liquor License for Shady's Sunset Bay, and contingent on received the appropriate fee from Mr. Schiffler. Sanoski second. All in favor. Motion carried.

2. **Elections** – the Clerk reported that the General Election was held on November 8 from 7 AM – 8 PM and went well. A summary is on the Township website (Inside/Elections). About 76% of the Township residents cast ballots including 1058 in-person voters on Election Day. Ten judges served, including Head Judge Kelly Martini, and did an outstanding job. Three individuals submitted an application to serve as a judge in the next election cycle.

The period to submit an affidavit to run for office at the March 2023 Township election is January 3-17. The Town Hall will also be open from 1-5:00 on January 17th to accept affidavits.

Resolution 12-07-22-1, designating a polling place, was ready for consideration and signature by the Supervisors, but unfortunately this agenda item was accidentally skipped. It will be addressed at the January 2023 meeting.

3. **I-94 Noise Barrier** – No new petitions have been received from residents concerning a noise barrier on I-94 so no action was taken. The Township is apparently unable to submit a grant to the MNDOT Noise Barrier program because we are not an “incorporated jurisdiction.” To submit to this program will likely take some work to modify the application criteria; we may need to recruit our local legislators to help with this process.
4. **Lion's Request** – The Avon Hills Lions Club asked if the Town Hall needed anything that they might be able to help provide. Among the items discussed was an AED (automated external defibrillator) for the entryway.
5. **MAT-U Training Program** – this program from MAT will provide training materials for Town officials. There is an annual fee. Bresnahan moved to participate in the MAT-U Training Program. Sanoski second. All in favor. Motion carried.
6. **Revision of Ordinance 5** – at the June 1, 2022 meeting, the Supervisors moved to amend Ordinance 5 to change expiration dates of IUP's, CUP's and variances from 6 months to a year. At their July 6, 2022 meeting the Supervisors decided to wait until after the County hearing on vacation homes/private rentals (Ordinance 640) in case the Township wanted to be more restrictive and maintain the requirement for an IUP. The Supervisors will consider revisions to Ordinance 5 at the next meeting.

Old Business: Includes: Culvert mapping project; Two Rivers Road project with Holding Township; Case to display old documents; Rassier Provisional Use Permit; thistles in Avon Hills SNA; 911 signs (Blinking Lights, 35005 Tower Road); Window treatments; sign for Hall; Norway Road berm; stripes in parking lot.

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

Recurring Reports:

1. No **991 sign** requests were received.
2. A **Construction Site Permit** was issued to Chisholm (15172 331st; 20 x 24 addition).
3. **Special Assessment Searches** were performed for RV Diversified LLC (18527 Co Rd 154; PID 03.00785.0004) and Woods (PID 03.00966.0000 & 03.00965.0004).
4. No **feedlot permits** were received.
5. There were no pertinent County hearings.

Announcements & Brief Reports:

1. **Board of Appeals & Equalization Training** – online training is now available. Gondringer needs to be trained.
2. **135th School Bus Stop** – Sanoski, the Fifth Monday representative, contacted the Superintendent of District 745 to alert him to the dangerous situation in which a school bus was picking up a student on 135th Avenue on the steep hill near the intersection with Norway Road. A motorist heading north on 135th would have a difficult time stopping after cresting the hill, especially in slippery conditions. The bus stop was moved in response.
3. Former MAT Executive David Fricke passed away.
4. **FEMA Update** – the clerk has worked extensively with FEMA representatives to recover some expenses from the spring storm that washed out several township roads. It appears that the Town may receive about \$23,000 to help defray repair costs. The Town will not apply for County Hazard Mitigation Funding.
5. Several **newsletters** were returned to the township as undeliverable (*i.e.*, Petron, Kociemba).
6. **Website** design brochures were received. Things seem to be going a little better with our webhost. No changes are anticipated in the near future.
7. Safety information regarding **propane** was received from Belgrade Coop.
8. **Fire Hall Expansion** – the Fire Hall Expansion Committee met. Gondringer and Saupe attended for the township because Bresnahan was unavailable. The City has developed an ambitious plan to construct an addition. The first step, hiring a Construction Manager (CM) for the project, is scheduled to be complete by early February. By June, the CM is scheduled to complete bid documents, cost estimates, etc. Contracts are scheduled to be awarded in October for work completion by the end of 2024. Both Townships (Avon, Colledgeville) want to have a reasonable cost estimate available to share with residents for levy purposes at the Annual Meeting in March.
9. **Township Day** – will be held February 1 & 2 at the State Capitol.
10. **eMail** – MAT recommends that Town staff maintain separate town and personal email accounts. In addition, MAT recommends using a separate phone. These recommendations relate to the possibility of a phone/email account being accessed by attorneys in the event of a lawsuit.
11. **Remote Meetings** – although the Township has the equipment to allow Town Staff to appear at a meeting remotely, if a supervisor attends a meeting remotely, the location must be posted and be publicly-accessible.
12. **Purchasing** – there are no restrictions on spending less than \$25,000. Quotes from two vendors are required for purchases costing \$25,000-175,000. Sealed bids are required for items costing more than \$175,000.
13. **Gambling Permit** – was signed for the Holdingford Lions Club for a raffle at Pelican Lake Ballroom.

Announcement of Next Regular Supervisor Meeting: The next regular meeting will be held on January 4, 2023 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):*

- a. Affidavit of Candidacy period: Jan 3 – 17, 2023
- b. Town Hall open to accept affidavits: Jan 17, 1-5:00 PM
- c. Planning Commission Meeting – December 28, 2022; 7 PM

Adjournment: Sanoski moved to adjourn the meeting at 9:34 PM. Bresnahan second. All in favor. Motion carried.

Respectfully submitted,

Stephen G. Saupe, Clerk

date: December 15, 2022

Supervisor Signatures:

date: _____

Richard Bresnahan

LeRoy Gondringer

Rich Sanoski