

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

January 5, 2022

*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. 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 – LeRoy Gondringer, Will Huston (*Chair*), Kelly Martini (*Treasurer*), Rich Sanoski, and Stephen Saupe (*Clerk*). Also present – Marion Gondringer (*Deputy Clerk*) and Lori Yurczyk (*PC Chair*).

**Approval of Agenda:** A discussion of the County GIS system and some announcements were 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 December 1, 2021 meeting as presented. Sanoski second. All in favor. Motion carried.

**Public Hearing:** *none scheduled*

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

1. **Gertken/Novel Energy Solutions Solar Garden Hearing** – The PC held a Public Hearing to consider a request by Brian & Linda Gertken working with Mr. Scott Tempel (Novel Energy Solutions) for an Interim Use Permit (IUP) for a 1 MW solar garden to be constructed on the Gertken property (34206 Smiley Drive, Albany). The PC went through section 6.54 of the County Ordinance 439 to ensure the application was complete. The PC noted that no LESA score was available for the parcel. The PC also was unsure of the amount of surety that should be required for the project and whether the project would be within two miles of a NHIS site, which would require DNR review. The PC was also concerned about the access road to the property and details of the landscape plan. To provide time to obtain necessary information, the PC tabled a recommendation about the project until the application was complete with all necessary information. Since the PC meeting, there has been action on several items. Julie Marketon, Stearns County Environmental Services, provided a LESA score for the property (60.05). Environmental Services determined that an NHIS is required and the applicant was asked to follow-up with the DNR. The Town learned that Stearns County requires a letter of credit or cash escrow of \$185,000 for solar projects, and that they work with Soil & Water to evaluate and inspect the landscape (the fee for this service is \$4,300). A road maintenance agreement was provided by the Gertken's.

A PC Analysis/Recommendation form was created based on one used by the County, but the Supervisors preferred the Town's original form, which will be used. The Town is cognizant that a decision is required in a timely fashion to meet the 60-day rule once the application is complete.

The Supervisors questioned whether one row of trees by the home on the west side of the property was adequate as a screen and also wondered if the trees should be staggered and a few more included. The Town will need to determine who will oversee the landscape plan and the fee, if any.

Gondringer moved to approve the PC report. 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 12/01/2021 to 12/31/2021. Though the ending balance in November matched the beginning balance in December, the amounts in the General Fund and ARPA Fund differed because the payments for our Zoom account (\$149.90) and the *ad hoc* ARPA Committee (\$301.07) should have been charged to the ARPA fund instead of General Revenue in December. In addition, a check (#10354 – \$8,400) for culvert repair was inadvertently coded in General Revenue rather than Road & Bridge. Last month a payment of \$170.41 was approved for tabs (claim #4149), but the actual amount was \$109.25. The Cash Control statement will be revised and returned for approval at the February meeting.

**Claims & Payroll:** Martini presented the December PERA claims (4153 & 4154), which totaled \$560.00. The December payroll was \$2,993.76. The January claims (4155 – 4170) totaled \$13,797.80. The January payroll was \$2,603.82. Checks need to be ordered. The payroll increased due to increased taxes. The Town received the property tax settlement from the County. The County deducted \$199.35 from it for the Town’s contribution to a fee from CenterPoint Energy/Xcel. The money was deducted before we received it which will make it difficult to determine the amounts for each fund. Martini will contact the County to clarify how to handle this situation. The Town received three invoices for \$5.00 from the County for a ditch fee. One was sent in error; the Town only owes \$10.

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

#### **Town Hall Maintenance Report**

Koopmeiners was unavailable because he was plowing snow. Sanoski reported the LP tank is at 37% – the Supervisors authorized a fill-up. Martini reported that our insurance will reimburse us for some of our costs for replacing the window in the foyer.

**Road Report.** Koopmeiners was unavailable. The following items were reported/discussed:

1. **Snow Across the Road** – Many residents are pushing snow across roads which is illegal. Sometimes our plows leave a little snow on County roads when turning corners – our drivers will be alerted. Sanoski reported that we sent the plows out twice today due to the storms. Huston noted that our roads were better than any in the area that he had driven on.
2. **Icy Conditions on Co Rd 9** – A complaint was received from a resident about icy areas on Co Rd 9 – the comments were forwarded to Stearns County.
3. **Back-up Plow Drivers** – In the event that a snowplow driver is unavailable for plowing, the Town needs a backup plan. Sanoski will check license requirements to determine if Supervisors could drive in an emergency.
4. **Queens Road Project** – The Supervisors discussed preparations to submit an LRIP grant for resurfacing Queens Road. The engineering study is complete. To provide support for the grant, several ideas were discussed: (a) request a letter from the School District concerning buses on the route; (b) request a letter of support from residents of Queens and adjacent roads; (c) request a letter of support from users of the road including those who farm nearby fields (*i.e.*, Schwalbe’s, Gondringer’s). The Supervisors authorized the Clerk to draft a letter that could be sent to residents.

#### **Business:**

1. **Escrow Agreements/Letters of Credit** – Huston reported that all is in place for conversion of the letter of credit to a cash escrow. Huston has been working with the company on the details. They will be

sent a copy of the invoice for the attorney fee.

2. **Tractor** – A tractor is needed to mow ditches, shoulder roads, and fix wash outs, among other things. The tractor the Town has been using will soon be unavailable for rent. A new one will likely cost about \$150,000 while a used one could be in the range of \$30-40,000. Gondringer will continue to look into options. If the Town does not purchase a tractor, we will need to consider hiring out mowing, and/or leasing/renting a tractor. A Unimog was also suggested.
3. **Fire Board** – the meeting is scheduled for February 9, 2022. Huston will represent the Town.
4. **Keys** – The supervisors authorized the PC chair (L Yurczyk) to be issued a key. Gondringer will contact Mergen to get back his key.
5. **Elections Update** – The County is planning to replace the existing Automark ballot markers. The likely alternative that is being considered is an OmniBallot Tablet. Huston is not running again. Koopmeiners (if not plowing snow), or Deputy Clerk Gondringer, will accept affidavits of candidacy at the Town Hall on Jan 11 from 1-5:00 PM. Gondringer moved to approve Resolution 01-05-22-1: Resolution appointing election judges for the March Township Election. Huston second. All in favor. Motion carried. Gondringer moved to approve Resolution 01-05-22-2: Resolution appointing the absentee ballot board for the March Township Election. Huston second. All in favor. Motion carried.
6. **Computers** – Computers for the Town Board (supervisors, clerk, treasurer, deputy clerk) and PC members were purchased with ARPA funds. The computers were distributed. Those receiving a machine signed a document to take responsibility for the machine and agree to return it at the conclusion of their service. The current computers being used by the Treasurer and Deputy Clerk will be returned within two months. They will be recycled at either Best Buy or through Community Technology Center.
7. **Shorewood Drive Connection to the Wobegon Trail** – the residents of Shorewood are seeking a connection to the trail. They are working with the County and the Lake Wobegon Trail Association. Parkland Dedication Funds could be considered if funding is necessary. No action will be taken at this time.
8. **Parkland Dedication Funds** – the Town will take no action at this time.
9. **Newsletter** – Since the Town no longer has a monthly column in the Star-Post the Supervisors agreed it might be time to consider sending residents a newsletter. Possible items to include include: upcoming LRIP grant to resurface Queens Road, plowing snow across a road, rules on the Town road right-of-way, and mailbox rules.
10. **Web GIS** – At times, the Township needs to consult plats and other documents not currently available through our Beacon subscription. Huston moved to obtain Township access to the County GIS system. Sanoski second. All in favor. Motion carried. The Clerks email will be listed with the account.
11. **Board of Audit meeting** – will be held on February 8, 2022 at 7 PM.
12. **439 Ordinance** – hard copies were distributed.

**Old Business:** *none*

**Signatures / Documents / Treasurer:** Documents signed as necessary including the MOU and Resolutions 12-01-21-1 and 12-01-21-2.

**Recurring Reports:**

1. There were no **911 sign** requests.
2. **Construction Site Permits** were issued to Avalon Homes (33668 Poverty Point Dr); Huston (17559 360<sup>th</sup> St.; replacement dwelling)
3. No **Feedlot Permits** were received.
4. **Special Assessment Searches** were performed for Streit (37313 185<sup>th</sup> Ave) and Voitalla (18527 Co Rd 154).
5. There were not pertinent **County Hearings**.

**Announcements & Brief Reports:**

1. Xcel sent a notice regarding a rate increase.
2. A notice about a Code Consulting Review Service was received.
3. Town Web Design sent a notice regarding their web design services.
4. A notice about their services and a holiday card was received from Dale Gruber Construction.

**Announcement of Next Regular Supervisor Meeting:** The next regular meeting will be held on February 2, 2022 at 7:00 PM and will be available via Zoom (*see above*)

**Other Upcoming Meetings/Events:** (meetings are available on Zoom at the following URL:

<https://us02web.zoom.us/j/8325486945>, Passcode: AvonTown)

- Planning Commission – January 26, 2022; 7:00 PM
- Board of Audit meeting – February 8, 7:00 PM
- Fire Board meeting – February 9, 7 PM; Avon City Hall
- Public Accuracy Test – March 5; 9:30 AM
- Town Hall open to accept absentee ballots – Mar 5; 10 AM – 12:00 PM & Mar 7; 10 AM – 4:30 PM
- Annual Township election – March 8; 2-8 PM
- Board of Canvass meeting – March 8; 8:15 PM
- Annual Township Meeting – March 8; 8:30 PM
- Organizational/Qualification Meeting – March 16; 7 PM
- Avon Township/City Joint Planning Board – April 11 (2<sup>nd</sup> Monday)
- LBAE meeting – April 18, 7 PM

**Adjournment:** Sanoski moved to adjourn the meeting at 9:40 PM. Gondringer second. All in favor. Motion carried.

**Respectfully submitted,**

Stephen G. Saupe, Clerk

date: January 16, 2022

**Supervisor Signatures:**

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

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

\_\_\_\_\_  
Will Huston, Chair

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