

Minutes of the Meeting of the Avon Township Board of Supervisors

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

Approval of Agenda: An encroachment agreement for Bruns was added to the agenda and the order of items was slightly modified. Sanoski moved to approve the agenda as amended. Sanoski second. All in favor. Motion carried.

Minutes: Sanoski moved to approve the minutes of the June 1, 2022 meeting as presented. Bresnahan second. All in favor. Motion carried.

Sheriff Department Report: Deputy Mark Lust, Stearns County Sheriff Office, appeared at the meeting to provide an update and gather feedback from the Township. Deputy Lust reported that there was an average of 140-150 calls during May and June (*July statistics are not yet available*). This is an increase from previous months. The calls varied from water patrol issues to traffic stops to medical. Deputy Lust was alerted to two problems that have occurred multiple times in the Township: (a) the Queens Road bridge chevron signs have been stolen on multiple occasions; and (b) plastic wrap has been stretched between signs on opposite sides of Queen Road. The latter presents an extremely dangerous hazard, especially to motorcyclists. Deputy Lust said that they would key an eye out and that we should contact the Sheriff's office immediately if it happens again. They may set up night-cams. Deputy Lust was thanked for his service. Kelly Caspers, *The Store of St. Anna*, also thanked Deputy Lust for responding to alarms at her business.

Public Hearing: *none scheduled*

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

1. **Bueckers CUP** – Melissa Bueckers appeared at the PC meeting to request a certificate of compliance and a conditional use permit (CUP) for a conventional subdivision in the Avon Hills Overlay District. They propose to split an approximately 15-acre parcel from their 43-acre parcel (PID 03.01068.0030). Because the survey is not complete and the 60-day rule would require a decision before the survey might be finished, the PC took no action and requested the applicants to reapply once the survey is complete. They will access the property from 182nd. The Supervisors took no action.
2. **Trash Hauler Littering** – a complaint was received about trash flying out of a hauler's truck on 331st Street. Since the hauler is not known with certainty, no action was taken. Residents should directly contact the hauler if this occurs in the future.
3. **Open House** – the PC discussed the upcoming Open House. As many as 100 residents are expected. It would be desirable to have a sign for the Town Hall. One possibility is that it could be an Eagle Scout

project. Bresnahan will follow up with someone who makes signs. Other suggestions include Everything Signs (Holdingford), and North Star Signs & Engraving (St. Augusta). The Clerk will provide a listing of jobs for the Open House.

4. **Newsletter** – ideas for the Town newsletter were discussed. Possible topics and writers were identified. The Clerk will order mailing labels from the County and provide a mockup by the next PC meeting.
5. **Lake/Vacation Rental** – the County is planning changes to 6.62 of Ordinance 439. The PC reviewed the proposed changes and recommends maintaining the requirement for an IUP and to limit the overnight capacity to 12. The Supervisors noted that the majority of homes on lakes are occupied by year-round residents who might be most affected by these changes. After considering the proposed County changes and PC recommendations, Gondringer moved to send a letter to Angie Berg, Stearns County Environmental Services, that the Township supports an IUP for lake/vacation rentals and limit the overnight capacity to 12. Sanoski second. All in favor. Motion carried. The Clerk will draft a letter for approval. If the County approves rentals without an IUP requirement, the Town could include this in our Ordinance #6.
6. **Kopy Lane** – The PC learned that multiple residents of Kopy Lane complained that the recent crack-filling had damaged the road. This is extremely unlikely, especially since only 7 total cracks were filled on this road.

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 06/01/2022 to 06/30/2022 (*copied below*) was presented. The SLRFP Compliance and Reporting Guidelines were received – Martini has completed necessary documentation. There was a mistake in the calculation of the PERA payment in June (claims 4242 and 4243); the total should have been \$599.20, not \$560.00. As a result, there is a difference in General Revenue of \$39.20 and explains the differences in the June beginning balance as compared the May ending balance. Our second ARPA installment was received.

For the Period : 6/1/2022 To 6/30/2022

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$151,087.52	\$32,842.89	\$21,025.18	\$162,905.23
Road and Bridge	\$260,280.60	\$128,516.20	\$10,953.56	\$377,843.24
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)	\$33,726.22	\$36,031.00	(\$20,440.24)
General Capital Projects	\$53,455.46	\$758.25	\$1,200.00	\$53,013.71
ARPA Fund	\$48,866.33	\$0.00	\$0.00	\$48,866.33
Total	\$500,504.45	\$195,843.56	\$69,209.74	\$627,138.27

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

Claims, Receipts & Payroll: The June PERA claims (4266 & 4267) totaled \$599.20. The June payroll was \$3,199.82. The July claims (4268 – 4289) totaled \$49,820.90. The July payroll was \$1,643.39. Bresnahan moved to approve the Claims, receipts and payroll. Sanoski second. All in favor. Motion carried.

The Township truck was damaged during the big storm. Martini will submit the repair bill (including

receipts and photos to be taken by Koopmeiners) to MATIT for insurance reimbursement. Bresnahan moved to approve the Claims, Receipts and Payroll report. Sanoski second. All in favor. Motion carried.

Town Hall Maintenance Report – presented by Joe Koopmeiners

1. **Concrete pad** – is finished and will be sealed next week. No one will be allowed to park on the area until it is sealed. Koopmeiners will look for some sort of barrier (*i.e.*, parking stops/barriers, fieldstones, bollards), to separate the parking area from the sidewalk.
2. **Compressor** – will need to be replaced in the near future. A replacement should be powerful enough to pump up the truck tires.
3. **Mulch** – the beds in front of the hall were mulched.
4. **Salt/Sand** – delivered and loaded.
5. The Lion’s Club will be asked to review cleaning procedures after using the Town Hall.

Road Report. Presented by Koopmeiners

1. **Monthly Update/Report** – Among the work completed this month included continued repair of roads damaged during the storms, spraying for weeds, mapping Township culverts, and mowing road ditches. Koopmeiners will be on vacation next week.
2. **Stantec Engineering Report** – Jeremy Mathiasen, Stantec, appeared at the meeting to update Supervisors regarding the results of soil boring work on 145th Avenue, 370th Street, and Parkwood Circle. There is extensive variation in the thickness of bituminous and the aggregate base of these roads.

145th – There is peat underlying about 4 inches of bituminous. To make this a 9-ton road, Mr. Mathiasen suggests the peat should be removed and replaced with sand or other material or a plastic geogrid material. However, it would be costly (*ca.* \$150/foot). If the surface was just milled and overlaid, it would cost approximately \$50/foot.

Parkwood Circle – There is a large variation in the base of Parkwood Circle and the *cul-de-sacs*. The eastern section of Parkwood Circle between the two *cul-de-sacs* can probably be milled and overlaid. The western portion, from Plum Hill Lane to Co Road 155, will likely need to have a better base. Various options for redesigning the *cul-de-sacs* were discussed including a rain garden. The tentative plan for the Plum Hill Lane *cul-de-sac* will be to decrease the overall width of the road and have a bubble radius of 40’. Since the Parkwood Court *cul-de-sac* serves a single property owner, one plan is to narrow this to a driveway and vacate the remainder.

Mr. Mathiasen will draw up schematics for these projects. The Supervisors will plan to meet on site on Wednesday, July 13 at 7 PM to make a final decision and gather feedback from affected residents. Bresnahan moved to send letters to alert adjacent landowners of the Plum Hill Lane and Parkwood Court *cul-de-sacs* to the meeting. Sanoski second. All in favor. Motion carried.

There is a concern about it getting late in the season to be able to prepare documents, gather bids, and complete road work before winter. We will have to work quickly if these projects can be finished before winter. The earliest the bid documents could be published would be July 27th. The Clerk will

look into how long bid documents need to be available before one is accepted. A special meeting may need to be scheduled to open bids. Once bids are received, the Supervisors will decide which projects fit the budget and whether or not there is sufficient time to complete the projects.

6. **Road Inspection** – the Supervisors suggested moving Road Inspection to late October or early November. This would allow more time to prepare bid documents, etc.
7. **Pickup** – the crane has broken loose from the pickup. It will need to be rewelded. Koopmeiners will look into the cost.
8. **Weeds** – Koopmeiners sprayed for weeds. There are extensive patches of wild parsnip on Upper Spunk Lake Road and 355th. More herbicide is needed. Koopmeiners will contact the County (Bob Duning).
9. **Apple Tree** – Bresnahan spoke with the residents who owned the apple tree in the Kopyy Road right-of-way. The tree has been moved.
10. **Norway Road Repair** – To minimize soil washing into the ditch, the Town is planning to construct a berm. The work will extend onto the adjacent farm field by 15-20 feet. Bresnahan will contact the owner for approval. Quotes for ditch/berm work on Norway Road were received from Kotzer and Lange. Sanoski moved to accept the lowest quote by Kotzer to complete a 1,300-foot ditch/berm on Norway Road pending approval of the owner and that the work will be done after the crop is removed (or a suitable compensation for the crop is provided). Bresnahan second. All in favor. Motion carried. Assuming approval is received, the Township attorney will be authorized to draft a letter outlining the agreement with the property owner.
11. **Sunnyfield Stumps** – the Supervisors authorized Koopmeiners to remove the stumps on Sunnyfield Circle to prevent the snow plow blade from accidentally striking them.
12. **Upper Spunk Lake Road** – Koopmeiners reported that some tree branches are overhanging the road and should be removed. He estimates it will cost about \$500. Bresnahan moved to hire Weaver’s Tree Service to remove the branches contingent on the cost being approximately \$500.
13. **Treatment of Contractors** – Martini and Koopmeiners reported that some contractors hired by the Township have been treated poorly by residents. The Supervisors expressed disappointment. A note will be included in the newsletter.
14. **Culverts** – a resident requested purchasing some of the old culverts that the Township has in storage. Based on the size, the Supervisors estimate that they are worth approximately \$22.75 per foot. Gondringer will follow up.
15. **355th Repair Work** – When this road was being repaired, a section was dug out approximately four inches deep. It was paved later in the afternoon. A resident alerted the Supervisors that he had driven through this area and damaged his truck. The resident wanted compensation from the Township, but he didn’t appear at tonight’s meeting. The contractor presumably erected signs and cones to alert motorists. There was a question about whether or not cones were actually at the site when the motorist hit it. No matter what the signage was in this situation, contractors must be sure to adequately provide warning signs for such roadwork. The Supervisors will ensure that future contractors are informed that the Township requires substantive signage for road projects.

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

Business:

1. **Liquor Licenses** – Kelly and Gordon Caspers from *The Store in St. Anna* appeared at the meeting to request an off-sale liquor license. They want to offer for sale a limited selection of beer, wine, brandy and whisky so that visitors and others won't need to go to Avon or Albany. The alcohol would be kept in the back room and under video surveillance. Sanoski moved to approve an off-sale intoxicating liquor license for *The Store of St. Anna*. Bresnahan second. All in favor. Motion carried. The Clerk will draft a letter of approval.

A request for a liquor license for *RRev's Tavern* was withdrawn. No action was taken.

2. **Encroachment Agreements** – requests for two encroachment agreements were discussed tonight. Jack Schabel appeared at the meeting as a representative for Rodney and Laura Girodat, 33576 Shorewood Drive. They requested permission to site their drain field 5 feet from the edge of the road. After analysis of the documents for the proposed plan and discussions with Mr. Schabel, Bresnahan moved to approve an encroachment agreement for Rodney and Laura Girodat, 33576 Shorewood Drive, to site their drain field five feet from the edge of the road. Sanoski second. All in favor. Motion carried.

Jeff Lange, Lange Trenching, submitted a request for an encroachment agreement for Dwaine Bruns & Jeanne Bruns, 34594 Plum Hill Lane. No site plan was provided with the documents submitted by Mr. Lange. The requested setback from the road is 18 feet. After examination of the submitted documents, Gondringer moved to approve an encroachment agreement for Dwaine and Jeanne Bruns, 34594 Plum Hill Lane, to site their drain field 18 feet from the edge of the road on the conditions that they submit an acceptable site plan showing the location of the proposed encroachment, the legal description of the property is confirmed, and that the appropriate fee is submitted to the Township. Sanoski second. All in favor. Motion carried.

3. **Election Update** – Martini and Saupe scheduled the Public Accuracy Test for August 7th at 5 PM in the Town Hall. Bresnahan moved to approve Resolution 07-06-22-1 (appointing additional election judges). Head judge Martini will pick up the election supplies from the County on August 6th.
4. **Water testing** – the County is hosting a nitrate/chloride water testing event in Greenwald on August 16th. The County requests that the Township purchase postcards to send to residents to alert them of this event. The Supervisors took no action.
5. **Extension of Gertken IUP** – they received an extension of 6 months but may need an additional 6-12 months. No action taken. The Supervisors will wait to see if the company will need the additional time.
6. **Website** – we are considering switching web providers. We received a quote from a local provider (NAMI). The Supervisors authorized the Clerk to act accordingly.
7. **Tour of Saints** – Michael Doyle, Director of the Tour of Saints, submitted an application for a road event permit for the Tour of Saints which will be held on July 17th. Bresnahan moved to approve the road permit for the Tour of Saints. Sanoski second. All in favor. Motion carried.
8. **Ordinance #6** – We received from Angie Berg a revised version of our zoning ordinance with expiration dates changed from 6 months to one-year. The next stage is to set a public hearing to receive feedback from residents and others. The Supervisors suggested waiting for the outcome of the County hearing regarding vacation/private homes. If the County eliminates the IUP requirement, the Township could

include it in our revised ordinance.

Old Business: Includes culvert mapping project, 135th Avenue resurfacing project with St. Wendel, monitoring Highland Terrace drainage, Blinking Lights 911 sign, and revision of Ordinance 5 (=6).

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

Recurring Reports:

1. There were no requests for **991 signs**.
2. **Construction Site Permits** were issued to Pogatchnik (32961 154th Ave, 42x80 accessory building); Richard Gondringer (35962 Tower Road, 16x20 accessory structure); Symanietz (17731 Upper Spunk Lake Road (8x32 recreational vehicle); and Clouse (15762 Parkwood Circle, deck replacement).
3. **Special Assessment Searches** were performed for Amundson (19308 Two Rivers Road); Dufner (19262 St. Anna Dr); Tschida (33758 Shorewood Drive); and Vos (32397 Nob Hill Drive).
4. No feedlot permits were received.
5. There will be a **County Hearing** regarding vacation/private home rentals on August 2, 2022 at 9 AM.

Announcements & Brief Reports:

1. The State demographer issued a census report with 2021 estimates for Avon Township: population – 2,074; households – 803.
2. A gambling permit was signed for Holdingford Lions Club for a raffle @ RRev’s Tavern on October 13, 2022.
3. The County is holding a meeting regarding Ditch 4 at the Avon Town Hall on July 18, from 6:45 PM – 9:30 PM.
4. *News* from North Central International was received via email.
5. The County sent the storm damage request to FEMA. The Township may need to submit documentation in support of our damage claims.
6. Fire Board Report – Bresnahan reported that plans for an addition on the Fire Hall has been prepared by Widseth. The proposed cost is about \$1.2 million.
7. An advertisement for TownWeb (townweb.com) website design and hosting was received.

Announcement of Next Regular Supervisor Meeting: The next regular meeting will be held on August 3, 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):

- Ditch 4 Meeting – July 18th; 6:45 PM; Town Hall
- Planning Commission – July 27, 2022
- Primary Election – August 9th; 7 AM – 8 PM
- County Water Testing Event – August 16; 2-7 PM
- Open House – Sept 12, 5-8 PM

Continuation: At 11:04 PM, Sanoski moved to continue the meeting on July 13 at 7:00 PM at the intersection of Plum Hill Lane and Parkwood Circle, to consider potential roadwork and other business as necessary. Bresnahan second. All in favor. Motion carried.

**Minutes of the Continuation of the July 6, 2022 Meeting of the Avon Township
Board of Supervisors
July 13, 2022**

Call to Order: Vice-Chair Rich Sanoski called the meeting of the Avon Township Supervisors to order at 7:04 P.M. at the intersection of Plum Hill Lane and Parkwood Circle, Avon. This portion of the meeting was not recorded or available via Zoom.

Roll Call: Present: Richard Bresnahan, Kelly Martini, Rich Sanoski, Stephen Saupe. LeRoy Gondringer was about 10 minutes late. Also present: Marion Gondringer, Joseph Koopmeiners.

Business:

1. **Parkwood Circle Roadwork** – The Supervisors are considering roadwork on two cul-de-sacs on Parkwood Circle. To gather feedback from residents, the Supervisors met on site. Affected residents were sent a letter inviting them to meet with the Supervisors.

Plum Hill Lane – the Supervisors provided a diagram and described the proposed changes (the entrance would be narrowed to 24 feet wide with a 30-foot radius turnaround area. Snow will be pushed to the west). One resident living on the cul-de-sac attended the meeting. She was concerned about additional snow removal on her longer drive and additional lawn maintenance. She was also concerned about where snow would be pushed when cleared by the Township, and the loss of the large snow piles that children could play on. No other comments concerning this cul-de-sac were received.

Parkwood Court – Both residents on the Parkwood Court cul-de-sac attended the meeting. Again, the Supervisors provided a diagram of the proposed changes and described the changes (the cul-de-sac would be removed and replaced with a driveway/road to the affected property and the remainder would be planted in grass. Initially, the Town would maintain the drive/road. If the residents agreed, at some point the Town could vacate the road and area giving the land back to the residents who would then be responsible for its care. The residents were in favor of the plan.

Bresnahan moved to approve the engineering proposal for the redesign of Parkwood Court and Plum Hill Lane cul-de-sacs and authorize our engineer to proceed with preparation and publication of the bid documents. Sanoski second. All in favor. Motion carried.

2. **Vacation/Private Home Rental Letter** – A draft of a letter regarding the Township response to proposed County changes was reviewed. Sanoski moved to approve the letter and send it to the County. Bresnahan second. All in favor. Motion carried.
3. **Dobmeier Encroachment Agreement** – a request was received from Tim Haeg, Watab Inc., for an encroachment agreement to site a septic system in the road right-of-way for property owned by James and Marlene Dobmeier, 36455 Pelican Lake Road. Documents from the previous (2005) encroachment agreement for the septic were provided. No representatives appeared at this meeting. After examination of these documents, Sanoski moved to approve an encroachment agreement for a new septic system James and Marlene Dobmeier, 36455 Pelican Lake Road, contingent on a copy of the plan being provided to the Township showing that system will be no closer to the road than it is currently, and that the appropriate fee is paid. Bresnahan second. All in favor. Motion carried.

Adjournment: Bresnahan moved to adjourn the meeting at 7:44 PM. Sanoski second. All in favor. Motion carried.

Respectfully submitted,
Stephen G. Saupe, Clerk

date: July 14, 2022

Supervisor Signatures:

date: _____

Richard Bresnahan

LeRoy Gondringer

Rich Sanoski