

Minutes of the Meeting of the Avon Township Board of Supervisors

October 5, 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 – Paul Buttweiler (*Deputy Treasurer*), Marion Gondringer (*Deputy Clerk*), Joe Koopmeiners (*Maintenance*), and Lori Yurczyk (*PC Chair*).

Approval of Agenda: Added to the agenda were FEMA, Anderson driveway, road right-of-way work, and the Stearns County Officers Association meeting. In Section 19, the date of the Road Vacation Public Hearing was corrected to November 2, 2022, and Road Inspection was added on October 29, 2022 at 8 AM. Bresnahan moved to approve the agenda as amended. Sanoski second. All in favor. Motion carried.

Minutes: Martini was removed as a user of the Menard's credit card. Sanoski moved to approve the minutes of the September 7, 2022 meeting as amended. Bresnahan second. All in favor. Motion carried.

Public Hearing: *none scheduled*

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

- 1. Town Hall Solar Project** – The PC hosted a public forum to solicit feedback on a proposal to construct a 49kW solar system at the Avon Township Hall site using ARPA funds. After hearing public comments and discussion, the PC recommended proceeding with the project and finding more information with regard to backup systems (*i.e.*, battery / generator). The Supervisors examined the Real Solar proposals and decided that a solar system would be a good idea because it could be purchased with ARPA funds, would pay for itself in a few years and then generate a sizable income for the Township. It was still not clear if there will be an Xcel rebate. Also, the Supervisors need to further study which emergency backup (batteries with solar or generator) would be in the best interest of the Township. Bresnahan moved to approve the Real Solar estimate of September 17, 2022 for \$138,531.65 with a down payment of \$34,632.91 to install a solar array at the Avon Township site and that a battery backup would be considered at a later date. Sanoski second. All in favor. Motion carried. Martini will examine past energy usage to help make a decision about the sizing of a backup system. We assume the Township will need to sign a contract. An invoice will be required before any payment can be made.
- 2. Stodolka Rezoning** – Mr. Mike Stodolka appeared at the PC meeting to inquire about the possibility of rezoning property at 36627 160th Avenue (PID 03.00844.0000) from A40 to R5. The property has one-half building credit associated with it. Mr. Stodolka was advised that he could either: (a) purchase enough land from an adjacent landowner to attach to the property; (b) purchase and transfer the necessary building credit from a neighbor; or (c) request the County to rezone the property to R5. Mr. Stodolka was informed that the Township doesn't generally support spot zoning (*i.e.*, R5 parcel in the middle of A40 zoning district).
- 3. Noise Barrier** – Mr. Frank Wohletz appeared at the PC meeting to inquire about the process to receive Township support for a noise abatement wall along I-94. He was advised to recruit support from residents (*i.e.*, petition, committee members) so the Town can judge support for the proposal and begin the process to

apply for a new noise study and/or funding for installation of the wall. Grant funding opportunities are available from MNDOT with a 10% match.

4. **AIS Grant** – funding is available from Stearns County for Aquatic Invasive species control. No specific projects for funding were recommended by the PC. No action was taken.
5. **Climate Grant** – funding is available from MPCA. No specific projects for funding were recommended by the PC. No action was taken.
6. **Broadband News** – information is available online. This will be a topic at the upcoming Stearns County Township Officer’s meeting. Martini will report back next meeting.
7. **Nob Hill Driveway Request** – the resident on Nob Hill who requested a driveway access to Nob Hill reports that an existing agreement requires properties along the undeveloped road to the west of his property (PID 03.01106.0001) to jointly maintain this road. It’s not clear whether or not the resident will need the driveway access to the Nob Hill cul-de-sac.
8. **360th Street Obstructions** – someone left items for sale on this road which must be removed because they restrict access by emergency vehicles, school buses, and others. Bresnahan moved to send a letter to all residents of this road. Sanoski second. All in favor. Motion carried.
9. **Gertken/Novel Solar Project** – Mr. Scott Tempel appeared at tonight’s meeting to update the Supervisors about the status of the project. Novel is having supply chain issues sourcing materials, which is pushing the project behind schedule. He also stated that he had hoped to provide a check this evening for the escrow fund payment and vegetation/pollinator analysis fee, but the company is still working on it. He said that the company is committed to the project but will likely need another extension of the IUP. Bresnahan moved to approve a 6-month extension of the IUP for the Gerken/Novel Solar Project. Sanoski second. All in favor. Motion carried. This action will extend the IUP until August 2, 2023.

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 09/01/2022 to 09/30/2022 (*copied below*) was presented. The Supervisors supported handling the claim for working at the Open House as a meeting fee, rather than an hourly fee.

For the Period : 9/1/2022 To 9/30/2022

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$169,351.62	\$787.85	\$13,684.53	\$156,454.94
Road and Bridge	\$365,614.24	\$1,440.50	\$3,876.34	\$363,178.40
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	\$53,338.66	\$0.00	\$12,700.00	\$40,638.66
ARPA Fund	\$181,763.20	\$0.00	\$149.90	\$181,613.30
Total	\$769,031.58	\$2,228.35	\$30,410.77	\$740,849.16

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

Claims, Receipts & Payroll: The September PERA claims (4336, 4337, 4338) totaled \$898.80. The September payroll was \$4,799.73. The October 5th payroll was \$2,360.61. The October claims (4340-4357) were \$13,343.54. Check 106459 was voided – the payee requested a different ‘payee’ name.

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

Town Hall Maintenance Report – *presented by Joe Koopmeiners*

1. **Window Treatments** – no action taken.
2. **Parking Lot Stripe Painting** – no action taken.
3. **Sign Update** – Since moving a large rock to the site might be costly, the Supervisors considered alternate ideas. One attractive option is to use some ‘scrap’ granite from Cold Spring Granite. Letters could be carved into the granite or brass lettering attached to the stone. Gondringer will follow-up at Cold Spring Granite.
4. **Open House** – the consensus is that the Open House went well. The turnout was reasonable; approximately 20 residents attended. Mint-chocolate was the favorite flavor of ice cream served. Attendees could enter a drawing for door prizes. The winner of the maple syrup was Leon Achmann. The winner of the pottery bowls was Chris Berscheid. Koopmeiners will contact the winners to pick up their prize. There was also a contest to name the snow plows. Several suggestions were received and from the nominations, the Supervisors picked the following – Blue Truck: Snow-B-Gone; Red Truck: Reddy-Or-Not. Koopmeiners will have name decals made for the doors.
5. The **furnace** was serviced and the **AC** covered for the winter.

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

Road Report. *Presented by Joe Koopmeiners*

1. **Monthly Update/Report** – Among the work completed this month included ditch cutting and maintenance on Township vehicles. A buried rock prevented the proper installation of a 911 post on Upper Spunk Lake; it will be moved next spring. The Queens Road bridge chevron signs were removed from the creek where a vandal discarded them; they will be reinstalled.
2. **Snowplow Drivers** – There has been no response to the ads that were placed in the Star-Post. It takes about 6 hours to plow half of the Township. It also requires about 6 hours using the pick-up truck to plow cul-de-sacs and gravel roads. Sheldon will drive the pick-up on weekends. Duane or Keith can drive one of the big trucks on weekends. Koopmeiners will contact them to provide training and ensure they are on the payroll. Bresnahan moved to pay plow drivers \$30 per hour. Sanoski second. All in favor. Motion carried. Bresnahan will contact a neighbor to see if he is interested in plowing.
3. **Parkwood Circle Project** – The cul-de-sacs and first 500 feet of the project were completely milled, but only the edges of the road in the remaining portion. The Supervisors expected that it would all be milled with a two-inch overlay. Koopmeiners will follow-up with our engineer to confirm. The Supervisors inquired whether fabric had been installed in the area that is in greatest need of repair. A “road closed” sign was placed prior to the project that worried several residents and the school district. The engineer needs to do a better job communicating with residents. A missing sign at the entrance to Parkwood Circle has been ordered.

4. **Township Clothing** – The Supervisors thought that Koopmeiners (and other drivers) should have reflective apparel identifying him as Township representative. Koopmeiners was authorized to check out prices.
5. **Norway Road meeting** – no action taken.
6. **Road Mileage Certification** – Bresnahan moved to approve the Township road mileage certification (44.5 miles in Avon Township) from the Stearns County Highway Engineer. Sanoski second. All in favor. Motion carried.
7. **Weed Report** – the County requested completion of a weed control report. Martini will provide costs. Koopmeiners and Sanoski will summarize work completed. They will report back at the November meeting.
8. **Midco Right-of-Way (ROW) Work** – Jacob Kroon, Regional Project Construction Manager for Midco, contacted the Township for a permit to run a cable in the Tower Road ROW. A map/diagram of work was submitted but no representative from the company appeared at the meeting as required per Resolution 08-05-20. Gondringer will follow-up.

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

Business:

1. **Anderson Driveway** – Ms. Rosemary Anderson appeared to request plowing of her driveway in accordance with the agreement that was made with her when she agreed to sell land to the Township for the Town Hall site. This agreement is valid until the home changes ownership. Sanoski moved to approve plowing the Anderson driveway for the 2022-2023 winter season. Bresnahan second. All in favor. Motion carried.
2. **Road Vacations** –The public hearing for vacating some roads (Parkwood Court cul-de-sac, Plum Hill Lane cul-de-sac, road south of PID 03.01106.0001 is set for November 2 at 7:10 PM. We will require legal descriptions for the roads. A survey will also likely be required. Gondringer will follow-up with a surveyor (Dan Kron). Sanoski moved to approve Resolution 10-05-22-1 (Authorizing the Town Board to Initiate the Vacation of a Town Road). Bresnahan second. All in favor. Motion carried. The Township will require some legal advice as the process continues.
3. **Fire Department Report** – The Supervisors met with representatives from the City, Fire Department, and Collegeville Township to discuss a proposal from the City and Fire Department to construct an addition to the Fire Hall that would cost as much as \$2.1 million according to an estimate hired by the City. Craig Guggenberger, Collegeville Township, provided a lower estimate. Both Townships were concerned about lack of representation in the decision-making process, especially considering the significant increase that will be required in the levy. In response, the Avon City Council created a committee to plan the layout, construction, and financing of the Fire Hall expansion. Sanoski moved to appoint Bresnahan the Township representative to this committee. Gondringer second. All in favor. Motion carried. Concerns were raised about the committee membership not being fair to the townships.
4. **Election Update** – the General Election will be November 8 from 7 AM – 8 PM. We are ready.

Old Business: Includes: culvert mapping project, 135th Avenue resurfacing project with St. Wendel, Two Rivers Road project with Holding Township; Blinking Lights 911 sign; the revision of Ordinance 5 (=6) to change expiration dates of various permits; Case to display old documents; Rassier Provisional Use Permit; thistles SNA Avon Hills SNA

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

Recurring Reports:

1. A request for a **991 sign** was received from Skay (17087 Upper Spunk Lake Road). A follow-up letter will be sent to Blinking Lights Inc for a 911 sign. If necessary, a copy of the letter will be sent to Deputy Sheriff Lust. Koopmeiners reported that the damaged 911 sign on Peach Drive has been repaired.
2. **A Construction Site Permit** was signed/issued to Klocker (35389 Co Rd 155).
3. **Special Assessment Searches** were performed for Nelson (34168 Co Rd 155) and Vos (PID 03.01106.0001).
4. No **feedlot permits** were received.
5. The **Stearns County hearings** considered Ordinance 642 and vacation rentals. No updates available.

Announcements & Brief Reports:

1. Martini will attend the MAT Annual Conference on Oct 14 & 15.
2. MAT is sponsoring online training programs.
3. There was a request from the Avon Fire Department to include an unpaid fee on the tax bill of a resident. We determined that the resident apparently couldn't be contacted because he was renting the property. The invoice will be sent to the property owner to give to the resident for payment.
4. An update concerning Ditch 28 was received from the County. There will be a redetermination of benefits.
5. An announcement was received regarding the Greater Minnesota Noise Barrier program. Information will be forwarded to interested individuals.
6. The Stearns County Township Officers Meeting will be October 27, 8 PM in Freeport. Martini will attend.

Announcement of Next Regular Supervisor Meeting: The next regular meeting will be held on November 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 URL above*):

- a. Fifth Monday – October 13, 2022
- b. Planning Commission Meeting – October 26, 2022; 7 PM
- c. Road Inspection – October 29, 8 AM
- d. Public Accuracy Test – November 3, 5:30 PM
- e. General Election – November 8, 2022; 7 AM – 8 PM.

Adjournment: Bresnahan moved to adjourn the meeting at 10:15 PM. Sanoski second. All in favor. Motion carried.

Respectfully submitted,

Stephen G. Saupe, Clerk

date: October 10, 2022

Supervisor Signatures:

date: _____

Richard Bresnahan

LeRoy Gondringer

Rich Sanoski