

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

February 1, 2023

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

**Call to Order:** LeRoy Gondringer, *Chair*, 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, via Zoom*). Also present – Marion Gondringer (*Deputy Clerk*), Joe Koopmeiners (*Maintenance*), and Lori Yurczyk (*PC Chair*).

**Approval of Agenda:** Added to the agenda were: (a) Krain Township brushing work; (b) Lion’s Club report; and (c) Fire board committee report. Sanoski moved to approve the agenda as amended. Bresnahan second. All in favor. Motion carried.

**Minutes:** Added to the minutes – both Gondringer and Sanoski are planning to attend the Holding Township meeting (p 3; #4). Bresnahan moved to approve the minutes of the January 4, 2023 meeting as amended. Sanoski second. All in favor. Motion carried.

**Sheriff’s Department Report:** Deputy Mark Lust appeared at the meeting to update the Township. He will be alternating at our meetings with Deputy Rosen. In December, there were 100 calls in the Township for an average of 3.2/day. In January there were 83 calls (2.6/day). There was a variety of calls in both months. Deputy Lust reported that he had met with the individual with the vehicles on the road on 185<sup>th</sup> Avenue who has, or soon will, move the items from the road right-of-way. Apparently, there has not been good communication between this person and the manager of the mobile home park, Ms. Linda Pitzer. Deputy Lust also met with Ms. Pitzer who indicated that all correspondence and issues should be addressed to her. She told Deputy Lust that she would work with the tenant to move the items. Deputy Lust will follow up in a few days to see if the remaining items have been moved. Deputy Lust was asked what to do about residents who push snow across the road. He indicated that this is illegal and the Sheriff’s department can follow up if needed. However, it can be tricky because of timing, amount of snow remaining on road, etc. There have been several signs stolen in the Township. If we have good evidence of who might be involved, Deputy Lust said he could follow up on it.

**Public Hearings:** none scheduled.

**Planning Commission (PC) Report** – Lori Yurczyk, PC Chair, reported:

1. **Ordinance Changes** – the County has updated the 439 Ordinance. The PC discussed any potential issues specifically involved with changes in the sections concerning feedlots (Section 6.9) and vacation rentals (Section 6.62). The PC see no reason for immediate action by the Township.

The Supervisors noted two possible issues regarding rentals – large groups and that residents and the Township should be notified in the event of a rental application. Both seem to be addressed by the ordinance. Bresnahan moved to accept the PC recommendation regarding 439 Ordinance changes, and authorized the Clerk to get a listing of existing rentals in the Township, ensure copies of any new rental permits are provided to the Township, and to make copies of the Ordinance 439 changes for town staff. Sanoski second. All in favor. Motion carried. The Supervisors suggested it would be good if a County staff

member, if available, would attend a Town meeting to provide information.

2. **Annual Meeting Planning** – The PC discussed the agenda for the upcoming Annual Meeting and offered suggestions concerning topics and sequence of topics during the meeting. The Supervisors approved the suggestions. The Township wanted a representative from the Fire Department to attend the Annual Meeting to provide give their usual report, and especially to provide information about their proposed \$1.8 million addition to the Fire Hall. Unfortunately, we just learned that no one from the Fire Department will be available to attend the meeting. Bresnahan has attended Fire Hall addition meetings and will attend the annual Fire Board meeting on Feb 22<sup>nd</sup> where call statistics and other information is usually provided. Bresnahan will present the Fire Department report at the Annual Meeting. The Supervisors also want to share information with the residents about our ARPA funds. Bresnahan moved to authorize Gondringer to present information about our ARPA funds. Sanoski second. All in favor. Motion carried. A moderator will need to be elected. The Supervisors authorized Yurczyk to present the PC report including 439 Ordinance changes (feedlots, vacation rentals) and upcoming Ordinance 5 changes.
3. The PC noted that no escrow has been received yet for the Gertken/Novel solar project and that the Yurczyk chicken barn will be decommissioned soon.

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

**Treasurer’s Report:** The Treasurer’s Report was read and the Cash Control Statement for the period 1/01/2023 to 1/31/2023 (*copied below*) was presented. A reimbursement of \$23,390.75 was received from FEMA to help defray costs associated with the spring storm that damaged Township roads. Bresnahan moved to put the FEMA reimbursement in the Road & Bridge fund. Sanoski second. All in favor. Motion carried. Gondringer moved to thank Clerk Saupe for his work with FEMA on the reimbursement. Bresnahan second. All in favor. Motion carried. In 2022 the Township received from the County all of the tax funds that we levied. We are carrying a negative fund balance in the Fire Fund; the Supervisors decided to not shuffle money from other funds to cover it.

The Supervisors planned for the upcoming Board of Audit meeting. The agenda was finalized and the Clerk and Treasurer were alerted to provide necessary documents for the audit. We will audit the receipts similarly to the claims. Martini will complete the “Report of Indebtedness” document requested by the County. The Town received several Certificates of Liability; Martini will file. The Supervisors wondered about whether there was any liability insurance or bond for the Ramler/Pierskalla gravel pit. The most recent permit that was found for the property was from 2011 (see County Property Viewer, PID 03.00879.0010). The Supervisors authorized the Clerk to send a note to update the Township on the status of the gravel mine.

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

For the Period : 1/1/2023 To 1/31/2023

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$181,798.30	\$2,121.96	\$10,625.58	\$173,294.68
Road and Bridge	\$224,340.41	\$28,477.00	\$4,545.69	\$248,271.72
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	(\$3,709.69)	\$1,328.26	\$0.00	(\$2,381.43)
General Capital Projects	\$41,476.52	\$36.94	\$0.00	\$41,513.46
ARPA Fund	\$181,613.30	\$0.00	\$0.00	\$181,613.30
<b>Total</b>	<b>\$630,468.84</b>	<b>\$31,964.16</b>	<b>\$15,171.27</b>	<b>\$647,261.73</b>

**Claims, Receipts & Payroll:** The January PERA claims (4411 & 4412) totaled \$599.20. The January payroll was \$3,211.82. The February payroll was \$2,583.22. The February claims (4413-4423) were \$5,853.82. 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. **Solar Panel Proposal Evaluation** – tabled until after the Annual Meeting.
2. **Salt/Sand** – about one-quarter remains. Koopmeiners thinks it will be enough for the remainder of the winter season.
3. **Energy Use** – LP is at 55%. Koopmeiners will keep tabs on it. We will try to refill during the summer when the rates are usually lower.
4. **Lighting** – Several bulbs have burned out in the Shop. Koopmeiners has received two quotes for LED lighting. The quote from JT Electric, which is the lowest, would retrofit the building with 79, 4-foot lights with LED bulbs and dispose the old bulbs. Bresnahan recommended inquiring about the rating and type of LED bulbs. He said that bulbs rated higher than 3700K can damage the retina and he also recommended full-spectrum bulbs. There is a concern that 79 bulbs would be too bright. Koopmeiners was authorized to investigate further.
5. **Flag** – is only a few months old and is starting to fray. Koopmeiners will need to rent a lift to change it.

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** – Most of the work this month was snow-related. Roads were plowed/sanded on 11 different days. Koopmeiners reported that one of the plow trucks may need a new joystick.
2. **Snow Report/Update** – Overall, Town roads are in good winter driving condition. Koopmeiners is gouging out ditches to keep them from drifting in. There have been a few complaints. For example, there was lots of snow packed onto 355<sup>th</sup> which is a problem with wet snow on heavily trafficked roads. The Supervisors reminded Koopmeiners to alert the drivers to plow heavily trafficked roads first. A few individuals are still plowing snow across the road, which is illegal. The individual creating the snowbank on 186<sup>th</sup> has apparently stopped.
3. **Signs** – Koopmeiners will order the missing sign on 185<sup>th</sup> in the spring.
4. **Brushing** – Krain Township is interested in renting with us the boom mower for brushing. They'd like to use it for about two days. The Supervisors support splitting the cost for a week's rental.
5. **Road Work** – Sanoski and Gondringer will attend the Holding Township meeting next week to discuss a possible joint Two Rivers Road project.

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

**Business:**

1. **Lion's Club / Chamber Meeting / AED's** – Two representatives from the Lion's Club attended the meeting, President Mike Appel and Connie Nelson. President Appel thanked the Supervisors/Town for allowing the Lion's to use the Hall for their monthly meetings. He indicated that the Lion's are a member of the local Chamber of Commerce and inquired whether the Chamber group could meet at the Hall. The Supervisors noted the potential dates of the meetings and said they would consider the request.

Ms. Nelson is involved with the Lion's Club AED program and provided information about AED's. They work through an organization called Advocates for Health. She said that there are 5 AED's in the City of Avon (Wobegon Park, Laker ballfield, ice rink, beach, Stratford neighborhood) and at least one in the Township (at the former *Landing*). She said that the Lion's have raised over \$16,000 for AED's and would be happy to help us with if needed. She said that AED's currently cost about \$7,200 and the price tag includes training. Electrical hookup costs are separate. These are free-standing units, made in Holdingford, and currently available. In addition, there is a yearly \$600 maintenance fee (covers batteries, pads, etc.). They are mapped on the 911 system and they have a camera to see who has activated the machine.

The Supervisors thought it was a good idea and discussed possible locations for one. Ms. Nelson stated someone should be within a 5-minute drive. The Supervisors suggested that The Store, Town Hall, or Immaculate Conception Church might be good sites. It would need to be outside to provide 24/7 access by someone in need.

2. **Noise Barrier** – the City is willing to facilitate a grant from MNDOT. The Supervisors noted that it was a very positive sound that the City is willing to work with us. No residents attended tonight's meeting to follow up on the project. Martini contacted MAT to alert them of the situation in which the Township is unable to apply for noise barrier grant.
3. **Utility Depth Requirements** – a company inquired about depth of work in the Township road right-of-way. Bresnahan said that he thought there is a 24-inch minimum. The Supervisors agreed that cables should be at least two feet deep. The Township doesn't have specific standards, but adheres to County and State guidelines for road right-of-way work. The Clerk will report back to the company that they should follow state and county guidelines, whichever is deeper/more restrictive.
4. **LBAE Meeting** – The County has tentatively set the LBAE meeting for April 17<sup>th</sup> at 7 PM. This will work for the Supervisors. Gondringer has completed LBAE training certification.
5. **Fire Report** – Bresnahan reported that he attended the meeting of the Fire Hall Addition Building Committee. The group interviewed potential construction project managers and unanimously selected Gohman. They had the lowest fee schedule and best professional team which included a firefighter. They also were responsible for work on the fire hall in Sartell. Gohman works with GLT Architects, which is the same firm that designed the Town Hall. They estimate the project will cost \$1.8 million. The Township is responsible for 42% of the total cost. The percentage is based on number of calls and depreciable assets. The Supervisors discussed using our ARPA funds to pay down our contribution. The annual Fire Board meeting will be February 22<sup>nd</sup>. Because no fire department rep will be at the Annual Meeting and because the Township will be obligated to pay for the proposed Addition, Bresnahan moved to approve that all Supervisors attend the meeting. Sanoski second. All in favor. Motion carried. Sanoski will not attend the PC meeting since it is the same evening as the Fire Board meeting. Bresnahan stated that the new addition should include a clean room where firefighters can remove gear that may be contaminated with toxic materials.

6. **Road Vacations** – Bresnahan stated that the Town needs to make a final decision about the potential road vacations but he needs more information, especially from Surveyor Dan Kron, who provided an opinion to the contrary. The Supervisors agreed that they needed more information from Mr. Kron. Because he is unavailable to attend a Township meeting, Gondringer will follow up with Mr. Kron to try and set up a meeting in his office.
7. **Apparel** – Koopmeiners was authorized to seek price quotes on Township apparel.

Bresnahan moved to approve the discussion no business. Sanoski second. All in favor. Motion carried.

**Old Business:** Culvert mapping project; 135<sup>th</sup> Avenue project with St. Wendel; 911 signs (35011- Blinking Lights & 34948 Tower Road); Thistle removal – Avon Hills SNA; Rassier Provisional Use Permit; Case to display old documents; Window treatments for Town Hall; Paint stripes in parking lot; Exterior sign for the Hall; Norway Road berm; 154<sup>th</sup> shouldering work; 33786 Shorewood ditch brushing; Town apparel for maintenance worker; Road vacations in Nob Hill & Sun Ridge additions; Ordinance #5.

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

**Recurring Reports:**

1. Payment for a damaged **991 sign** on Peach Drive was received. The Supervisors thought that the sign had been repaired and did not need to be replaced. Sanoski and Koopmeiners will follow up. No other requests were received.
2. No **Construction Site Permits** were issued. There was no action regarding the potential CSP on Co Rd 54. Another resident called to inquire about a CSP for a shed on his property on Pine Lake. It is a small lot so the resident will likely need a variance for the septic system and to build closer to the road than is permitted. The resident was advised to call Environmental Services.
3. A **Special Assessment Search** was performed for Petron (18656 367<sup>th</sup> St.).
4. No **feedlot permits** were received.
5. There were no relevant **County hearings**.

**Announcements & Brief Reports:**

1. Martini reported that today was Township Day at the Capitol. No one from the Town was able to participate.
2. The Stearns County Ordinance 439 has been updated and can be downloaded from the County website.
3. A newsletter from the *Minnesota Benefits Association* was received.
4. A brochure from EarthCam Services was received (*jobsite safety*).
5. The Fifth Monday meeting will be held Feb 9<sup>th</sup> at 7 PM. Sanoski will attend.
6. Novel Energy/Gertken solar project requested a change in tracker design from dual to single track. It was approved.
7. The Clerk completed a Stearns County Treasurer Survey regarding training sessions.
8. The closest MAT Short Course will be held on March 27<sup>th</sup>, 9-3 in Waite Park.
9. The MAT Legislative Agenda was received.
10. Election Update – The annual Township election will be held March 14<sup>th</sup> from 2-8 PM. Voters will elect one Treasurer and one Supervisor. Kelly Martini has submitted an affidavit for the Treasurer position and Richard Bresnahan has submitted an affidavit for the Supervisor position. No other affidavits were received.

Absentee balloting begins Feb 10. The Town Hall will be open on March 10<sup>th</sup> and March 13<sup>th</sup> for absentee balloting and other business. The Public Accuracy Test will be held March 10<sup>th</sup>.

**Announcement of Next Regular Supervisor Meeting:** The next regular meeting will be held on March 1, 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. Planning Commission Meeting – February 22, 2023; 7 PM.
- b. Town Hall open to accept absentee ballots: March 11, 10 AM -12 PM
- c. Public Accuracy Test – March 11, 10:15 AM
- d. Town Hall Open to accept absentee ballots: March 13, 12 - 5 PM
- e. Annual Election – March 14, 2-8 PM
- f. Annual Township Meeting – March 14, 8:15 PM
- g. Annual Board of Canvass meeting – March 14, 9 PM (*follows Town Meeting*)
- h. Qualification Meeting – March 22
- i. LBAE meeting – usually 4th Monday of April (TBA; 27th?)
- j. Road Inspection – TBA

**Personnel Discussion:** Sanoski moved to close the meeting to discuss two items regarding the Township employee. Bresnahan second. All in favor. Motion carried. The discussion concluded after about 10 minutes. Sanoski moved to reopen the meeting. Bresnahan second. All in favor. Motion carried. Minutes from the closed portion of the meeting are confidential, but available upon request.

**Adjournment:** Sanoski moved to adjourn the meeting at about 10:17 PM. Bresnahan second. All in favor. Motion carried.

**Respectfully submitted,**

Stephen G. Saupe, Clerk

date: February 5, 2023

**Supervisor Signatures:**

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

\_\_\_\_\_  
Richard Bresnahan

\_\_\_\_\_  
LeRoy Gondringer, Chair

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