

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

January 4, 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 – Paul Buttweiler (*Deputy Treasurer*), Marion Gondringer (*Deputy Clerk*), Joe Koopmeiners (*Maintenance*), and Lori Yurczyk (*PC Chair*).

**Approval of Agenda:** The date of the meeting was changed to 2023. Sanoski moved to approve the agenda as amended. Bresnahan second. All in favor. Motion carried.

**Minutes:** M Gondringer was removed from the roll call listing because she was absent, and Red Maple was changed to Red Oak (*see Road Report, #10*). Bresnahan moved to approve the minutes of the December 4, 2022 meeting as amended. Sanoski second. All in favor. Motion carried.

**Public Hearings:** none scheduled.

**Planning Commission (PC) Report** – Lori Yurczyk, PC Chair, was present. She reported that the December PC meeting was cancelled due to a lack of business, in accordance with the authorization by the Supervisors at the December meeting.

**Treasurer's Report:** The Treasurer's Report was read and the Cash Control Statement for the period 12/01/2022 to 12/31/2022 (*copied below*) was presented. Bresnahan inquired about the negative balance in the Fire Fund since County tax payments should have covered the total amount. Martini said it would take time for County tax payments to catch up and that funds could be transferred from another account to remove the deficit. The Supervisors questioned whether we had received our full levy funds and/or whether they had been applied to the appropriate funds. Martini will follow up. The Supervisors noted that there will likely be a major discussion at the Annual Meeting about Fire Funding since the levy might need to increase as much as \$50,000 to cover the Township share of the Fire Hall expansion project.

For the Period : 12/1/2022 To 12/31/2022

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$150,159.94	\$42,886.15	\$11,247.79	\$181,798.30
Road and Bridge	\$80,472.48	\$146,266.79	\$2,398.86	\$224,340.41
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)	\$38,307.45	\$36,031.00	(\$3,709.69)
General Capital Projects	\$40,638.66	\$837.86	\$0.00	\$41,476.52
ARPA Fund	\$181,613.30	\$0.00	\$0.00	\$181,613.30
<b>Total</b>	<b>\$451,848.24</b>	<b>\$228,298.25</b>	<b>\$49,677.65</b>	<b>\$630,468.84</b>

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

**Claims, Receipts & Payroll:** The December PERA claims (4395 & 4396) totaled \$599.20. The December payroll was \$3,199.82. The January payroll was \$2,873.95. The January claims (4397-4410) were \$8,486.30. Points have been used for purchases at Office Depot. To avoid any appearance of impropriety, the Supervisors said that personal points should not be used for Town purchases and vice versa. Two checks were voided (10738, 10752). Sanoski moved to approve the claims, receipts and payroll, with the exception of Claim 4405 to BigGroovy. Bresnahan second. All in favor. Motion carried. Sanoski moved to approve Claim 4405, which is to be paid by 1 April, if it is determined that the service by our current web provider is acceptable. Bresnahan second. All in favor. Motion carried. A notice was received from MATIT that Workman's Comp updates must be electronic. In addition, MATIT provided information regarding weather-related claims.

**Town Hall Maintenance Report** – *presented by Joe Koopmeiners*

1. **Salt/Sand** – a little less than half (about 100 yards) remains. Koopmeiners is hoping it will be enough for the remainder of the winter season.
2. **Energy Use** – LP is at 70%. The electric bill was high this month, in part because the Shop is being kept a little warmer (50 F).
3. **Solar Panel Proposal** – Bresnahan obtained a second quote (*ca.* \$154,000) for solar panels from Cedar Creek Energy for a 49 kW system. Bresnahan stated that Cedar Creek is one of the oldest companies in Minnesota and have done many projects for facilities similar to the Town Hall. For a more precise quote concerning backup batteries, they need to do a site inspection and want to interview the Town regarding energy needs. Their proposal doesn't include Chinese-manufactured panels. The Cedar Creek quote is higher than one received from REAL Solar (\$141K). Cedar Creek was surprised that the REAL Solar system with battery backup was so inexpensive. An Xcel rebate is no longer available, which essentially was a way to provide businesses with a rebate for depreciation.

Gondringer asked everyone present to provide an opinion: Saupe and Martini were opposed primarily due to cost and other potential Township needs; Koopmeiners and Buttweiler were in favor; M Gondringer wondered if other funding sources (*i.e.*, grants) could be found; Yurczyk thought it made sense from a revenue-generating perspective but not from a backup power source perspective. Bresnahan stated that the Town should move toward energy independence and that he has had 9 years of positive experience with solar energy. L Gondringer said that other than the emergency backup potential of the system, the Town could get by without solar panels because we have electrical power, but not without a snowplow or tractor because ready alternatives were not available for these. Gondringer also stated that most residents he talked to were supportive of solar panels. However, he noted that if the Supervisors approve solar panels for the Town Hall that it will be difficult to reject, if necessary, any other solar projects proposed in the Township. Sanoski expressed concern about the total cost of the system with battery backup. The Supervisors tabled further discussion until the next meeting.

4. **Floor Drains** – paths were plowed to allow cleaning drains.

**Road Report.** *Presented by Joe Koopmeiners*

1. **Monthly Update/Report** – Most of the work completed this month was related to clearing roads. Roads were plowed or cleared of slush on 12 different days. In addition, maintenance was completed on plow trucks.
2. **Snow Report/Update** – Plum Hill Lane is being plowed with a pickup in response to complaints. Vehicles are still parked in the road on 185<sup>th</sup> making it very difficult to plow. No action will be taken regarding the nuisance vehicles at this time. Several residents are plowing snow across the road. This is a problem because

ice ridges could be left behind that would cause a problem. A resident on 186<sup>th</sup> has created a snowbank in the road right-of-way as a barrier to ‘protect’ his property from the plow, but this is a major hazard. Sanoski and Koopmeiners will follow up with the resident to remove it.

3. **Resolution 12-07-16** – This resolution authorized snowplow drivers in the event of an emergency. Because we now have adequate drivers, the Supervisors agreed that no action is necessary at this time to update this resolution.
4. **2023 Road Projects** – Because the January meeting of the Holding Township Supervisors was cancelled due to snow, our joint project on Two Rivers Road will be discussed at their February meeting. Sanoski and Gondringer will attend this meeting to represent the Township.

Sanoski questioned the need for engineer work for every road project. Gondringer said that if we do the Two Rivers project with Holding Township, they will not pay for engineering work; they do not use engineering firms. Gondringer stated that engineers have not always been hired by the Town and suggested it might be good to try not hiring an engineer for roads this year.

The Supervisors agreed that the main road projects for 2023 would be Red Oak Circle, Two Rivers Road and 190<sup>th</sup> Avenue. Riley Court and 185<sup>th</sup> were also suggested if funds are available.

5. **Missing Signs** – the County has replaced the missing signs at Queens Road and Parkwood Circle. A sign is missing at 185<sup>th</sup>. This is the Township’s responsibility. Koopmeiners will order and install. Koopmeiners indicated that he may know who is stealing Township signs and will work with the Sheriff’s office to hopefully prevent future occurrences.
6. **Norway Road** – Some posts in the road ROW are not a problem; no action will be taken.
7. **Road Inspection** – the Supervisors agreed that both spring and fall inspections are important. No dates were set.

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

### **Business:**

1. **Election Resolutions & Update** – Bresnahan moved to approve Resolution 01-04-23-01 (designating polling place). Sanoski second. All in favor. Motion carried. This motion was ready to be approved at the December meeting, but was inadvertently forgotten. The Clerk will forward a copy to the County.

Sanoski moved to approve Resolution 01-04-23-02 (appointing election judges). Bresnahan second. All in favor. Motion carried.

Sanoski moved to approve Resolution 01-04-23-03 (appointing absentee ballot board). Bresnahan second. All in favor. Motion carried.

The period to accept affidavits of candidacy for the March Township election runs from Jan 3 – 17. The Town Hall will be open from 1-5 PM on the 17<sup>th</sup> specifically to accept Voters will elect a Treasurer for a two-year term and a Supervisor for a three-year term.

2. **Meetings** – Sanoski moved to approve Resolution 01-04-23-04 (updating meetings). Bresnahan second. All in favor. Motion carried. The Supervisors set the Audit Board meeting for Thursday, February 2 at 7:00 PM, and

the Qualification Meeting for Wednesday, March 22 at 7 PM.

3. **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 the 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. Rather than initiate the ordinance adoption process now, the Supervisors decided to put this topic on the agenda of the Annual Meeting to receive feedback from residents.
4. **Tri-County Humane Society Agreement** – Bresnahan moved to approve an agreement with the Tri-County Humane Society for the care and handling of stray dogs. Sanoski second. All in favor. Motion carried. Sanoski and Koopmeiners will be listed as the contacts for the Township.
5. **MPCA Hearing re Rules Governing Water Quality Standards** – the Supervisors decided that the Township will take no action.
6. **Road Vacations** – The Supervisors have initiated the process to vacate the cul-de-sacs in the Sun Ridge Addition and an undeveloped road off Nob Hill Drive. A public hearing was held to gather feedback from affected residents; feedback was generally positive. An opinion received from Surveyor Dan Kron recommended to not vacate the roads for several reasons. Koopmeiners recommended not vacating the Plum Hill cul-de-sac to allow for space to place snow. Gondringer noted that the Town has already spent money on a legal opinion and that there will be additional expenses including for a survey and additional legal work. Sanoski moved to table the road vacation process to provide time to do additional research on the effect of vacating these roads, especially regarding whether utilities will be impacted and the final cost to the Township. Bresnahan second. All in favor. Motion carried.
1. **Fire Department** – The Supervisors reviewed proposals for project managers for the proposed Fire Hall addition. The Supervisors gave preference to proposals with the lowest price from a local company with a good reputation. The Supervisors agreed that the proposal from Gohman was their top choice. Sanoski moved to recommend Gohman as the design/build contractor for the Avon Fire Hall project. Gondringer second. All in favor. Motion carried. Fire Board representative Bresnahan will present this at the next meeting of the Fire Hall construction committee. The Supervisors also agreed that the proposals by Breitbach and Bradbury & Strom were good second choices. Proposals by RA Morton, Donlar, Rochan, and Terra did not meet the Supervisors criteria and were rated in the bottom tier. Sanoski moved to authorize Bresnahan to make a decision on whether Breitback or Bradbury & Strom is second choice, if the Building Committee doesn't adopt the proposal by Gohman. Gondringer second. All in favor. Motion carried.

The Fire Fund fee for 2023, not including any Township contribution for the Fire Hall addition, is \$85,973.

7. **Noise Barrier** – Jodi Austing-Traut alerted the Clerk that Township residents had attended a City Council meeting about the noise issue and Noise Barrier. The Supervisors previously received a petition for a noise barrier from 24 residents representing 19 different addresses. The Supervisors contacted MNDOT but learned that the grant program that was available only to 'incorporated jurisdictions.' The Supervisors wondered whether the City could apply for the grant on behalf of the Township since the wall will likely need to be built partly on City land. The Clerk will follow up with the City and will alert local residents who appear to be serving as project organizers.

**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; Gondringer LBAE training; 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. No **991 sign** requests were received.
2. No **Construction Site Permits** were issued. A realtor representing a resident on Co Rd 54 indicated that the resident plans to apply for a CSP in the Urban Expansion area. Nancy Scott will handle this for the Township.
3. No **Special Assessment Searches** were performed.
4. No **feedlot permits** were received.
5. There were no pertinent **County hearings**.

**Announcements & Brief Reports:**

2. A realtor inquired whether we had a CSP for the former Nelson property on Sara Lane. It depends on when the structure was built – the Supervisors suggested that before about 1980, no permits were required. The Town then issued permits until about 2000 when the County took over the responsibility. Assuming the structure was built between about 1980 and 2000, the permit should be on file at the Town Hall. Based on aerial photos and available permits, the Nelson property was probably built sometime between 1998 and 2003.
3. Phase 1 Broadband has been approved. The Town contribution will be \$27,136 from ARPA funds.
4. Blue Cross/Blue Shield Wellness Campaign Grants are available.
5. A holiday greeting card was received from Stantec.
6. Township resident and frequent Annual Meeting moderator, Lee Larkey, recently passed away.
7. New Clerk & Treasurer trainings are available from MAT.

**Announcement of Next Regular Supervisor Meeting:** The next regular meeting will be held on February 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. Affidavit of Candidacy period: Jan 3 – 17<sup>th</sup>
- b. Town Hall open January 17<sup>th</sup>, 1-5 PM to accept affidavits
- c. Planning Commission – January 25, 2023
- d. Board of Audit – February 2, 7 PM
- e. Fire Board – February 22, 7 PM (*Avon City Hall*)
- f. Town Hall open to accept absentee ballots: March 11, 10 AM -12 PM
- g. Public Accuracy Test – March 11, 10:15 AM
- h. Town Hall Open to accept absentee ballots: March 13, 12 - 5 PM
- i. Annual Election – March 14, 2-8 PM
- j. Annual Township Meeting – March 14, 8:15 PM
- k. Annual Board of Canvass meeting – March 14, 9 PM (*follows Town Meeting*)
- l. Qualification Meeting – March 22
- m. LBAE meeting – usually 4th Monday of April (TBA; 27th?)
- n. Road Inspection – TBA

**Adjournment:** Sanoski moved to adjourn the meeting at about 10:12 PM. Bresnahan second. All in favor. Motion carried.

**Respectfully submitted,**

Stephen G. Saupe, Clerk

date: January 13, 2023

**Supervisor Signatures:**

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

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

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

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