

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

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

**Approval of Agenda:** Bresnahan moved to approve the agenda as presented. Sanoski second. All in favor. Motion carried.

**Minutes:** Sanoski moved to approve the minutes of the February 1, 2023 meeting as presented. Bresnahan second. All in favor. Motion carried.

The minutes from the confidential portion of the February 1, 2023 meeting were discussed and amended. They will be approved at the April 5, 2023 meeting.

Bresnahan moved to approve the minutes from the February 2, 2023 meeting of the Board of Audit. Sanoski second. All in favor. Motion carried. The Supervisors noted that the amount the based their Fire Fund levy recommendation is about \$10,000 less than the recent invoice received from the City. The Supervisors will recommend at the Annual Meeting to increase the Fire Fund levy by another \$10,000 to cover this increase.

The Audit Board report was amended to reflect that ARPA funds may or may not be used to defer the Town's contribution toward the Fire Hall addition. Sanoski moved to approve the amended minutes from the February 2, 2023 Audit Board Report. Bresnahan second. All in favor. Motion carried.

**Public Hearings:** none scheduled.

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

- Meeting Cancellation** – Yurczyk reported that the February meeting was cancelled due to inclement weather and a lack of agenda items. There was a discussion about the protocol under which the PC meetings could/should be cancelled. The general consensus of the Supervisors is that in the event of an emergency (*i.e.*, weather), the Clerk and PC Chair would make a decision and have it approved by the Chair of the Board of Supervisors. Otherwise, the Supervisors would make a decision at their monthly meeting to cancel the meeting if there is no expected business or if the PC meeting falls on a holiday (*i.e.*, New Year's Eve). If there is no scheduled business, Gondringer suggested that the PC could discuss/study various ordinances (*i.e.*, County 439 Ordinance, MOU, Ordinance 5) and their implications for the Township.
- Annual Meeting Report** – There was a discussion of the draft for the PC Report at the Annual Meeting. After a few minor edits, it was acceptable to the Supervisors and PC chair.
- Vacation Rentals** – Yurczyk reported that there are currently two short-term rentals (Hentges – 03.01348.0000; Ertl – 03.01524.0000) in the Township. Stearns County Environmental Services will soon

provide an interactive map for short-term rentals and they will update their monthly report to Townships to include provisional uses.

- 4. **Ordinance Changes** – Copies of recent changes in the 439 Ordinance were made and are available for Town staff.
- 5. **Gertken/Novel Solar Garden** – three checks were received yesterday from Novel for the decommissioning escrow (\$200,000), landscape plan escrow (\$62,500), and seed mix approval/inspections (\$4,320). The Supervisors agreed that agreements with Novel need to be prepared for the escrow checks to show what the money is for, how it will be handled, and the conditions for its return. Bresnahan inquired about the escrow account for the other Gertken solar garden proposal. This escrow is held by Falcon National Bank. These funds do not appear in monthly Township records. Martini has contacted the County for advice on how to handle escrow funds. The Supervisors want to set up separate funds for the escrow money to show that the money is not part of the regular account. Martini will deposit the Novel checks into the Township account. The two escrow checks will be included in separate funds to keep them separate from Township funds, until they can be put in separate accounts. The other check will be deposited into the Township General Fund.

The Supervisors recommend legal/accounting assistance to set up the escrow fund/accounts. Gondringer moved to authorize Martini and Bresnahan to work with an attorney to draft escrow agreements for the decommissioning and landscape plan. Sanoski second. All in favor. Motion carried. Martini will contact Attorney Mike Couri about working with the Township on this project. Bresnahan and Martini will select an attorney (Couri or Rinke-Noonan) based on who has the greatest expertise in this situation.

Yurczyk will follow up with Soil and Water to initiate the seeding plan review. Saupe will request the most recent seeding plan from Novel.

Pre-construction conditions for the Novel/Gerken CSP have been met now that Novel has provided the escrow checks. Bresnahan moved to approve the Construction Site Permit for the Novel/Gertken solar project. Sanoski second. All in favor. Motion carried.

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 2/01/2023 to 2/28/2023 (*copied below*) was presented. Koopmeiners and Sanoski will be listed as the authorized Menard’s Government Account users.

For the Period : 2/1/2023 To 2/28/2023

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$173,294.68	\$761.72	\$4,660.53	\$169,395.87
Road and Bridge	\$248,271.72	\$0.00	\$7,599.53	\$240,672.19
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	(\$2,381.43)	\$0.00	\$0.00	(\$2,381.43)
General Capital Projects	\$41,513.46	\$0.00	\$0.00	\$41,513.46
ARPA Fund	\$181,613.30	\$0.00	\$0.00	\$181,613.30
<b>Total</b>	<b>\$647,261.73</b>	<b>\$761.72</b>	<b>\$12,260.06</b>	<b>\$635,763.39</b>

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

**Claims, Receipts & Payroll:** The February PERA claims (4424 & 4425) totaled \$599.20. The February payroll was

\$3,223.82. The March payroll was \$2,886.86. The March claims (4426-4437) were \$32,270.06. Sanoski noticed receipts from The Store that did not appear to be signed by any Town employees, nor were they billed to the Township. They were likely included with the receipts by accident. Koopmeiners was authorized to maintain a log of purchases at The Store to ensure to easily catch any future erroneous charges and that he should alert The Store to this mistake. At least one Supervisor submitted a claims form that included the Fire Board meeting that was cancelled due to the weather. Because the checks had already been processed, affected Supervisor(s) will attend the rescheduled meeting, but not include the claim on their next timesheet. Martini has taken care of SLFRF reporting.

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

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

1. **Apparel** – Koopmeiners obtained a second estimate on clothing. They required a larger order than Redline Apparel. Bresnahan moved to authorize Koopmeiners to order 6 shirts, jacket and 6 vests. Sanoski second. All in favor. Motion carried.
2. **Lighting** – Koopmeiners confirmed that the quote from JT Electric was for 3400 K bulbs, which should not cause eye problems. Bresnahan moved to approve the quote from JT Electric for \$2,992 to install LED lighting in the Maintenance Shop. Sanoski second. All in favor. Motion carried. Another solution to increase the brightness in the shop is to paint the walls white. Switching lamps/bulbs will likely be completed in spring when our equipment can be more easily moved outside.
3. **Salt/Sand** – Koopmeiners reported that salt/sand is getting down to about 7-8 loads. A resident has complained about excess salt usage on Upper Spunk Lake Road. The Town is cognizant of environmental problems associated with excessive salt usage.
4. **Plow Trucks** – Koopmeiners repaired the heater switch, dimmer light, and beacon light on the Red truck. The joy stick seems to be functioning. A bolt on the push-out cylinder on the wing of the Blue truck came out but was repaired. It could potentially lead to an expensive repair if it breaks. The repairs to the snowplows were considered to be normal wear and tear.

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, salted and sanded on five different days. The old ditch mower was repaired. Since only one is required, the Supervisors decided to sell the other. Gondringer recommended Steffes online auction. They receive a percentage of the sale, are certified to handle government equipment, and they will even come to your site to take photographs, etc. Sanoski moved to authorize Gondringer to sell the old brush mower via Steffes auction. Bresnahan second. All in favor. Motion carried. It may be easiest for us to transport the mower to their location in Litchfield.
2. **Snow Report/Update** – We may need to start winging out snow further onto the right-of-way to widen the roads enough. A resident on 186<sup>th</sup> is continuing to pile up snow on the corner of the road. Several residents have complained about damaged mailboxes including on Upper Spunk Lake Road and Norway Road. Koopmeiners and/or Gondringer have examined the mailboxes and they were damaged by the snow that was pushed by the plow. This occurs because the snowbanks are so high at this point. The mailboxes did not appear to be hit directly by the plow (the Town policy is to replace the mailbox if we hit it). There were two

complaints about not plowing early enough in the recent storm. It was a difficult decision when to go out. The roads were all plowed twice after the recent storm.

3. **2023 Road Work** – Sanoski and Gondringer attended the Holding Township meeting. Holding puts a few inches of gravel on top of their roads and then grind it up as a base. Holding is assuming that we will handle bidding and other work for the Two Rivers Road project. The Supervisors plan to resurface Two Rivers Road (1 mile, cost split with Holding Township) and 190<sup>th</sup> (0.35 miles). If the bids are in favorable and our budget allows, we will also include 185<sup>th</sup> (0.5 mile) and Red Oak Circle (0.3 miles), a total of about 1.5 miles. Assuming similar costs as last year (\$250,000), the total will be about \$400,000. Holding Township also wants us to include 400<sup>th</sup> Street (east of Co Rd 9) in the bid package. We would plan to put two, 1.5-inch layers on each road. Sanoski moved to solicit bids to resurface one mile of Two Rivers Road jointly with Holding Township, 190<sup>th</sup> Avenue, 185<sup>th</sup> Avenue, and Red Oak Circle; and to get a quote from David Gerads to mill all the roads with 2 inches of gravel, and compact. Bresnahan second. All in favor. Motion carried. Gondringer, Koopmeiners and Saupe will work together to prepare the bid package.
4. **Road Inspection** – will set the date at the April meeting.
5. **Resource Sharing with Holding Township** – Both of Holding’s snowplows broke down at the same time which was a significant problem. They inquired if we’d be open to sharing resources (*i.e.*, plows) in the event of a future emergency. The Supervisors were supportive since at some point we might need assistance as well.
6. **Meadowview Road** – the farmer is plowing in the road right-of-way and it is causing the road to washout. Martini will contact the farmer to request that the field is not plowed 16.5 feet from the center of the road. It would be good to plant grass in the right-of-way. Meadowview will need to be plowed soon.
7. **Right-of-Way Work** – The Supervisors confirmed that roads scheduled for upcoming broadband fiber work have a 33 right-of-way from the center of the road.
8. **Road Vacations** – Gondringer has contacted Mr. Dan Krone to seek advice regarding potential road vacations. He is available to meet late afternoon. The Supervisors decided to meet with Mr. Krone at the Town Hall at 3:30 PM on a Monday, Tuesday or Thursday. Gondringer will follow up with Mr. Krone to confirm if he is available on Monday March 13<sup>th</sup> at 3:30 PM. Once a date is set, the Clerk will publish and post.

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

### **Business:**

1. **Annual Meeting Planning** – The agenda for the Annual Meeting and drafts of reports were examined and finalized. Since the invoice received for Fire Service is about \$10,000 greater than was known at the Audit Board Meeting, the Supervisors decided to recommend to the residents at the Annual Meeting a Fire Fund levy \$150,000, rather than \$140,000, as was discussed at the Audit Board Meeting.
2. **Noise Barrier** – Mr. Paul Hughes alerted the Township that he received a confirmation from Sen. Jeff Howe and Rep. Lisa Demuth and they have agreed to propose changes to the statute that will allow non-municipal areas to be eligible for the noise barrier program. Martini announced that they will be at the upcoming meeting and that she was told by another Senator that MNDOT should never have built a wall on one side of the road.
3. **Chamber of Commerce Meetings** – The Lions Club request to host a Chamber meeting was denied.

4. **AED at the Hall** – The Supervisors will take no action on an AED at this time. It will be costly (including annual fee) and they questioned whether St. Anna might be a better location.
5. **Workman’s Comp Claim** – in progress.
6. **Record Storage** – the Supervisors decided that only the Clerk and Treasurer’s computer need to be regularly backed-up and that they should do it at regular intervals. The Clerk and Treasurer will work together to see what Township records need to be retained as a part of the Historical Society record keeping program.
7. **Gravel Pit Letter** – the Supervisors authorized the Clerk to send a letter requesting information regarding the gravel pit.

**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; 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; 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. Sanoski reported that the sign was repaired so the checked was voided. A new sign is not needed.
2. **Construction Site Permits** were issued to Saint John’s (baseball clubhouse); Dockendorf (15265 Co Rd 159; shed); and Terway (18056 360<sup>th</sup> St.; 32 x 24 addition).
3. A **Special Assessment Search** was performed for Jonas (Co Rd 9; PID 03.00941.0005).
4. No **feedlot permits** were received.
5. There were no relevant **County Hearings**.

**Announcements & Brief Reports:**

1. Fifth Monday – Sanoski attended the Fifth Monday meeting. The bus scheduler is looking for a contact person for each Township (*i.e.*, Sanoski). The bus scheduler also praised the Township for our road clearing. There will be a solar farm just south of the interstate near KASM. Asbestos abatement work on the hospital/school should be done by June and then the project will go out for bids. The north park will be upgraded, likely this summer.
2. The Sheriff’s department followed up with having obstacles removed from the 185<sup>th</sup> Ave right-of-way.
3. Bresnahan reported that he met with sustainability coordinators at a meeting at Saint John’s and they confirmed that there is a 30% rebate for governments on sustainable/renewable systems. Many organizations are taking advantage of the rebate.
4. The obstacles in the 185<sup>th</sup> road right-of-way have been moved. Many thanks to the Sheriff’s department for following up.
5. A Gambling permit was signed for St. Anna Sportsmen Club for a raffle in May.
6. Stearns County will hold the annual Noxious Weed Meeting on April 5 in Greenwald from 10AM to 12 PM. Koopmeiners and Gondringer will attend.
7. The Stearns County Officers Association will host a Meeting with Legislators on Friday, March 10<sup>th</sup> at 6 PM.

- 8. Elections – the Clerk reported that we are ready for the upcoming annual election on March 14 from 2-8 PM. Elections judges have been recruited. The Town Hall will be open on Saturday, March 11 (10 AM – 12 PM) and Monday, March 13 (12-5 PM) to accept absentee ballots. The Public Accuracy Test will be Saturday, March 11 at 10:15 AM.
- 9. There will be an Open House at Schlauderaff on March 2.
- 10. An affirmative action statement was received from MidCo.
- 11. MATIT was the target of an electronic theft; they lost \$834,197.
- 12. Life & Disability insurance is available through MN Benefit Association.
- 13. Information about broadband / digital access is available from the MN Employment and Economic Development website (*see Digital Connections Committees*)
- 14. MAT is offering training information through their MAT U website. Contact the Clerk for the login information.

**Announcement of Next Regular Supervisor Meeting:** The next regular meeting will be held on April 5, 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. Fire Board Meeting (*rescheduled*) – Tuesday, March 7, 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; 7 PM
- i. Planning Commission – March 29; 7 PM
- j. LBAE meeting – April 17, 2023; 7 PM
- k. Road Inspection – *spring, TBA*

**Adjournment:** Sanoski moved to adjourn the meeting at about 10:37 PM. Bresnahan second. All in favor. Motion carried.

**Respectfully submitted,**

Stephen G. Saupe, Clerk

date: March 6, 2023

**Supervisor Signatures:**

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

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

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

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