

Minutes of the Meeting of the Avon Township Board of Supervisors

August 7, 2024

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

Call to Order: Bryan Rassier, *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 – LeRoy Gondringer, Chad Klocker, Kelly Martini, Bryan Rassier, and Stephen Saupe. A quorum was present. Also present – Paul Buttweiler (*Deputy Treasurer*), Marion Gondringer (*Deputy Clerk*), Rich Sanoski, and Lori Yurczyk (*PC Chair*).

Approval of Agenda: Gondringer moved to approve the agenda as presented. Klocker second. All in favor. Motion carried.

Minutes: Gondringer moved to approve the minutes of the July 10, 2024 meeting as presented. Klocker second. All in favor. Motion carried.

Public Hearings: *none*.

Public Comments:

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

- 1. Vacating Parkwood Court** – Mr. Sean Primus, 15047 Parkwood Court, appeared at the PC meeting to discuss the possibility of vacating Parkwood Court. He was told that the Supervisors support the request on the condition that the applicant(s) pay the associated costs (*i.e.*, survey, legal fees), the neighbors agree on the new lot lines, and a standard road easement is granted to the Township. One concern noted by the PC is that a power pole will now be on private property. Mr. Primus may have to grant an easement to Xcel, or perhaps pay to have the pole moved. Mr. Primus was also given information on how to proceed, which involves submitting a petition to the Supervisors. No action will be taken unless Mr. Primus files a petition to vacate the road with the Township.
- 2. Maleska Preliminary Plat** – Mr. Jarred Maleska appeared at the PC meeting to request approval of a preliminary plat splitting 5 acres from the property of Robert Maleska (15077 Co Rd 52). The PC recommends approval. Mr. Maleska was also at this meeting. Gondringer moved to approve a preliminary plat for Robert Maleska to split five acres from the existing parcel (PID 03.00715.0010) for his son, Jarred Malesak. Klocker second. All in favor. Motion carried. The PC assumed that a Certificate of Compliance would also be required, and recommends approval. Gondringer moved to recommend a Certificate of Compliance for Robert Maleska to split a 5-acre parcel from his 75-acre parcel to sell to his son, Jarred Maleska. Klocker second. All in favor. Motion carried.
- 3. ARPA Resolutions** – the PC discussed and recommends that the Supervisors consider resolutions to spend the remainder of the Township ARPA funds to make it explicit to the public and bookkeepers how the funds were used. Potential resolutions were presented to the Supervisors and then discussed. Klocker moved to approve Resolution 08-07-24-2 to use \$49,079.56 of ARPA funds to defray preliminary costs for engineering and legal work regarding the construction of an addition to the Avon Fire Hall. Gondringer second. All in favor. Motion carried. Klocker moved to approve Resolution 08-07-24-3 to use \$105,397.74 of ARPA funds to defray costs of

resurfacing 145th Avenue. Gondringer second. All in favor. Motion carried.

4. **Rezoning Fee** – The PC noted that Kanati Land Management was charged the County fee for a rezoning request (\$700), which is higher than typical Avon Township fees. The PC recommends setting a Rezoning Fee of \$400, which is more typical of a Township fee, and reimbursing Kanati Land Management for the additional amount (\$300) charged. Klocker moved to set the rezone fee at \$400 and reimburse Kanati for \$300. Gondringer second. All in favor. Motion carried. The rezoning fee would primarily regard rezoning requests in the OAA, as well as any Township rezoning request that might require a public hearing, a consultation with an attorney, etc., prior to making a recommendation to the County. Martini will cut a check for Kanati Land Management. It was thought that Mr. Hylla might not have applied for a rezone had he known about the Supervisors decision at the July meeting. The makeup of the JPB of two members from both the Town and City means there could be a tie vote on such issues.
5. **ROW Policy** – The PC recommended minor changes in the policy to allow more flexibility for contractors while still maintaining the integrity of Township roads. Klocker to approve Resolution 08-07-24-1, which regulates utility work in the Township road right-of-way and replaces Resolution 08-05-20. Gondringer second. All in favor. Motion carried.
6. **Assorted** – Heidi Winskowski will attend the September 4th Supervisor’s meeting to discuss TDR’s. PC members are invited to attend.

Klocker moved to approve the PC report. Gondringer second. All in favor. Motion carried.

Treasurer’s Report: The Treasurer provided the cash control statement from July 1, 2024 to July 31, 2024. Martini reported she attended the Short Course in Willmar, in part because the one in St. Cloud had been cancelled/rescheduled. Klocker will examine invoices regarding truck maintenance to determine overall costs of upkeep for the vehicles. Fine fee revenue of \$219.97 was received in August.

For the Period : 7/1/2024 To 7/31/2024

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$205,184.06	\$21,209.89	\$9,743.86	\$216,650.09
Road and Bridge	\$223,132.21	\$60,622.22	\$38,948.32	\$244,806.11
Demolition Escrow - Maciejewski	\$0.00	\$0.00	\$0.00	\$0.00
Novel Solar Decommissioning Escro	\$0.00	\$0.00	\$0.00	\$0.00
Novel Vegetation Plan Escro	\$0.00	\$0.00	\$0.00	\$0.00
Road Damage Deposit	\$1,000.00	\$0.00	\$0.00	\$1,000.00
Fire Fund	\$46,511.37	\$23,822.31	\$49,735.50	\$20,598.18
General Capital Projects	\$48,128.11	\$787.22	\$0.00	\$48,915.33
ARPA Fund	\$105,397.74	\$0.00	\$105,397.74	\$0.00
Total	\$629,353.49	\$106,441.64	\$203,825.42	\$531,969.71

Klocker moved to approve the Cash Control and Treasurer’s Report. Gondringer second. All in favor. Motion carried.

Claims, Receipts & Payroll: The claims (4722-4732) totaled \$1,364.59. The payroll was \$2,407.19. The AlbanyMutual invoice was written for the wrong amount because it included charges from the previous month. The check will be recut for the correct amount. The invoice arrives at the beginning of the month which means it can often miss the payment cycle until the following month. An updated check for Dennis Schirmers was signed

and sent. Martini reported that separate checks need to be written for expenses for elections since PERA is not deducted. Klocker moved to approve the July claims, receipts and payroll, with the exception of claim 4728 to AlbanyMutual, which should be \$113.94, for a total of \$1,227.40. Gondringer second. All in favor. Motion carried. Gondringer moved to pay AlbanyMutual \$113.94. Klocker second. All in favor. Motion carried.

Town Hall Report: *no report.*

Marion Gondringer and Martini have been doing some weeding and other work on landscaping around the Hall. Klocker recommends sealing the concrete in the salt/shed.

Road Report:

1. **Maintenance** – At this time there are no Avon Township individuals authorized to purchase items at Mac’s. Schirmers, Gondringer and Klocker will be on the list. The Supervisors discussed Schirmers responsibilities for the Township. The general agreement was to have him mow, install signs, pick up downed trees, and so on. Rassier said there was a downed tree that Schirmers removed from the road; Rassier cut it up. Schirmers does not want to plow snow. Klocker is leaning toward not hiring a maintenance person and having Schirmers do jobs that come up. Gondringer is not in favor because he wants to avoid hiring outside contractors that would be more costly. Rassier is undecided. Mr. Rich Sanoski said that residents liked having the services of a full-time worker. A CDL license is not required for the snow plow operator (MN Statute 171.02). Jobs that need to be done include grading, snow plowing, ditch mowing, brushing, tree removal, truck maintenance, potholes, shouldering, parking lot maintenance, Hall mowing and landscaping, and so on (there is a job description available). The Supervisors generally agreed we need to find a snow plow operator who could also be a maintenance person. It was suggested that the job should be advertised on *Indeed*. Klocker doesn’t think we need a full-time person based on the jobs that need to be done. Gondringer thinks we could hire a full-time person and that even if they don’t work non-stop it would be cheaper than hiring out jobs. An option is to hire multiple individuals part-time, one of which could be assigned to be the boss. A time clock will likely be used. If the employee is checking roads, he/she would punch in when they come to the Hall to get a truck. The ad is no longer in the *Star-Post*. It is still on the website and Facebook sites. The Clerk will send a job description to Rassier. Gondringer will sit on the hiring committee. Gondringer recommended to set up interviews with current applicants. Klocker recommends just two because they are the only ones with snow plowing experience; Rassier agreed. Klocker will invite two of the applicants for an interview. The other applicants will not be contacted at this time.
2. **Storm Cleanup** – During the last storm, Klocker was out and found some downed trees. They were cleaned up.
3. **Brush & Mowing** – Schirmers will be asked to remove brush on 186th. We are trying to catch up on brush cutting. The Supervisors are considering hiring a brush cutter from Minnesota Equipment (ca. \$3,200 plus delivery) and splitting the costs with neighboring towns. Schirmers will be asked to mow again soon. A better cut would be attained if the tractor is run more slowly (*i.e.*, 1200-1500 rpm).
4. **Snow** – Dylan Hedlund will plow again full-time and take care of the trucks. Josh Raab can plow Friday, Saturday and Sunday. Klocker suggests posting for another full-time snow plow operator with a CDL. The Snow Policy will be examined at the next meeting (Resolution 07-10-24-2).
5. **Couch on Norway Road.** A couch near 15336 Norway Road needs to be removed. Klocker will stop by and talk to the residents.
6. **Highland Terrace Drainage** – A resident called to report that water that pools up on his property and wondering if it is the Township’s responsibility to prevent. Klocker and Rassier both checked it out. The water

is on private property and not due to a faulty culvert or other Town issue. The residents could potentially divert the water by re-grading the area or by installing drain tile.

7. **Flooding** – the culvert on 360th seems to be plugged causing water to run over the road. It needs to be jetted. Klocker moved to have Lange Excavating jet out the culvert on 360th. Gondringer second. All in favor. Motion carried.
8. **185th** – brush is covering the stop sign by St. Anna Drive. No one knows where a road sign that was ordered should be installed.
9. **Grading Roads** – Klocker suggests that the snow plows should not be used to grade roads. Gondringer said it wasn't a problem.
10. **Culverts** – no action taken regarding the culverts on Shorewood Drive and Pelican Lake Road.
11. **St. Anna Drive** – a resident complained that tree was pushed off the road but not cleaned up.
12. **Two Rivers Road** – a resident complained that some shouldering work should be done.
13. **Parkwood Circle** – a resident complained about potholes on Parkwood Circle.

Business:

1. **Joint Planning Board** – According to the Orderly Annexation Agreement, the Chair of the Supervisors is intended to serve as the alternate to the Joint Planning Board. This means Rassier will should be replaced. Gondringer moved to appoint Klocker to serve on the Joint Planning Board. Rassier second. All in favor. Motion carried.
2. **Lions Use of the Hall** – The Lions requested use of the Town Hall on November 6 or November 12. Gondringer moved to allow the Lions use of the Hall provided they clean up after themselves and with the understanding that November 5th the Hall is not available in the evening (Town meeting) and may not yet be cleaned up from the General Election the previous day.
3. **Clerk Leave of Absence** – the Clerk will be gone during the fall, from September until December. He will do many tasks remotely and the Deputy Clerk will take over the remaining responsibilities.
4. **Interim Use Permit** – there is no fee listed in the schedule. Gondringer moved to set the Interim Use Permit fee of \$400. Klocker second. All in favor. Motion carried.
5. **Shed on Parkwood Circle** – There was a request to site a shed closer to Parkwood Circle than is currently permitted. The resident was alerted that a variance would be required and that they should come to tonight's meeting. Since they were not present, no action taken.
6. **Keys, etc.** – have been reclaimed to our knowledge.

Reports:

1. There was a request regarding work in the Township road ROW on Tower Road. The contractor was granted permission on the condition that a 911 sign is purchased.

Announcements:

1. There were no new sign requests.
2. No **Construction Site Permits** were issued.
3. No **Special Assessment Searches** were conducted.
4. No **feedlot permits** were received.
5. No **Provisional Use permits** were received.
6. **County/Hearings** – The County PC will review Cannabis regulations on August 22.
7. **Avon Fire Dept** – June Calls. City of Avon – Medicals-8, Gas Leaks-3; Avon Township – Medicals- 11, Fire-2; Colledgeville Township – Medical-1, Fire 1; St. Wendel Township – Medical 1; I-94 – 0. According to City Administrator Jodi Austing-Traut, the Fire Department covers 10 properties in St. Wendel Township. They will pay \$1,125 in 2025 and is considered General Revenue.
8. Thank you notes were received regarding repair on Highland Terrace and brushing on Kopyy Lane.
9. A *Uline* catalog was received.
10. Jeffrey Dahlen inquired about zoning of 36547 County Road 155 (PID – 03.00851.000, 03.00847.000 & 03.010856.000) – all A40.
11. The District 5 Meeting is August 14, 2024 in Willmar.
12. The City is considering installing a siren in Avon Estates area.
13. There will be a MAT webinar regarding cannabis on August 9 at 10 AM.

Old Business: Culvert mapping project with County app; 135th Avenue project with St. Wendel; Windows; Case to display old documents; Window treatments; Exterior sign for the Hall; hiring HR / payroll company; salt shed overhang/awning; culverts (Pelican Lake Road, Shorewood Drive); CDL License changes; Employee Handbook.

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

Announcement of Next Regular Supervisor Meeting: The next scheduled meeting is September 4, 2024. Ms. Heidi Winskowski will attend. The meeting will be *available on Zoom at the URL above*.

Other Upcoming Meetings/Events: (*available on Zoom at the URL above*):

- a. Primary Election – August 13; 7 AM-8 PM; Avon Township Hall
- b. Planning Commission meeting – August 28, 2024; 7:00 PM
- c. Joint Planning Board *ad hoc* OAA Committee; Sept 23, 2024, Avon City Hall

Meeting Continuation: Gondringer moved to continue the meeting at 7:00 PM on Wednesday, August 14, 2024. Klocker second. All in favor. Motion carried.

Minutes from the Continuation of the August 7, 2024 Meeting of the Avon Township Board of Supervisors

August 14, 2024

Call to Order: Bryan Rassier, *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.

Roll Call: Present – LeRoy Gondringer, Chad Klocker, Kelly Martini, Bryan, and Stephen Saupe. A quorum was present. Also present – Craig Blonigen (*PC & ad hoc hiring committee*), Marion Gondringer (*Deputy Clerk*).

Business:

1. **Hiring** – The main business at the meeting was to interview two candidates, Jason Orne & Perry Gerding, for the Town Maintenance/Snow Plow driver position. The same basic set of questions were asked of each candidate. There were: Tell us about yourself and your work experiences; Do you want a part-time or full-time employment?; When can you begin?; What are your strengths?; What are your weaknesses?; How would you respond to a complaint by a resident?; Describe your time management skills?; Describe your skills and strengths?; Would you be willing to punch a time clock?; Are you available at off-hours in the event of an emergency?; What questions do you have for us; How would previous co-workers describe you?; why do you want this job?

Mr. Jason Orne was the first to interview. He appeared in person. Mr. Orne answered questions for approximately 40 minutes. He was thanked for his willingness to apply for the position and come for an interview.

Mr. Perry Gerding then interviewed by phone. Mr. Gerding answered questions for approximately 40 minutes. He was thanked for his willingness to apply for the position and come for an interview.

The Supervisors discussed the strengths and weaknesses of the two candidates. The Supervisors especially valued Mr. Gerding's farm-related experience and ability to operate a wide assortment of vehicles and machines, his abilities to weld and fix equipment, and previous plowing experience. Gondringer moved to hire Mr. Perry Gerding for \$28.00 per hour, with no benefits. Klocker second. All in favor. Motion carried. The Clerk was authorized to contact Mr. Gerding and will confirm that Mr. Gerding is available to start on November 1st and would be in the area in early September to meet Supervisors in person and begin some training.

Dylan Hedlund, our returning driver, will be asked to serve as the main snow person/supervisor.

Rassier will serve as the supervisor for Dennis Schirmers.

2. **Skidloader Bucket** – needs a new cutting edge on the 'dirt' bucket. Gondringer moved to replace the cutting edge on the skid loader. Klocker second. All in favor. Motion carried.
3. **360th Culvert** – has been jetted out. It needs some gravel.
4. **Parkwood Circle** – the newly resurfaced part of the road has some cracks that need to be filled. It is usually best to crack fill in the spring. No action taken. Klocker filled some potholes.
5. **Road Inspection** – will be scheduled at the September meeting.
6. **Brush Cutter** – The Supervisors would like to join Holding and Krain townships on the rental of a brush cutter but there is no one available to operate it.
7. **Gondringer 911 Sign** – will be installed after the culvert is finished.
8. **Noise Violation** – Shady's held a band concert this past weekend. A resident called the sheriff because it was very loud. The Supervisors authorized the Clerk to send a letter to Shady's alerting them to the Township noise ordinance and need for a permit/exemption for such events.
9. **Parking Lot Barriers** – were removed last winter to facilitate plowing. They need to be reinstalled, though at

this point, it is getting late in the season. Klocker will examine to see if the skidloader can plow the sidewalk without removing the barriers.

10. **Fee Split** – A note was received from the City regarding the rezoning fee charged to Kanati Land Management. This has been handled (*see PC report*).

11. **Assorted**: The Lions Club will donate \$100 to the Township in gratitude for use of the facilities. There were no specific suggestions for use of the money. Xcel will soon install a new electrical meter. There was a complaint about the need to mow ditches – Schirmers is now mowing.

Adjournment: Klocker moved to adjourn the meeting at 9:00 PM. Gondringer second. All in favor. Motion carried.

Respectfully submitted,
Stephen G. Saupe, Clerk

date: August 16, 2024

Supervisor Signatures:

date: _____

LeRoy Gondringer

Chad Klocker

Bryan Rassier