

Minutes of the Meeting of the Avon Township Board of Supervisors

October 2, 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, Marion Gondringer (*Acting Clerk*), Kelly Martini, Bryan Rassier. Absent – Chad Klocker and Stephen Saupe (*on leave-of-absence*). A quorum was present. Also present – Craig Blonigen. Three students from a college government class at Albany High were at the meeting to observe; they were welcomed.

Approval of Agenda: Added to the agenda were Rosemary Anderson (*driveway*) and Scott Lahr (*encroachment agreement*). Gondringer moved to approve the agenda as amended. Rassier second. Both in favor. Motion carried.

Minutes: Because Rassier was not present at the September meeting, he preferred to wait to see if Supervisor Klocker would arrive later in the evening. By the end of the meeting, Klocker still had not appeared. A few minor editorial changes were suggested. Gondringer moved to approve the minutes from the September 4, 2024 meeting as amended. Rassier second. Both in favor. Motion carried.

Public Hearings: *none*.

Public Comments: Mr. Joseph Koopmeiners expressed his concern that one of the Supervisor's had contacted his current employer.

Planning Commission (PC) Report – *presented by Craig Blonigen, Vice-Chair.*

- Gertken Preliminary Plat** – The Gertken's (Joyce & Leroy, 19211 County Road 54, Albany, MN 56307) appeared at the PC meeting to request approval for a preliminary plat (Cedar Hilltop) to split 1.74 acres (total size 2.44 acres) from their parcel of 75.77 acres. Ms. Gertken was at tonight's meeting, too. They plan to transition their farm to their son. This split will be across the road from their current farm site. Their son will farm the land and the Gertken's plan to build across the road in the pasture. The driveway will access the county road, and partly explains the plat design. The PC recommends approval of the Preliminary Plat. Motion by Gondringer to approve the Cedar Hilltop preliminary plat for the Gertken's. Second by Rassier. Both in favor. Motion carried. The Gertken's were advised that they will likely need a Certificate of Compliance in the future. Motion by Gondringer to provide a Certificate of Compliance when it is required. Second by Rassier. Both in favor. Motion carried.
- Shady's Variance Issue** – Blonigen states that the new pavilion at Shady's appears to be too close to the township road, possibly to the lake, as well as the property line to the parcel owned by the State of Minnesota. The recommendation by the PC is to allow Stearns County to address this issue as needed and hold the hearing for that purpose. Gondringer motion to allow Stearns County to address this issue as needed and hold the hearings as needed. Second by Rassier. Both in favor. Motion carried.
- TDR Discussion Follow-up** – Ms. Heidi Winskowski clarified the County procedures regarding TDR at the last Supervisors meeting. The PC discussion the presentation and implications for the Township. The PC members

agreed that there is nothing that needed to be changed at this time.

4. **ad-hoc Committee of the Joint Planning Commission** – Blonigen reported that the group believes that there is a need to continue the OA agreement. Discussion took place about the percentage of landowners who wanted to be annexed. The Township representatives supported the existing rule of 60%, while the City fewer (i.e., 51%). There are concerns about lake water quality and the City is planning for a study. A secondary ring of annexation was also discussed. The City would like the Town to give up land for annexation, in exchange for getting rid of the secondary annexation ring. The Town was not aware of the secondary ring and it appears to not have been included in the original agreement. The PC believes that there should be a timeline in place to add services to residents who are annexed, and that there should be a time limit in which the City must provide services. There should also be a exceptions for residents who recently redid their septic to hook up.
5. **Town Road Maps** – No clear action is needed at this point. A suggestion to clock mileage on the roads in the Township was made. The Supervisors said that they are comfortable with the accuracy of the current road mileage as listed by the County.
6. **Streit Certificate of Compliance** – Mr. Keith Streit, 17026 370th St., Avon, appeared at the PC to discuss attaching land he plans to purchase from his parents to his parcel. His brother is also planning to do the same thing. Mr. Streit was informed that he will need a Certificate of Compliance. At this point, no Town action is necessary, but Mr. Streit will likely attend the next PC meeting to initiate the process.
7. **Lamp Post on Pelican Lake** – Mr. Mike Hennen, 37204 Pelican Lake Road, installed a light on his property near the end of the landscaping in his yard. It appears that the post is in the Township road right-of-way. The PC thought this could be a test of Township response. The PC recommends to not allow the light in the road ROW. Though there are other properties on Pelican Lake Road with objects in the road ROW (i.e., fences, poles, trees), this case is different because the property owner made the decision to install the light pole three feet into the ROW after being denied permission. The Supervisors noted that if the pole is not a hazard, then perhaps we are wasting our time. One suggestion was to send the resident a letter stating that he accepts responsibility for any problem related to the light pole. A decision on action was tabled until the full board is available and Rassier has a chance to check it out.

Treasurer’s Report: The Treasurer provided the cash control statement from September 1, 2024 to September 30, 2024 (*appended below*) and read the Treasurer’s report.

For the Period : **9/1/2024 To 9/30/2024**

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$215,320.95	\$694.26	\$6,653.42	\$209,361.79
Road and Bridge	\$244,918.17	\$0.00	\$1,292.31	\$243,625.86
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	\$1,500.00	\$0.00	\$500.00	\$1,000.00
Fire Fund	\$20,598.18	\$0.00	\$0.00	\$20,598.18
General Capital Projects	\$48,915.33	\$0.00	\$0.00	\$48,915.33
ARPA Fund	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$531,252.63	\$694.26	\$8,445.73	\$523,501.16

Motion by Gondringer to approve the Treasurer Report and Cash Control Statement. Second by Rassier. Both in favor. Motion carried.

Claims, Receipts & Payroll: The claims (4748-4756) totaled \$2,001.69. The payroll was \$2,311.79. It cost \$51 to get rid of a couch that was dumped in the ditch on Norway Road. There was a question about a “Misc” charge of \$33.14 from *The Store*. Martini is following up and will hold the check until the claim is confirmed. Gondringer moved to approve the claims, receipts, and payroll. Second by Rassier. Both in favor. Motion carried.

Town Hall Report:

1. **Soap dispenser** –it works fine; when tested it worked and had plenty of soap solution.
2. **Housekeeper** – The Supervisors agreed that there is no conflict of interest if the person doing the tasks is not an elected official. When new employee Perry Gerding arrives to begin working for the Town, he will be asked to take this on.

Road Report:

1. **Plows** – Martini reported that Dillon Hedlund has been busy, but will soon take care of DOT’ing the trucks.
2. **Salt/sand** – It was full at the beginning of last winter but it is now roughly half to three-quarters full. Joe Koopmeiners (*on Zoom*) stated the shed was completely empty two years ago and that last fall we purchased about 175 yards to get it filled. No action taken.
3. **Meadowview Road** – Martini said that the garbage truck turns around in this road (minimum maintenance road) and that it is beginning to cause problems with the approach. In addition, people are “burning out” from the gravel onto the tar, which is also affecting the road. There are also potholes that need to be repaired. She noted that in 2019 residents wanted the road open year-round, and that in 2017 the Town spread four loads of gravel. Until relatively recently, the road was farmed right up to the gravel, but it is not now. There was also a question of whether improving the road would encourage more traffic, mostly young people, which the residents seem to oppose. Shouldering at the road edge may be necessary. Gondringer will inspect and this will be addressed in November.
4. **Eveslage 911 Sign** – The County accidentally destroyed the mailbox, 911 sign and post at 19435 Co Rd 156 last winter when plowing. The County replaced the post. The resident replaced the mailbox and contacted the Township to replace the 911. The County will pay for the replacement since they were at fault. Gondringer moved to have the Clerk order the sign, we will install, and charge \$100 to the County. Second by Rassier. Both in favor. Motion carried.
5. **Fall Road Inspection** – The Supervisors will set a date next month when Klocker is available. They also want to wait until Perry Gerding starts work; he will be invited to the inspection. Gondringer suggested that Queens Road should be our biggest priority for 2025.
6. **Mowing** – Rassier will ask Dennis Schirmers if he would be available to mow a third time. Koopmeiners stated there will be more drifting of snow if a third pass is not done this fall.
7. **Culverts, Shouldering Work (Two Rivers, 190th), Trees on St. Anna Drive** – Klocker was handling these issues. No update available since he is not at tonight’s meeting.
8. **Gravel Road Grading** – Lange’s are waiting for it to rain.

9. **Couch** – was removed from Norway Road and discarded.
10. **Skid loader bucket repair** – it has been taken in for repairs.
11. **Request to Relocate 911 sign at 33744 Highland Terrace** – Klocker was addressing this issue. The mailbox was moved, so the sign needs to be moved as well. The Supervisors thought that since the resident moved the mailbox, the resident should move the sign. This will be included on the November agenda to see if Klocker has acted on this.

Business:

1. **Anderson Driveway** – Rosemary Anderson appeared at the meeting to request that her driveway be plowed again this winter as per the agreement when she sold the Township the land for the Town Hall. Gondringer moved to plow the Anderson driveway this year (2024 – 2025). Rassier second. Both in favor. Motion carried.
2. **Lahr Septic Agreement** – Scott Lahr, 33418 Shorewood Drive (PID 03.01500.0000), appeared at the meeting to request approval for siting the drain field for a new septic system in the utility easement. Gondringer said the easiest thing for the Township would be to use the standard septic encroachment agreement that has been used in the past for systems in the road right-of-way and modify it to include the utility easement. This agreement puts responsibility on the resident for costs incurred in the unlikely event that future roadwork would require the system to be moved. It was discussed that Shorewood Drive is one of the neighborhoods listed in the Orderly Annexation Agreement for potential annexation by the City; however, there is no current plan by the City to do so. Gondringer moved to approve a septic encroachment agreement for Scott Lahr, 33418 Shorewood Drive, Avon MN (PID 03.01500.0000). Rassier second. All in favor. Motion carried. The fee was paid and the document signed and notarized. The Township will record it.
3. **Noise Ordinance Update/Discussion** – This is on hold until the County gets their e-site updated. Klocker will address this when it occurs in November. No action at this time.
4. **Resolution 07-10-24-2** – Gondringer moved to adopt Resolution 07-10-24-2: Snow Policy that was initially revised in July. Second by Rassier. Both in favor. Motion carried.
5. **Resolution 10-02-24-1** – Gondringer moved to adopt Resolution 10-02-24-1: Appointing election judges. Second by Rassier. Both in favor. Motion carried.
6. **PAT** – Martini and M. Gondringer will hold the Public Accuracy Test on October 24, 2024 at 6:00 PM. Saupe will publish and M. Gondringer will post.
7. **Township Mileage Certification** – Motion by Gondringer to approve the Township Road Mileage Certification. Second by Rassier. Both in favor. Motion carried. This document certifies that the Township has 44.5 miles of roads. The Deputy Clerk will return the completed document to the County.
8. **Cannabis Regulation/Zoning** – This should be examined by the PC next month. Motion by Gondringer to have the PC look at cannabis regulation/zoning at their October meeting. Rassier second. Both in favor. Motion carried.

Reports: Rassier was unable to attend the Fifth Monday meeting.

Announcements:

1. **Signs (incl. 911)** – Rassier will follow up with Schirmers to install the sign for 16713 which was hit this summer by the mower. No action on purchasing a 911 sign for 34948 Tower Road (cell tower property). Gondringer will handle the install of the 911 sign at 18245 360th Street.
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** – no pertinent County hearings/actions.
7. **Avon Fire Dept** –no report received.
8. Rassier will complete LBAE training.
9. The Special Assessment deadline to the County is December 2.
10. There is a County Initiative on the November ballot regarding a new justice center.
11. Blonigen’s Township email not working properly.
12. Albany Fiber is installing cable in Township (i.e., 325th St., Norman Road)

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; culvert - Pelican Lake Road; CDL License changes; Employee *Handbook*, concrete sealing; *Employee Handbook* including earned sick time etc.; Pipeline Agreement; Township Noise Ordinance on e-site; brush cutter rental for 2025.

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

Announcement of Next Regular Supervisor Meeting: The next scheduled meeting is November 6, 2024.

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

- a) Planning Commission Meeting – October 30, 2024; 7:00 PM
- b) General Election – November 5; 7 AM – 8 PM; Town Hall
- c) January Supervisors Meeting – January 8, 2025 (rescheduled)

Adjournment: Motion by Gondringer to adjourn at 9:50 PM. Second by Rassier. Both in favor. Motion carried.

Respectfully submitted,
Stephen G. Saupe, Clerk
Marion Gondringer, Deputy Clerk

date: October 8, 2024

Supervisor Signatures:

date: _____

LeRoy Gondringer

Chad Klocker

Bryan Rassier