

Minutes of the Meeting of the Avon Township Board of Supervisors

January 8, 2025

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

Call to Order: Chad Klocker, 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, and Stephen Saupe (*via Zoom*). Late – Bryan Rassier arrived about one-third of the way through the meeting. There was a quorum. Also present – Paul Buttweiler, Marion Gondringer, and Lori Yurczyk.

Approval of Agenda: VOTER Funding 2025 and an Indebtedness Form were added to the agenda. Gondringer moved to approve the agenda as amended. Klocker second. Both in favor. Motion carried.

Minutes: Corrections to the spelling of Klocker’s name were made. Gondringer moved to approve the minutes from the December 4, 2024 meeting as amended. Klocker second. Both in favor. Motion carried.

Public Hearings: *none*.

Public Comments: John Thielman appeared to speak about the upcoming County CUP hearing regarding Shady’s. He was asked to wait until this item was scheduled on the agenda.

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

- 1. Access Permits** – The PC discussed access permits and recommended to the Supervisors that the permit guidelines should include a standard 10-foot setback from a side yard, unless there is a reason for an exception from the rule, such as an obstruction. The Supervisors agreed. Gondringer moved to revise the Access Standards to include letter “8.g” that would require any new access to be set back a minimum of 10 feet from a side yard, but that an access could be sited closer to the side yard if, when analyzed on a case-by-case basis, the Supervisors determine that special circumstances (*i.e.*, obstruction, shared access, limited space) justify a closer access. Klocker second. Both in favor. Motion carried.
- 2. Plat Signing Fee** – The PC discussed the fee for signing a plat outside of a regular meeting and recommend a fee of \$150, which would cover any potential costs, including if the chairs of both the Supervisors and PC were given a standard meeting stipend for their service. Resolution 02-07-18-4, regarding plats, states that both Chairs must sign. Gondringer reported that Ms. Jennifer Buckentine confirmed that an acting chair could sign, too. One suggestion was to have the Supervisor who is the PC representative be authorized to sign a plat. It was reported that Jarred Maleska was unable to get his final plat signed before the end of the year, as he hoped. Rassier, via phone, said it was because the Clerk had given out his business phone number instead of his landline number. Gondringer moved to refund the plat signing fee charged to Jarred Maleska for signing his plat outside of a meeting because it wasn’t completed by the first of the year. Klocker second. Both in favor. Motion carried. The Supervisors discussed the current fee. Gondringer moved to maintain the plat signing fee at \$100 and that a township representative who signs a plat outside of a regular scheduled meeting receives a \$25 stipend. Klocker second. Both in favor. Motion carried.
- 3. Posts in Road Right-of-Way** – many residents, especially on Pelican Lake Road, have put posts along their property in the road ROW to presumably alert the snowplow operators to where their lawn begins. These

posts are illegal. However, since they are plastic and will shear off if hit by the plow, they do not present a safety hazard to snowplows and passing motorists. No action will be taken. Residents will be required to remove metal posts.

Motion by Gondringer to accept the Planning Commission report. Second by Klocker. Both in favor. Motion carried.

Treasurer’s Report: The Treasurer provided the Cash Control statement from December 1, 2024 to December 31, 2024 (*appended below*) and read the Treasurer’s report. Martini will complete the Indebtedness Form and submit to the County as required. Martini reported that she completed the MATIT Workman’s Compensation Audit. Gondringer moved to approve the Treasurer’s report. Klocker second. Both in favor. Motion carried.

For the Period : 12/1/2024 To 12/31/2024

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$214,030.05	\$51,867.17	\$4,802.33	\$261,094.89
Road and Bridge	\$253,388.76	\$153,412.28	\$14,621.70	\$392,179.34
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	\$26,126.41	\$60,513.16	\$0.00	\$86,639.57
General Capital Projects	\$49,098.37	\$2,004.64	\$0.00	\$51,103.01
ARPA Fund	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$543,643.59	\$267,797.25	\$19,424.03	\$792,016.81

Claims, Receipts & Payroll: The claims (4781-4795) totaled \$55,934.84. The regular payroll was \$3,484.62. Checks 11323 to 11328 were voided because they accidentally printed on both sides. Motion by Gondringer to approve the claims, receipts and payroll. Second by Klocker. Both in favor. Motion carried.

Gondringer questioned the amount of MAT dues; payment is based on a sliding scale determined by township population. Martini reported that she is unable to find a record of one of our fine fee deposits; she will follow up with the County. A decision on whether to renew the CD for an escrow account, which expires February 10th, will be made next month.

Klocker moved to approve Resolution 01-08-25-1 authorizing a contract with Dillon Hedlund. Rassier second. All in favor. Motion carried. Supervisors who help out with non-emergency or non-authorized work were reminded to complete the Conflict-of-Interest form and attach it to their Time Form. The Fee Schedule will be examined at the January PC meeting, especially to consider payment to a plow driver who does other jobs. Klocker will be listed on the Menards Account Authorization form. Dillon Hedlund was authorized as one of the Mac’s Commercial Account representatives for the Township.

Motion by Gondringer to approve the claims, receipts and payroll. Second by Rassier. All in favor. Motion carried.

Town Hall Report: none

Road Report:

1. **Maintenance Worker** – Our maintenance person has resigned. Klocker reported that none of the previous applicants for the position are available or have acceptable qualifications. The Supervisors authorized the Clerk to readvertise the position for a full or part-time individual. The Clerk will write up the ad and publish it in the *Star-Post* three times. The ad will be sent to Rassier to advertise through *Indeed*, and Klocker will post the ad on *Facebook*. Klocker knows several people who could plow as necessary including Casey Jansky, Josh Raab, and himself. Sheldon Tschida is willing to plow in the pickup. Klocker thinks we have adequate snowplow drivers. Rassier moved to authorize Dillon Hedlund to maintain snowplow equipment at his set snowplow salary until a full-time person is hired. Gondringer second. All in favor. Motion carried.
2. **Queens Road** – Jeremy Mathiassen, Stantec road engineer, was present to discuss options for Queens Road. He was involved with the original engineering work completed a few years ago to prepare for an LRIP grant application. Unfortunately, the Township didn't receive LRIP funding. Mr. Mathiassen reminded the Supervisors that two parts of the original request were to improve safety by widening the road in a few places and to soften the slopes in a few places. The total length of the road is about 2.2 miles. The road would be reclaimed and repaved. On the east end, a bigger fix is required to stabilize soils. This will be the most expensive part of the project. Mr. Mathiassen estimates a cost of about \$1.4 million. He suggested the most cost-effective solution would be to reclaim and repave but increase the width only slightly. Widening the road would be very costly. He estimates a cost of about \$175K per half-mile. One option is to resurface in 2025 about 2 miles, from Co Rd 9 to where the major issues begin in the organic soils, and complete the remainder in 2026. The company that completed the borings recommends applying 3 inches of bituminous over 10 inches of gravel base (which is the majority of the road). The Supervisors support milling the road and adding 3 inches of blacktop from Co Rd 9 up to the bridge and around the corner where the organic material starts and where more extensive excavating will need to be done. 355th is also in need of resurfacing. Gondringer moved to initiate work on resurfacing Queens Road with milling and adding 3 inches of bituminous. Gondringer rescinded this motion and moved to request a quote from Mathiassen on engineer services for resurfacing Queens Road. Klocker second. Both in favor. Motion carried. Mr. Mathiassen will bring an engineering proposal to the February meeting. If approved, he would then present an engineering plan for the March meeting, which could then be approved with bids submitted by the April meeting.
3. **First Street SE** – The City will resurface their portion this year, including widening it and adding curb and gutter. The question is whether the Town should plan work on our portion. One complication is whether the City will annex this area. The Supervisors expressed concern about putting money into the road if it will be annexed in the near future. Mr. Mathiassen will report at the February meeting what the City may be planning. No action was taken.
4. **Knife River Final Pay Application** – Mr. Mathiassen provided a copy of the final pay application for the 2024 road project. It was approved and signed. This is a release of the retainage and will be paid in February.
5. **Snow Update** – Gondringer got quite a few calls about missing some roads (*i.e.*, Red Maple, 188th) during the last plowing. The problem is that there are new drivers so it may take a time or two to get things right. The drivers are aware of the situation. Some gravel/turf was accidentally ripped up on the minimum maintenance road to access the Maciejewski property and the Anderson access.
6. **Garage Door Openers** – There is a remote control for the center door of the Shop. Hedlund requests a remote for the far door. Klocker moved to purchase four, three-button openers for the overhead shop doors. Gondringer second. All in favor. Motion carried. Klocker will handle.

7. **email for Staff** – no action taken.
8. **Meadowview Road** – Gravel was applied to Meadowview Road. The Supervisors agreed that a donation resolution is not necessary. Resident Rich Sanoski inquired whether work can be done to Town roads by residents. Typically, this is not permitted, though work was recently authorized on a minimum maintenance road (360th St.) that is not maintained by the Township (*see November 2024 minutes*).
9. **Pelican Lake Road culvert update** – Klocker will meet there with engineer Mathiasen to consider options.
10. **Cold patch at Two Rivers & 190th** – will wait until spring.
11. **Trees to be chipped on St. Anna Drive** – done.
12. **360th** – Hedlund reported that there is a significant bump that may hurt the plow. It will be examined in spring.
13. **Hennen Light Pole** – Mike Hennen, 37024 Pelican Lake Road, installed a light pole in the road ROW (*see November 2024 minutes*) which the Township did not approve. The Supervisors authorized the Clerk to send Mr. Hennen a letter alerting him that he is in violation of the Township Ordinance #6 and that he is liable for any damage, accident or other issue caused by this non-compliant pole.
14. **Mattress thrown in ditch** (intersection of 360th & 160th) – removed; at the Hall, to be disposed.

Motion by Gondringer to approve road report. Second by Rassier. All in favor. Motion carried.

Business:

1. **Ordinances** – Ordinances to be monitored by the Sheriff need to be submitted to the County Attorney (Noise ordinance, parking ordinance) for their new esite system. The Town is in the process of doing this.
2. **Election update** – Affidavits of candidacy are due by January 14, 2025 at 5 PM. The Town Hall will be open that day from 1-5 PM to accept affidavits. The Deputy Clerk will staff the office. Gondringer moved to approve Resolution 01-08-25-3 – Appointing Election Judges. Rassier second. All in favor. Motion carried. Gondringer moved to approve Resolution 01-08-25-4 – Appointing Absentee ballot board. Rassier second. All in favor. Motion carried.
3. **Shady's CUP Hearing at Stearns County** – Gondringer reported that the County handles lakeshore issues and to streamline things for everyone, the Township authorized the County to handle the hearings regarding Shady's. They've had one hearing to consider a variance for the setback of their stage from a Town road. There's an upcoming hearing on January 23rd for a CUP to expand the use of their outdoor stage and if so, what conditions would be added. Resident John Thielman, 18359 Co Rd 154, expressed concerns about the noise ordinance and wanted to know what recommendation, if any, the Town was going to make regarding the Shady's CUP. Mr. Thielman encourages the Township to give a recommendation to protect the neighbors around Shady's. Though he is supportive of local business and employing locals, he also believes that Shady's shouldn't have *carte blanche* privilege to do whatever they want. Mr. Thielman questioned whether the Township ordinance is adequate and patterned after the State ordinances regarding noise. Gondringer said that the Town should make a recommendation to the County and among the issues that should also be discussed include what is a reasonable number of events and when should they be permitted (*i.e.*, time of events). One person noted that this issue was originally caused by Shady's erecting the bandstand without approval, and the Town/County should just say "no." Klocker moved to authorize Gondringer to attend and

represent the Township at the County Hearing concerning Shady's CUP hearing. Rassier second. All in favor. Motion carried. Klocker suggested that noise 50 feet from the property line may be an unreasonable standard and that perhaps the Noise Ordinance could be modified. The Supervisors generally agreed that one event in a 30-day period, not past 10 PM, would be allowable. Shady's would need to come to the Town for Noise Exemptions for each event. Parking issues could be a problem. Apparently, the Pelican Lake Ballroom owners are concerned about parking in their lot. If significant noise or other problems develop, one option the Town has might be to not approve renewal of Shady's liquor license. Gondringer moved to recommend to the County to not approve the CUP for Shady's; but if it is passed, then to allow no more than one event in a 30-day period not to exceed 10 PM, and that Shady's must obtain a noise exemption for each event in compliance with the 2009 Avon Township Ordinance. Rassier second. All in favor. Motion carried.

4. **CenterPoint Energy** – seeks interested parties to become involved in networked geothermal projects. The Township will take not participate at this time.
5. **Cannabis Permitting** – Gondringer moved to approve the revised Memorandum of Understanding with Stearns County regarding the County handling permitting for Cannabis. Rassier second. All in favor. Motion carried. Gondringer moved to approve the LGU Agreement with Stearns County regarding Cannabis permitting. Rassier second. All in favor. Motion carried.
6. **Upcoming Meetings** – Gondringer moved to set the meeting date of Audit Board on February 12, 2025 at 7:00 PM. Rassier second. All in favor. Motion carried. Gondringer moved to set the date of the Qualification / Organization meeting on March 19, 2025 at 7 PM. Rassier second. All in favor. Motion carried.
7. **Website** – the Clerk reported that we have initiated the process of switching to a .gov domain, which will be required within a year or so.
8. **Town festival in 2025** – no action will be taken.

Other Business:

1. **Damaged Sign** – an accident damaged a “Chevron” sign. The insurance company has requested what the Town is to be compensated. Gondringer moved to authorize Klocker to determine the cost of the sign and then add \$100 for the installation. Rassier second. All in favor. Motion carried.

Reports: *none*

Announcements:

1. **Signs (incl. 911)** – none.
2. **Construction Site Permits** – Gerads.
3. **Special Assessment Searches** – 33668 Poverty Point Drive.
4. **Feedlot Permits** – none reported
5. **County Hearings/Meeting** – Shady's CUP – January 23rd (*see above*)
6. Paul Hughes reported that matching funding was not obtained so a **MNDOT Noise Barrier** on the south side of I-94 is not an option at this time. A new round of grants is available (*proposals were due Dec 31, 2024*).
7. **VOTER FUND Report** – The Township received \$450. The Clerk followed up with the County and submitted necessary paperwork.
8. **Township Day at the Capitol** is January 27, 2025. A bus is available for participants. If interested, contact Diane Noll or Martini.
9. The **TriCounty Humane Society Agreement** was completed and returned.

- 10. **Christmas cards** were received from Dale Gruber Construction and Andy’s Towing.
- 11. **Propane safety** information and a newsletter (*Broadcaster*) were received from Belgrade Coop.
- 12. The **LTAP Exchange** newsletter (Dec 2024) was received.
- 13. **Xcel** will replace the electric meter.
- 14. A brochure from **Indeed for Employers** was received.
- 15. The **Pipeline Awareness** newsletter was received.
- 16. The 2025 **Government/Commercial Day** at ME (Minnesota Equipment) will be January 9 2025. There will be driving & safety laws seminars and lunch available.
- 17. **Brush cutting** service is available from John Lenneman (320 492-9500; www.lenneman.com).
- 18. A **Gambling Permit** for the St. Anna Sportsmen’s Club raffle on May 17, 2025 was signed.
- 19. **Crack filling on 135th** – the road has been crack-filled, but it wasn’t certain who had done the work. It was suggested that perhaps it was done by the County accidentally (*not knowing where to stop work on Co Rd 159*).

Old Business: Culvert mapping; 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; brush cutter rental for 2025.

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

Announcement of Next Regular Supervisor Meeting: The next scheduled meeting is February 5, 2025.

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

- a) Planning Commission Meeting – January 29, 2025
- b) Township Day at the Capitol – Jan. 27, 2025
- c) Audit Board meeting – February 5, 2025; 7 PM
- d) Qualification Meeting – March 19, 2025; 7 PM

Adjournment: Motion by Rassier to adjourn at 9:53 PM. Second by Gondringer. All in favor. Motion carried.

Respectfully submitted,
Stephen G. Saupe, Clerk

date: January 22, 2025

Supervisor Signatures:

date: _____

LeRoy Gondringer

Chad Klocker

Bryan Rassier