

# Minutes of the Meeting of the Avon Township Supervisors

October 2, 2013

Avon Township Hall

**Call to Order:** Chairman Gondringer called the meeting of the Avon Township Supervisors to order at 7:30 P.M. in the main chamber of the Avon Township Hall.

**Pledge:** The Pledge of Allegiance was recited.

**Roll Call:** Present – LeRoy Gondringer, John Merdan, Kelly Martini, and Marion Gondringer; Absent - Richard Bresnahan and Stephen Saupe.

**Approval of Agenda:** Merdan moved to approve the agenda as amended. Gondringer second. All in favor. Motion carried.

**Minutes:** Merdan moved to approve the minutes of the August 4, 2013 meeting. Gondringer second. All in favor. Motion carried.

**Treasurer's Report:** Martini read the Treasurer's Report and provided the Cash Control Statement for the period 9/1/2013 to 9/30/2013 (*below*). Check numbers #'s 7591-7622. Claim #'s 2107 -2128. 7608 voided check.

**For the Period 09/01/2013 to 09/30/2013**

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Revenue	\$89,459.57	\$421.84	\$7,197.05	\$82,684.36
Road and Bridge	\$382,400.00	\$0.00	\$1,749.02	\$380,650.98
Fire	(\$18,599.71)	\$0.00	\$0.00	(\$18,599.71)
Road Damage Deposit	\$400.00	\$0.00	\$0.00	\$400.00
Capital Reserve Fund	\$79,267.24	\$0.00	\$0.00	\$79,267.24
<b>Total</b>	<b>\$532,927.10</b>	<b>\$421.84</b>	<b>\$8,946.07</b>	<b>\$524,402.87</b>

**Approval of Claims & Payroll:** Martini presented claims # 2107 - 2128. *Merdan* moved to approve the payroll and the claims. Gondringer second. All in favor. Motion carried.

Motion by Merdan to accept the Treasurer's report. Gondringer second. All in favor. Motion carried.

**Road Report:** The following items were discussed:

- Hiring a Snowplow Driver:** Gondringer moved to hire Wayne Reeseman as snowplow driver with Ken Hinnenkamp as a secondary driver to operate the pick-up truck plow, with all drivers cross-trained to operate both the plow and the pickup plow truck. Merdan second. All in favor. Motion carried.
- Brush on 365<sup>th</sup> St.:** Chipping is in progress throughout the Township but was interrupted by rain. It will resume until completed.
- Pickup truck plow:** A pick-up truck has been purchased and will be picked up this week.
- Purchasing salt sand:** Bids have been secured. Motion by Merdan to order 250 yards of salt sand for the year secured with the lowest bidder. Gondringer second. All in favor. Motion carried.
- Safety Vests for plow drivers:** Motion by Merdan to purchase reflective safety vests for the three plow truck drivers to use while plowing snow. Second by Gondringer. All in favor. Motion carried.

6. Motion by Merdan to approve the Road Report as presented. Gondringer second. All in favor.  
Motion carried.

**Planning Commission Report:** Mr. Ken Mergen, Planning Commission Chair, presented the Planning Commission report. Mergen reported:

1. **Knife River** - Interim Use Permit. Request for approval of a Interim Use Permit for Knife River to operate a temporary asphalt plant located at the Ramler/Pierskalla gravel pit beginning with the 2013 construction season with additional projects to be added in the 2013- 2014 season. Knife River states that use of the pit would not begin until the 2014 season. Permit would be for a one-year term.

Concerns expressed by neighbors: Gerry Schmit: Operation of the current gravel pit is not shutting down at 9:00 as per the conditions in its conditional use permit. Ron Klinker, Environmental Manager for Knife River, stated that all crushing is to be done by 9:00, but a generator may run later. Using unnecessary expletives, a neighbor, Scot Hanson, stated that the crushing operation is very noisy. Chairman Gondringer reprimanded Hanson for the use of improper language and informed him that improper language would not be tolerated. Klinker stated that Knife River is complying with all regulations according to the Minnesota Noise Ordinance and in compliance with their gravel pit CUP. Concerns were noted on the gravel pit operation by Knife River representatives present and will be addressed with the gravel pit foreman.

Discussion took place concerning conditions to be included in the IUP request for the operation of the asphalt plant. Conditions to be included will be as follows:

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**Conditions for Interim Use Permit for Knife River asphalt plant:**

1. Permit will be for the construction season for the year 2014;
2. Hours of asphalt plant operation are from 6:00 a.m. to 6:30 P.M., with a generator startup at 5:30 a.m. to warm equipment, and with all trucks returned to the location by 9:00 P.M.;
3. Days allowed for asphalt plant operation will be restricted to Monday through Friday with no operation on Saturdays, Sundays and holidays;
4. No truck hauling will take place on Township roads;
5. Entrance will be signed according to Stearns County requirements;
6. Traffic signs will be in place as per MNDot and Stearns County requirements for truck hauling;
7. Postcards will be sent out for the start of operations one-week prior to the beginning of operation;
8. Avon Township officials reserve a rite of entry to this land for the purposes of determining compliance of the Interim Use Permit, after providing Knife River personnel proper notification and identification;
9. Knife River will make available, to Board members and Avon residents, a tour of an operating asphalt plant facility upon request;
10. Portable satellites will be provided for employees. Trash will be collected and contained in a suitable receptacle and hauled off site to a appropriate disposal site;
11. All equipment and waste material will be removed from the site at the end of operation;
12. Must comply with all Avon Township and Stearns County requirements;
13. A financial bond of five thousand dollars will be secured;

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Motion by Merdan to approve the IUP for Knife River for the operation of a temporary asphalt plant beginning with the 2014 construction season and extending for one year, with conditions as listed. Second by Gondringer. All in favor. Motion carried.

Motion by Merdan to approve the Planning Commission report. Gondringer second. All in favor.  
Motion carried.

**Public Hearings:** None

**Scheduled Business:**

1. **Mid-Continent** fiber optics cable installation: Representative – Eric Witt. Installation of a fiber optics cable is planned for Upper Spunk Lake Road; (2400 feet) in the ditch along the east side of the road. Motion by Gondringer to approve the installation of fiber optic cable by Mid-Continent along the east side of Upper Spunk Lake Road. Second by Merdan. All in favor. Motion carried.
2. **Kurt and Sheryl Schneider** have made the decision not to proceed with the rezoning request for the property at 16898 Queens Road. P.I.D No. 03.01454.0000.
3. **Girl Scout Hall use:** Motion by Merdan to approve use of the Hall for Troop 433 and Avon Girl Scout Daisy Troop for the 2013-2014 school year. Second by Gondringer. All in favor. Motion carried.
4. Motion by Gondringer to plow Rosemary Anderson's drive this year as per agreement included in land sale agreement to the Township. Second by Merdan. All in favor. Motion carried.
5. **Steve and Debbie Koop driveway permit:** Motion by Gondringer to approve the driveway permit for Steve and Debbie Koop. Second by Merdan, all in favor. Motion carried.
6. **Salt Shed electrical work:** Merdan moved to approve \$3,197.00 for electrical installation work necessary in the salt shed. Gondringer second. All in favor. Motion carried. Motion by Gondringer to approve the \$225.00 bid from Avon Electric for electrical work to install a light switch by the entrance door of the maintenance building for the outdoor floodlights. Second by Merdan. All in favor. Motion carried.
7. Motion by Merdan to authorize attendance by those who wish to go to the Township Semi-Annual meeting. Second by Gondringer. All in favor. Motion carried.

**Other/Old Business**

1. **Land sale** –The closing for the sale of the salt shed property is set for October 8<sup>th</sup> or 9<sup>th</sup>, 2013.
2. **Kurtzman vs. Martini and Avon Township road lawsuit:** Mediation with Kurtzman, Dean and Kelly Martini, and legal representatives did not arrive at an agreement. Further action will be forthcoming.
3. **Shelving Unit for utility room:** Motion by Merdan to purchase shelving unit for the utility room. Second by Gondringer. All in favor. Motion carried.
4. **Peach Drive:** The DNR has taken the stand that they are not interested in establishing an additional parking lot on this road because there is another lot already established very close to this site.
5. County recording fees will be discussed with the full board at the November meeting.

**Reports/Announcements:**

Minnesota Fall Maintenance Expo –Oct 2-3, 2013. St. Cloud Public Works Facility.

1. Assessment searches:
  - a. Ervin Fuchs, 15588 360<sup>th</sup> St. Avon, P.I.D. No. 03.00839.0000
  - b. Bank of America, N.A., 32235 Narnia Lane, Avon, P.I.D. No. 03.01072.0020
  - c. Merdan Co Rd 50, P.I.D. No. 03.01121.000
  - d. David and Geralyn Nathe-Evans, 17073 Upper Spunk Lake Road, Avon.
2. Certificate of Real Estate Value were received for properties of:

- a. Buyer - Kurt and Sheryl Schneider (Backes property at: Lot 1, block 1, Queens View, Stearns County, \$35,000);
- b. Buyer - Frank & Karla Himsl (Himsl property at 13498 Norway Rd, Avon, \$175,000);
- c. Buyer - Robert Maleska (Fuchs property at 37115 160<sup>th</sup> Ave., \$140,000);
- d. Buyer - Gabriel & Greta Noska, (Budde property at 18088 Co Rd 54, Avon, \$225,000);
- e. Buyer - Ray and Sharon Maciejewski, (Schmid property at 15582 Parkwood Circle, Avon, \$2,250);
- f. Buyer - Thomas Bosl (Brix property at 34206 Co Rd, 9, Avon, \$200,000);
- g. Buyer - Taylor Corbet, (Rodenwald property at 33732 Shorewood Drive, Avon, \$91,500);
- h. Buyer - Adam Knapp, (Lange property at 18918 Co Rd 54, \$180,000).

**Adjournment:** Merdan moved to adjourn the meeting at 9:23 PM. Gondringer second. All in favor. Motion carried.

**Announcement of Next Meeting:** The next meeting will be held on Wednesday, November 6, 2013 at 7:30 PM.

Respectfully submitted,  
Marion Gondringer, Deputy Clerk

Supervisor Approval

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Richard Bresnahan

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LeRoy Gondringer

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John Merdan

Attest

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Date