

Minutes of the Meeting of the Avon Township Supervisors

September 4, 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 –Richard Bresnahan, LeRoy Gondringer, Kelly Martini, John Merdan, and Marion Gondringer; Absent by Leave - Stephen Saupe.

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

Minutes: Bresnahan moved to approve the minutes of the August 7, 2013 meeting. Merdan 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 number 7585 is voided for the wrong amount. Bresnahan moved to accept the Treasurer's report. Merdan second. All in favor. Motion carried.

For the Period 08/01/2013 to 08/31/2013

Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance
General Revenue	\$91,991.21	\$791.10	\$3,322.74	\$89,459.57
Road and Bridge	\$387,229.57	\$0.00	\$4,829.57	\$382,400.00
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
Total	\$540,288.31	\$791.10	\$8,152.31	\$532,927.10

Approval of Claims & Payroll: Martini presented claims # 2088 – 2106. Merdan moved to add clerk stipend to deputy clerk salary while Clerk Saupe is on leave of absence. Bresnahan second. All in favor. Motion carried. Bresnahan moved to approve the payroll and the claims with authorization for Martini to confirm the correct amount for payment of the Rinke Noonan invoice. Merdan second. All in favor. Motion carried.

Road Report: The following items were discussed:

- Hiring a Snowplow Driver** – Three applications have been received. Bresnahan moved to form a committee consisting of Joe Koopmeiners, Ken Mergen and Supervisor Gondringer to move through the process of hiring a snow plow driver. Merdan second. All in favor. Motion carried.
- Pressure washer and welder:** Discussion took place concerning the need for a hot water pressure washer for truck maintenance, and a welder for truck repairs. Motion by Bresnahan to authorize Merdan to work with Koopmeiners in the purchase of a hot water pressure washer and

a welder for the purpose of maintaining the plow trucks with Gondringer authorizing the final purchase. Second by Merdan. All in favor. Motion carried.

3. **Plow truck repairs:** Motion by Bresnahan to approve the expense of approximately \$2,000.00 to upgrade the wing lift system on the red plow truck and to authorize Joe Koopmeiners to do the work. Merdan second. All in favor motion carried. Motion by Merdan to authorize Koopmeiners to take the yellow plow truck to Mayers Repair in Farming to repair the wing post. Second by Bresnahan. All in favor. Motion carried.
4. **Pickup truck plow:** Koopmeiners made a request to address snow plowing of the turnarounds on dead end roads. Discussion took place on the expense of widening these areas to improve safety for the plow trucks. Discussion took place on the purchase of a pickup truck plow to handle the plowing of these and other areas thereby speeding up plowing. Motion by Merdan to authorize Bresnahan to purchase a pick up plow truck at a cost of up to \$20 thousand dollars. Gondringer second. All in favor. Motion carried.

Motion by Bresnahan to approve the Road report as presented. Merdan second. All in favor. Motion carried.

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

1. **Kurt and Sheryl Schneider rezoning request:** A request to rezone 10.93 acres of land from A-40 to R-5 to allow construction of a home (Acting agent – Paul Eisenschenck / private real estate development consultant). Documents presented. This parcel does not carry a building credit because of a previous split, therefore would require a Transfer of Development Right (TDR). This must take place only after both the sending and receiving parcels are owned by the transferring party for three years. An R-5 zone would create two building credits on the parcel. Adjoining properties have similar lot sizes.

The parcel was originally sold as unbuildable therefore there was concern for the issue of rezoning since it would set a precedent and the County would most probably recognize this as spot zoning and would not approve the request. Bresnahan was concerned that the LESA score had not been provided and may not be appropriate for rezoning to R-5. Bresnahan felt approval of this request would set a precedent for a rezoning outside of our Memorandum of Understanding (MOU) and will pull into question with the City of Avon the agreement with them for orderly development as well as the agreement to avoid spot zoning in the Township.

Mergen reports that the Planning Commission had an equally split vote on denying this rezoning; two in favor, two opposed.

Merdan moved to recommend to the County to deny approval of the requested rezoning. Bresnahan second. All in favor. Motion carried.

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

Public Hearings: None scheduled.

Scheduled Business:

1. **Kurtzman / Martini road access case:** 8:00 P.M. closed meeting with Ken Bayliss, representing attorney. Motion by Merdan to close the meeting at 8:00 in accordance with MN Statute 13D.05 subd 3b. Bresnahan second. All in favor. Motion carried. Motion by Bresnahan to reopen Regular Meeting of the Town Board at 8:27 P.M. Second by Merdan. All in favor. Motion carried.
2. **Tumbleweed Tavern** - Noise Ordinance exemption request – Michelle Sarazin, owner, requests an exemption from the noise ordinance for an event on 9/20/13. Bresnahan moved to approve the exemption from the noise ordinance on September 20, 2013. Merdan second. All in favor. Motion approved.
3. **Resolution # 09-04-13-** Authorizing the Sale of Avon Township Property. (Salt Shed Land). Motion by Bresnahan to pass the resolution authorizing the sale of the Avon Township salt shed property. Second by Merdan. All in favor. Motion carried.
4. **Knife River** – Gravel pit Interim Use Permit hearing date. Request for approval of a Interim Use Permit for Knife River to operate an asphalt plant beginning approximately October 13, 2013 with additional projects to be added in the 2013- 2014 season. Motion by Merdan to set the public hearing date for the request to operate an asphalt plant on the Knife River gravel pit for 7:45 on September 25, 2013 at the Planning Commission Meeting. Second by Bresnahan. All in favor. Motion carried.
5. **Set fee for chain saw use:** The fee will be set at \$15.00 per hour for the use of personal chain saws for cutting brush or clearing roads of downed trees. Motion by Bresnahan to set the chain saw fee at \$15.00. Second by Merdan. All in favor. Motion carried.

Other/Old Business

1. **Land sale** –The closing for the sale of the Salt Shed property is still waiting on the completion of the environmental assessment pursued by purchaser. Motion by Bresnahan to authorize Gondringer to explore this issue with the Township attorney. All in favor. Motion carried.
2. **Hall use:** Motion by Bresnahan to approve the use of the Town Hall for Girl Scout Daisy Troop 117 every 2nd Tuesday. Second by Merdan. All in favor. Motion carried.
3. **Salt Shed Building Update** – The Salt Shed will be ready for salt delivery this fall. Upon completion of the building, Koopmeiners will transfer salt sand that remains in the existing shed. Gondringer will check on the possibility of installing a sliding door instead of an overhead door.

Reports/Announcements:

1. *Sparks Sales* in Avon has had a name change. It will now be named *Sparks Trailers*.
2. A Major Shoreland Alteration permit was granted to Scott Thielman, St. Joseph, and Lisa Kampfer, Avon at 36625 Pelican lake Road.
3. Ray and Barb Voitalla variance request was approved by the Stearns County Board of Adjustments on July 29, 2013.
4. Eb Fuchs Septic system Encroachment was approved and recorded by Stearns County.

Adjournment: Bresnahan moved to adjourn the meeting at 10:05 PM. Gondringer second. All in favor. Motion carried.

Announcement of Next Meeting: The next meeting will be held on Wednesday, October 2, 2013 at 7:30 PM.

Respectfully submitted,
Marion Gondringer, Deputy Clerk

Supervisor Approval

Richard Bresnahan

LeRoy Gondringer

John Merdan

Attest

Date