

Minutes of the Meeting of the Avon Township Supervisors
February 5, 2014
Avon Township Hall

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

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Richard Bresnahan, LeRoy Gondringer, Kelly Martini, John Merdan, and Stephen Saupe. Also present – Ken Mergen (Planning Commission Chair), Joe Koopmeiners (maintenance), Marion Gondringer (Deputy Clerk).

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

Minutes: The minutes from the January 8, 2014 were corrected as follows: (p3, #5) Eric Linn *has* retired from the department; (p3, #4) add – and the mileage rate for 2014 is \$0.56. Bresnahan moved to approve the minutes of the January 8, 2014 meeting as corrected. 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 01/01/2014 to 01/31/2014 (*below*). Martini noted that the end balance doesn’t match the amount in the bank because the timing of a payment to Koopmeiner’s was not included; this will be reflected in the next statement. Bresnahan moved to accept the Treasurer’s report. Merdan second. All in favor. Motion carried.

For the Period 01/01/2014 to 01/31/2014

Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance
General Revenue	\$76,380.06	\$2,330.66	\$5,378.82	\$73,331.90
Road and Bridge	\$399,833.37	\$2,615.10	\$8,191.52	\$394,256.95
Fire	\$9,627.52	\$778.30	\$0.00	\$10,405.82
Road Damage Deposit	\$400.00	\$0.00	\$0.00	\$400.00
Capital Reserve Fund	\$68,027.20	\$4,130.41	\$3,596.59	\$68,561.02
Total	\$554,268.15	\$9,854.47	\$17,166.93	\$546,955.69

Approval of Claims & Payroll: Martini presented claims 2198 – 2214. Check #7738 was voided. Huston’s submitted his claim for February on the January form since the latter required signing. Bresnahan moved to approve the payroll and the claims. Merdan second. All in favor. Motion carried. Bresnahan moved to include claim numbers 2180 – 2197 in the minutes from the January meeting. Merdan second. All in favor. Motion carried.

Road & Maintenance Report:

- Collegeville Township Partnership** – Collegeville Supervisor Bill Fahrney and Treasurer Bob Simon appeared to request sharing the Avon Township salt shed for the winter of 2014 – 2015. Collegeville is beginning the process of constructing a salt shed and needs a temporary solution for the upcoming winter. The Supervisors expressed a willingness to help as long as it doesn’t put our township at risk of running out of salt/sand. Trading services was suggested as compensation. The Supervisors will discuss this at a future meeting.

2. **Revised Time Sheet** – Koopmeiners will use a newly designed time sheet that makes it easier for the Treasurer to track budget items.
3. **Snow Plowing Across Road** – Some residents are plowing snow across the road which is illegal, and dangerous for the plow operators because the wing/blades catch the ridges of snow that are created. The Clerk will send to them a letter asking them to stop. The first incident will be a friendly reminder; the second will be worded a little stronger. The third offence will involve the Town Attorney.
4. **Ditch Mower** – Last year the Township paid \$6039 for ditch-mowing. Bresnahan moved to authorize the purchase of an eight-foot mower for \$8950. Merdan second. All in favor. Motion carried.
5. **Roads & Plowing** – Some roads are still a slippery but the Town will hold off on sanding/salting until it warms up a little. Overall plowing is going well, though there have been some complaints. A resident complained that mailboxes have been hit on Upper Spunk Lake Road. Supervisor Stich from St. Wendel Township complained that the wing had damaged the shoulder on 135th. Ms. Rosemary Anderson needs a snow fence.
6. **Signs** – Koopmeiners provided a listing of signs that required replacement. Martini reported that it would cost about \$2000. The supervisors authorized ordering the signs.

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

1. **Pundsack Encroachment Agreement** – Mr. David Pundsack appeared to request locating the drain field for a proposed septic system in the road right-of-way on Lower Spunk Lane. Bresnahan moved to approve an encroachment agreement to site a septic drain field at 34069 Lower Spunk Lane no more than 10 feet into the road right-of-way and as long as it remains below grade. Merdan second. All in favor. Motion carried.
2. **Tobacco Products** – the Planning Commission recommends banning all products in the Town Hall. Merdan moved to prohibit any form of smoking including e-cigarettes in the Town Hall. Bresnahan second. All in favor. Motion carried.
3. **Prioritizing Township Acquisitions** – The Supervisors directed the Planning Commission to prepare a list of Town needs/acquisitions.

Bresnahan moved to approve the Planning Commission report. Merdan second. All in favor. Motion approved.

Public Hearings: *none scheduled*

Scheduled Business:

1. **Resolution 02-05-14-1** – Bresnahan moved to approve Resolution 02-05-14-1 which adopts the Minnesota Township Record Retention Schedule. Merdan second. All in favor. Motion carried.
2. **Resolution 02-05-14-2** – Bresnahan moved to approve Resolution 02-05-14-2 which appoints judges for the March Township election. Merdan second. All in favor. Motion carried.

3. **Resolution 02-05-14-3** – Bresnahan moved to approve Resolution 02-05-14-3 which appoints the absentee ballot board for the March Township election. Merdan second. All in favor. Motion carried.
4. **Humane Society** – Bresnahan moved to approve the agreement with the Tri-County Humane Society, provided that it excludes cats. Merdan second. All in favor. Motion carried.
5. **County Board of Adjustment Meeting** – Bresnahan moved to send someone from the Township to the County Board of Adjustment meeting (Feb. 27, 2014) at which the variance request by Eric & Brianna Kurtz will be discussed.
6. **Driveway Permits** – to minimize the likelihood that a resident constructs a structure without securing the appropriate permits from the County, before a driveway permit is issued the Township will require evidence of a building permit for a structure served by the new driveway.
7. **Koopmeiners Performance Review** – Gondringer and Mergen will set up a meeting with Koopmeiners for a 90-day performance review.
8. **Tow Strap** – Bresnahan moved to approve purchasing a two strap from Koopmeiners for \$75.00. Merdan second. All in favor. Motion carried.
9. **Lawsuit** – Dean and Kelly Martini requested that the Township minutes reflect the full name of the recent lawsuit. Bresnahan moved to recognize that the name of the recent lawsuit is “Joseph Kurtzman, Charles Kurtzman, Jeanne Woods, MaryJo Adriaens, Karen Crichton, Michael J. Kurtzman, Judith Ann Kurtzman, James K. Kurtzman, and Louise Lederhos, Plaintiffs, vs. Avon Township, a governmental subdivision of the State of Minnesota and Dean M. Martini and Kelly A. Martini, husband and wife, Defendants.” Merdan second. All in favor. Motion carried. Deputy Clerk Gondringer reported that a copy of the settlement agreement from this case should be attached to the minutes.
10. **Computer File Backup** – The clerk, treasurer and deputy clerk will annually backup any electronic data files on their computers and place them in the records room for safekeeping.
11. **Keys** – the key listing was updated. Three keys to the garage (AB1) are missing, though are likely being held by either our current and past plow drivers. Koopmeiners will check into it.
12. **Planning Commission Membership** – Performance evaluations were conducted for the Planning Commission members (Huston, Saupe) whose terms are up. Bresnahan moved to reappoint Will Huston and Stephen Saupe to a three-year term on the Avon Township Planning Commission. Merdan second. All in favor. Motion carried.
13. **Date of the Board of Equalization and Adjustment Meeting** – Dates that would work for the Supervisors include April 28 & 29, and May 1, 5, 13 and 15.
14. **Certificate of Appreciation** – a certificate in gratitude of Eric Linn’s service to the Avon Fire Department was approved and signed.
15. **Annual Meeting Planning** – will be placed on the agenda for the March meeting.

- 16. **Budget** – will be discussed at the Board of Audit as posted.
- 17. **Office & Mail** – Koopmeiners will place mail in the office. Claims forms to be submitted by Township employees can be placed in the office prior to the Planning Commission meeting.
- 18. **Bloomberg Financial Request** – The Township will ignore the request for documents until provided with a rationale.

Other/Old Business

- 1. **Township Logo** – Saupe will contact the Art Department at CSB|SJU to see if any students are interested in creating a logo.

Reports/Announcements

- 1. Copies of the revised version of the Land Use and Zoning Ordinance #439, which were received from the County, were distributed.
- 2. The Clerk was contacted about approval for a land split but the property was not in Avon Township.
- 3. The Clerk responded to a request from the County to confirm amounts levied in 2013.
- 4. A brochure was received from Finn Ice (Litchfield) for crack-filling services.
- 5. A request was received to publish names of candidates for the March election on the website.
- 6. A feedlot permit for Jerome Eichers was approved by Stearns County.
- 7. The MAT Spring Short Course will be held March 25 at the Holiday Inn (St. Cloud).
- 8. An updated zoning map was received from Lance Erickson at Stearns County. It reflects a zoning change in section 28 that was UE and went to R1. Additional maps can be obtained from the County.
- 9. Stearns County Day at the Capitol is March 12, 2014.
- 10. Xcel Energy sent a notification of a rate increase.
- 11. The clerk responded to a request by Jeff Meyers for the MOU in the annexation area.
- 12. No Certificates of Real Estate Value were received.
- 13. No Construction Site Permits were received.
- 14. No special assessment searches were recorded this month.

Adjournment: Bresnahan moved to adjourn the meeting at 10:30 PM. Merdan second. All in favor. Motion carried.

Announcement of Next Meeting: The next meeting will be held on Wednesday, March 5, 2014 at 7:30 PM.

Respectfully submitted,
Stephen Saupe, Clerk

Supervisor Approval

Richard Bresnahan

LeRoy Gondringer

John Merdan

Attest

date