

# Minutes of the Meeting of the Avon Township Supervisors

September 2, 2015

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

**Call to Order:** Chairman Bresnahan 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:** Clerk Saupe led the Pledge of Allegiance.

**Recording:** The Clerk announced that the meeting was being recorded and turned on the recorder.

**Roll Call:** Present – Richard Bresnahan, John Merdan, Roger Nelson, Kelly Martini, and Stephen Saupe. Also present – Paul Buttweiler (*Deputy Treasurer*), Marion Gondringer (*Deputy Clerk*), LeRoy Gondringer (*Planning Commission Chair*), Joseph Koopmeiners (*Maintenance*).

**Approval of Agenda:** A discussion of roadwork on 370<sup>th</sup> and 165<sup>th</sup> were added to the agenda. Nelson moved to approve the agenda as amended. Merdan second. All in favor. Motion carried.

**Minutes:** Nelson moved to table approval of the minutes until next month to provide time to examine them more carefully. Motion failed for lack of a second. Nelson moved to consider approval of the minutes at the end of the meeting. Motion failed for lack of a second. Bresnahan moved to approve the minutes of the August 5, 2015 meeting as written. Motion failed for lack of a second. The meeting continued. At the end of the meeting the Supervisors revisited the minutes and amended the minutes to remove statements that were considered controversial and to fix a few typos. Nelson moved to approve the amended minutes of the August 5, 2015 meeting. Bresnahan second. Two in favor. Merdan abstain. Motion carried.

**Planning Commission Report:** Mr. LeRoy Gondringer, Planning Commission Chair, reported:

- Baker Rezoning Request** – The Planning Commission considered a request by Ms. Lisa Baker to rezone part of her property at 36861 Co Rd 9, Avon (MN), PID 03.01152.0000, from A40 to R5. The Planning Commission supported the request. Bresnahan moved to recommend to Stearns County approval of the request of Ms. Lisa Baker to rezone no more than five acres of her property from A40 to R5. Nelson second. All in favor. Motion carried. Merdan moved to rezone the adjacent property of Larry & Audrae Weber, 36999 Co Rd 9, from A40 to R5. Nelson second. All in favor. Motion carried. Bresnahan moved that if a fee were required for rezoning the Weber property, it would not be paid by the Weber's or Township, but should be paid by Ms. Baker. Nelson second. All in favor. Motion carried. Nelson moved to have the Planning Commission study the St. Anna area and develop a new zoning map to be approved by the Board. Merdan second. All in favor. Motion carried.
- Eichers CUP** – The Planning Commission considered a request from Jerome & Theresa Eichers for a Conditional Use Permit to operate an agriculturally oriented business at their property at 36932 160<sup>th</sup> Ave, Avon (MN) to process and sell goat cheese. The Planning Commission recommends a public hearing. Nelson moved to set a public hearing on September 30, 2015 at 7:45 PM to consider a CUP for Jerome & Theresa Eichers for an agriculturally oriented business. Merdan second. All in favor. Motion carried. Nelson moved to waive the CUP fee because the Eichers had already paid \$500 to Stearns County for the original CUP, however if Stearns County refunds their fee then the fee will not be waived. Merdan second. All in favor. Motion carried.

3. **Williams Variance** – The Planning Commission considered a request by Shawn & Beth Williams for a variance to build closer to the road an addition to their home and a garage. The Planning Commission recommends setting a public hearing. Merdan moved to set a public hearing on September 30, 2015 at 7:45 PM to consider a request by Shawn & Beth Williams for a variance to construct an addition to their home 37 feet from the center-of-the-road and a garage that is 45 feet from the center-of-the-road. Nelson second. All in favor. Motion carried.
4. **Water** – a water test indicates a water softener and iron filter should be installed in the Town Hall. Koopmeiners will look into quotes for work.
5. **Road Events** – The Planning Commission will consider policies for races and other events on Town roads.
6. **Voting** – we will no longer use the old standup voting booths; all voting will be seated.
7. The Behrend road obstruction has been moved.
8. The Bueckers preliminary plat was approved by Stearns County

Nelson moved to approve the Planning Commission report. 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 8/1/2015 to 8/31/2015 (*below*).

- The beginning balances in the General Fund and Road & Bridge funds are different than the ending balances from the previous month because a check for \$1269.92 was inadvertently not included in the previous statement and a receipt for \$25 was included twice. This yielded a total difference of \$1264.62 divided among the two funds (\$215.45 – General Revenue; \$1079.17 – R&B).
- Martini said she needs a laptop.
- Bond – A Continuing Disclosure Filing Agent Service form with David Drown Associates was approved. Merdan moved to approve and sign the Report of Significant Events. Nelson second. All in favor. Motion carried.
- Federal Tax Refund – Martini will follow up with IRS about a notice received that the Federal Tax refund was not correctly deposited.
- Town Aid – Minnesota Revenue sent a note stating the 2016 Town Aid payment will be \$1964, half to be received in July 2016 and the other half in December 2016.
- Martini requested that we don't proceed to other agenda items until everything has been taken care of with the claims, etc.

Nelson moved to accept the Treasurer's report. Merdan second. All in favor. Motion carried.

For the Period : 8/1/2015 To 8/31/2015

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$119,245.34	\$1,187.16	\$3,800.04	\$116,632.46
Road and Bridge	\$173,896.82	\$0.00	\$4,105.89	\$169,790.93
Road Damage Deposit	\$1,600.00	\$200.00	\$0.00	\$1,800.00
Fire Fund	(\$20,808.82)	\$0.00	\$0.00	(\$20,808.82)
General Capital Projects	\$58,069.96	\$0.00	\$0.00	\$58,069.96
<b>Total</b>	<b>\$332,003.30</b>	<b>\$1,387.16</b>	<b>\$7,905.93</b>	<b>\$325,484.53</b>

**Approval of Claims & Payroll:** Martini presented claims #2643 – 2659 (August PERA 2641 & 2642). Check #8358 was voided (had been paid the previous month). New checks were erroneously ordered with the Treasurer's home address rather than the Town Hall. They will be used until they are gone. Merdan moved to approve the payroll and claims. Nelson second. All in favor. Motion carried.

**Maintenance & Road Report:**

1. **370th** – When doing underground drilling Stearns Electric damaged the ditch near the intersection with Co. Rd 3. To repair the damage Koopmeiners applied two yards of class 5. The Town will send an invoice for the work done.
2. **Signs** – several stop signs in the Township, including those on County roads have been vandalized. Koopmeiners has been cleaning the signs. A stolen minimum maintenance sign was returned. Koopmeiners will order an additional minimum maintenance sign.
3. **325<sup>th</sup>** – Lange Trenching was hired by Saint John's to widen the road to make it safer to access the field used for parking at the intersection with Co Rd 159. Culverts and aprons were added to the approaches and an additional access was added installed. A driveway permit will be required; Bresnahan will follow up with Saint John's.
4. **Philippi Mailbox** – Tim and Dan Philippi appeared to discuss an assortment of issues including the removal of their mailbox post. The Philippi's were notified that the post, which is a metal I-beam, is a significant road hazard and must be removed before winter. Nelson moved to provide the Philippi's with a new breakaway mailbox post. Motion failed for a second. At a future meeting the Supervisors will discuss whether to install at Town expense breakaway posts for residents who live on a road that will be resurfaced. The Philippi's also requested no spraying of their roadside because they have an organic farm and they notified the Town that a utility pole is leaning.
5. **Behrend** – The wall, but not the fence, in the road right-of-way has been moved. Once the project is finished our attorney will draft a letter finalizing the situation.
6. **Snow** – Everything is ready for snow season. Merdan moved to authorize Koopmeiners to draft a list of routes that are plowed. Nelson second. All in favor. Motion carried. Merdan moved to accept the salt sand quote from Lange for 150 yards at \$68.66 per yard including crushed granite and pushed into the shed. Nelson second. All in favor. Motion carried.
7. **Mowing** – the right-of-ways will be mowed once more before winter.
8. **Propane** – a bill for \$1.19 per gallon was received. Koopmeiners will inquire about the lower rate that had been originally quoted.
9. **Cracking filling & Patching** – will be completed this month.
10. **Driveway Damage Deposits** – The deposit from Kurtz will be kept to compensate the Town for road damage. Others are still pending.
11. **DOT Inspections** – Koopmeiners will handle.

Nelson moved to accept the road report. Merdan second. All in favor. Motion carried.

**Public Hearings:** None scheduled.

**Scheduled Business:**

1. **PO Box** – The Town will not pursue a PO box at this time.
2. **Meeting Recordings** – The Town is waiting for a price quote from a vendor to make a final decision on how to record meetings.
3. **Town Hall Use** – Nelson moved to approve the use of the Town Hall by two groups of Girl Scouts and to provide them with a key. Merdan second. All in favor motion. Meetings of only leaders or other meetings are not permitted without prior approval. There will be \$50 deposit for the key. The users must leave the Hall clean and tidy.
4. **Commemorative Plaque** – Nelson moved to remove from the entryway the plaque commemorating the dedication of the building. The motion failed for a lack of a second.

**Other/Old Business:** none**Recurring Reports:**

1. There was a request for a 911 sign (Bueckers, 18302 Co Rd 9).
2. Certificates of Real Estate Value were presented for Moran (\$330,000), Olson (\$159,000), Matros Trust (\$150,000), and Pietrowski (\$80,000). More details are available at the eCRV website (<https://gis.co.stearns.mn.us/landuse-Restriction/default.aspx#>).
3. Construction Site Permits were received for Goldstone (15173 331<sup>st</sup> St.; 30 x 55 shed); Quesnel (33704 Poverty Point Rd; 12 x 12 garden shed); Schulte (18960 Upper Spunk Lake Rd, 16 x 24 addition); and Rood (32909 182<sup>nd</sup> Ave; single family home). Details on the County website.
4. A feedlot permit for Ritter (34678 Tower Road) was received.
5. One special assessment search was done (Lecy, 15548 Parkwood Circle).
6. No home extended business permits or County public hearing notices were received.

**Announcements & Brief Reports:**

1. The Joint City/Township meeting has been rescheduled. Watch for more details.
2. The Summer 2015 issue of the *Technology Exchange* newsletter was received.
3. Two copies of the revised 439 Ordinance are available for a Supervisor or Planning Commissioner.
4. There was a recent meeting about a grant program to enhance broadband networks.
5. Mr. Jake Pidde is the new Assistant County Assessor.
6. The 21<sup>st</sup> Annual MN Fall Maintenance Expo will be held Oct 7-8, in St. Cloud.
7. Saint John's Solar Garden – a letter was received from Br. Benedict Leuthner, OSB, at Saint John's updating the Town about the community solar garden project (Xcel is currently reviewing documents).
8. Avon Area Lakes report and District 5 meeting update will be done at the next meeting.

**Adjournment:** Merdan moved to adjourn the meeting at about 10:35 PM. Nelson second. All in favor. Motion carried.

**Announcement of Next Meeting:** The next regular meeting will be held on Wednesday, October 7, 2015 at 7:30 PM.

Respectfully submitted,  
Stephen Saupe, Clerk

**Supervisor Approval**

\_\_\_\_\_  
Richard Bresnahan

\_\_\_\_\_  
Roger Nelson

\_\_\_\_\_  
John Merdan

**Attest**

\_\_\_\_\_

\_\_\_\_\_  
Date

REZONING RECOMMENDATION FROM

AVON TOWNSHIP

The Avon Town Board ~~and/or Planning Commission~~  
(Township Name)

met on Sept 2 2015 to discuss the rezoning application submitted  
(Date)

by Lisa Baker of Avon, MN. Applicants are requesting to  
(Applicant) 36861 Co Rd 9 03.01152.0000  
56310 (City, State)

rezone 5 acres from the A40 zoning district to the  
R5 zoning district.

Comprehensive Plan Future Land Use Plan designation (Fig. 3.4): \_\_\_\_\_

Comprehensive Plan Policy Area designation (Fig. 3.3): \_\_\_\_\_

The Town Board ~~and/or Planning Commission~~ recommends

approval ~~denial~~ of the proposed rezoning based on the following  
(Circle One)

reasons.

- fits Comprehensive Plan (p 31)
  - close to St. Anna rural Town Site and compatible w adjusting boundaries of Town site
  - has lived on the site for 5 years and it would be beneficial for her business
- Does the Town Board see any alternatives to the rezoning request?
- not able to find bldg credits in Avon Township
  - no other alternatives

Additional Comments: none

Township Signature or Seal: \_\_\_\_\_

Sept 2 2015  
Note: Please attach minutes from the meeting.

