

Minutes of the Meeting of the Avon Township Supervisors

April 6, 2016

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 and welcomed guests.

Pledge: The Pledge of Allegiance was recited.

Recording: The meeting was not recorded because the recorder was inadvertently left at home.

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

Approval of Agenda: Nelson moved to approve the agenda with additions. Merdan second. All in favor. Motion carried.

Minutes: Merdan moved to approve the minutes of the March 2, 2016 meeting. Nelson second. All in favor. Motion carried.

Planning Commission Report: Presented by Mr. LeRoy Gondringer, Planning Commission Chair:

- Bicycle Tour** – Mr. Jeff Bauerly & Mr. Mark Halstrom appeared at the Planning Commission meeting to request permission to hold a bicycle race on some Township roads on Saturday, April 16, 2016. There were problems with this race in past years (rude behavior by race officials toward residents, garbage left). Supervisors recommended that race organizers provide better training for the course marshals, insure garbage is cleaned up, post a sign near the finish line because it is over the top of a hill and not easy for motorists to see, and post signs or contact residents along the route to alert residents to them to the race. Merdan moved to approve a Bicycle Race permit for the race on April 16, 2016. Nelson second. All in favor. Motion carried.
- Solar Garden at Saint John's** – Representatives from Geronimo appeared at the Planning Commission meeting to request a renewal of the CUP for the Solar Garden project at Saint John's that has expired. They are also requesting an expedited approval process. The Planning Commission recommends setting a public hearing at the next meeting. Merdan moved to set a public hearing at 7:45 on April 27, 2017. Nelson second. All in favor. Motion carried. The interconnect is being planned to run along the south side of 325th. Geronimo was alerted that 325th will be resurfaced this summer. To expedite the request, Geronimo requested a special meeting of Supervisors. Nelson moved to set a special meeting of the Board of Supervisors at 8:00 PM on April 27, 2016. Merdan second. All in favor. Motion carried.
- Solar Tour at Saint John's** – Stearns County is sponsoring a tour of the solar facility at Saint John's on 26 April, 2016 at 2:30 PM. Merdan moved to authorize attendance by any Supervisor or Planning Commission member. Nelson second. All in favor. Motion carried.
- Balfour/Ritzer CUP** – Ms. Karen Balfour did not attend the Planning Commission for the scheduled public hearing for her Conditional Use Permit for a standard two-lot plat instead of a conservation subdivision in the Stearns County Conservation Design Overlay area (see Section 7.6.5 of County Ordinance #439, Section 7.6 Avon Township zoning ordinance). The Planning Commission held the public hearing in the absence of Ms. Balfour but tabled a decision until she was present. Ms. Balfour

and Ms. Ann Montanez appeared at this meeting and stated that they were confused about the date/time of the hearing and requested action on their CUP request. The Supervisors discussed the situation and considered the Findings of the Facts for a Conventional Subdivision in the Avon Hills Overlay District. In summary, the Supervisors determined that there will be no additional impacts from the proposed subdivision because no residence will be permitted on the property; as a consequence nothing will change. Nelson moved to approve a standard two-lot plat instead of a conservation subdivision in the Stearns County Conservation Design Overlay area for Ms. Karen Balfour on the condition that no residential structure or home is permitted on the 10-acre parcel. Merdan second. All in favor. Motion carried. Merdan moved to approve a Certificate of Compliance for the 10-acre site if one is required. Nelson second. All in favor. Motion carried.

5. **180th Avenue** – Mr. Paul Eisenschenk appeared at the Planning Commission meeting to request that the Town reopen 180th Avenue to provide better access to Avon Estates. Because the road was abandoned, this is now a private issue. The Planning Commission takes no exception to the plan.
6. **Scanlon Variance** – Mr. John Scanlon appeared at the Planning Commission meeting to request a variance to site a garage closer to the road than is currently permitted. The Planning Commission supports setting a public hearing. Merdan moved to set a public hearing at 7:45 PM on April 27, 2016 to consider a request by Mr. John Scanlon to site a garage closer to the road than is currently permitted. Nelson second. All in favor. Motion carried.
7. **Haakonson Driveway Permit** – Mr. Nate Haakonson appeared at the Planning Commission to request a driveway permit for another access to his property on 182nd Avenue. The Planning Commission recommends against granting the request (3 votes to 2). Nelson moved to deny a driveway permit for Mr. Nathan Haakonson. Merdan second. All in favor. Motion carried. The Supervisors suggested that a signed petition by neighbors or a document in support of the request from the neighborhood association might be helpful.

Merdan moved to approve the Planning Commission report. Nelson second. All in favor. Motion carried.

Treasurer’s Report: Martini read the Treasurer’s Report and provided the Cash Control Statement for the period 3/1/2016 to 3/31/2016 (*below*). Check #8536 for \$62,617 for fire service from the City was voided because the Town will now pay the fire contract semi-annually instead of yearly. The following old checks were voided: #6279 (Mar 2010), #7856 (May 2014), and #5562 (Dec 2007). The following old checks were voided and reissued: #7373 (Feb 2013, \$46.17), #6084 (Aug 2009, \$50), and #6090 (Aug 2009, \$200). Martini reported that the Auditor’s Office said it was acceptable to void old checks. The checks will not be officially canceled with the bank because of the cost. Nelson moved to approve the Treasurer’s report. Merdan second. All in favor. Motion carried.

For the Period : 3/1/2016 To 3/31/2016

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$91,688.34	\$339.53	\$4,648.80	\$87,379.07
Road and Bridge	\$138,320.39	\$36,396.85	\$3,474.66	\$171,242.58
Road Damage Deposit	\$1,800.00	\$0.00	\$0.00	\$1,800.00
Fire Fund	\$7,586.92	\$0.00	\$0.00	\$7,586.92
General Capital Projects	\$62,512.95	\$0.00	\$0.00	\$62,512.95
Total	\$301,908.60	\$36,736.38	\$8,123.46	\$330,521.52

Approval of Claims & Payroll: Martini presented the claims (2780 – 2803). The PERA claims for March were 2778 & 2779. Merdan moved to increase the moderator fee for the Annual Meeting to \$75. Nelson second. All in favor. Motion carried. Nelson moved that Township staff be paid the regular meeting fee for attending the Qualification meeting. Merdan second. All in favor. Motion carried. Merdan moved to approve the payroll and claims. Nelson second. All in favor. Motion carried.

Maintenance Report:

1. **Lawnmower** – a mower was purchased from Powerhouse.
2. **Ceiling Fan** – Merdan moved to accept a quote to install a new ceiling fan in the Maintenance Shop. Nelson second. All in favor. Motion carried.
3. **Flagpole Lighting** – Merdan moved to accept a quote to install lighting on the flagpole. Nelson second. All in favor. Motion carried.
4. **Parking Lot** – a quote to blacktop the parking lot was received from Knife River for \$49,300. Nelson moved to not accept the quote from Knife River. Merdan second. All in favor. Motion carried.

Road Report:

1. **Road Inspection** – will take place on Saturday April 16 at 9 AM. Meet at the Town Hall.
2. **Culvert on 365th** – A culvert on 365th is eroding through and needs to be fixed as soon as possible. A quote was received from Anderson Excavating. Nelson moved to accept the quote of \$13,428.75 from Anderson Excavating to repair the culvert on 365th Street. Merdan second. All in favor. Motion carried.
3. **Repair Work** – Koopmeiners reported that there are three potholes on Lower Spunk Lane in need of repair. Frost heaves were noted on Sara Lane and 360th. These will be added to road inspection.
4. **Offset Disk** – Koopmeiners will use an offset disk on road shoulders. Both disk and tractor will be rented.
5. **Roadwork Assistance** – Nelson moved to authorize Joe Koopmeiner's son to help with brushing on Fridays. Merdan second. All in favor. Motion carried.
6. **Roadwork** – Bid documents for upcoming roadwork were signed. Martini will require a Certificate of Insurance. There will be a pre-construction meeting March 9th. Knife River will likely start about Memorial Day.
7. **Norway Road** – Nelson moved to authorize bids for resurfacing Norway Road. Merdan second. All in favor. Motion carried. Huston will provide assistance with the process.

Nelson moved to accept the Town Maintenance and Road reports. Merdan second. All in favor. Motion carried.

Public Hearings: *None scheduled.*

Scheduled Business:

1. **Red Maple Drive** – Mr. Tony Ebnet appeared to inquire about future work to Red Maple Drive and moving the road from its current location. It will be examined during road inspection but is not a priority at this time.
2. **Board of Canvass Minutes** – Nelson moved to approve the minutes of the March 8, 2016 Board of Canvass. Merdan second. All in favor. Motion carried.
3. **Qualification Meeting Minutes** – Nelson moved to approve the minutes of the March 23, 2016 Qualification meeting. Merdan second. All in favor. Motion carried.
4. **MAT Officer Listing** – The MAT Town Office list was checked and signed.
5. **Fire Contract with Avon** – Nelson moved to sign the revised fire service contract with the City of Avon. Merdan second. All in favor. Motion carried. The revisions were to allow the Township to pay our fee biannually instead of annually.
6. **Capitol Update** – Nelson reported a productive visit to the Capitol. Among the topics discussed with legislators was road tax.
7. **Weed Report** – Nelson reported that he and Koopmeiners attended a recent training session. A new weed is threatening the state. Inspection will occur near the end of June.
8. **Liquor License** – Merdan moved to approve a liquor license for The Landing. Nelson second. All in favor. Motion carried. Merdan moved to approve the Clerk signing liquor license permit for Pelican Lake Ballroom and Countryside Tavern if they are requested. Nelson second. All in favor. Motion carried.
9. **Audit Board Report** – a mistake in the Audit Board minutes (February 10, 2016) and Report was noted at the Annual Meeting. The amounts for Total Receipts, Total Disbursed and Ending Balance for the Fire Fund and Road Damage Deposit in both the Treasurer Financial Report and Clerk Financial Report were incorrect. Values were erroneously switched and written in the wrong rows. These will be corrected and the revised versions will replace the incorrect versions. Nelson moved to replace the Treasurer and Clerk year-end financial reports with the corrected versions. Merdan second. All in favor. Motion carried.
10. **Computer** – The Town laptop used by the Deputy Clerk is not working. Nelson moved to authorize the purchase of a new computer if necessary. Merdan second. All in favor. Motion carried.

Other/Old Business: none

Recurring Reports:

1. There were no requests for a 911 sign.
2. Certificates of Real Estate Value were received for Host (\$321,500); Miller (\$182,000), Glatzmaier (\$99,900) and Kleman (14324 355th St.).
3. Construction Site Permits were received for Bresnahan (17007 Norman Rd; 47 x 16 solar array); Fisher (34934 Goosehaven Rd; home, garage, deck, shed); and Gondringer (Tower Road; grain bin).
4. There were no feedlot permits this month.

- 5. No home-extended business permits were received.
- 6. The County will hold variance hearings for Hondl, Huston, and Williams.
- 7. Special Assessments Searches were performed for Heitzman (13706 365th St), Hines (15701 Parkwood Circle), and Kleman (14324 355th St.).

Announcements & Brief Reports:

- 1. The *Catalyst* e-newsletter was received.
- 2. The GameTime catalog was received.
- 3. A copy of the Tax Capacity Rates for 2016 was received from the Auditor-Treasurer office: Avon Township – 20.8781%. Surrounding townships: Albany – 30.2116%; Collegeville – 20.1270%; St. Wendel – 23.8959%. City of Avon – 84.5253%.
- 4. The Town Officers Association meeting will be held April 28 at 7:45 PM in Freeport (MN). Nelson moved to authorize the Town Board to attend this meeting. Merdan second. All in favor. Motion carried.
- 5. There will be an MAT sponsored Legal Short Course on April 21, 2016.
- 6. The Avon Area Lakes Association has received partial funding from a Stearns County AIS grant for mitigation. They are waiting to hear about a DNR grant.
- 7. MidCo sent an EEOC compliance letter.
- 8. A copy of the amended and approved Stearns Ordinance 230 was received.
- 9. There will be a tour of the solar garden at Saint John’s on April 26 at 2:30.
- 10. There was an inquiry concerning permits for replacing/adding equipment to a communication tower on Co Rd 50. These permits ar handled by the County.
- 11. The Avon Compost facility is now own. The Township will be sent an invoice for \$1000 to use it.
- 12. The levy certification form was completed.
- 13. On April 27 there will be an Open House kick-off to inform the public about the Mississippi River-Sartell Watershed Project by the MPCA. It will be held in the Rice Lions Club Building from 4 – 7 PM.
- 14. Martini reported that MAT Insurance will refund to the Township \$908.

Adjournment: Bresnahan moved to adjourn the meeting at 10:34 PM. Merdan second. All in favor. Motion carried.

Announcement of Next Meeting: The next regular meeting will be held on Wednesday, May 4, 2016 at 7:30 PM.

Respectfully submitted,

Stephen Saupe, Clerk

Supervisor Approval:

date: _____

Richard Bresnahan

Roger Nelson

John Merdan