

# Minutes of the Meeting of the Avon Township Supervisors

March 7, 2018

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

**Call to Order:** Vice-Chair Merdan called the meeting of the Avon Township Supervisors to order at 7:00 P.M. in the main chamber of the Avon Township Hall.

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

**Roll Call:** Present – Mike Linn, Kelly Martini, John Merdan, and Stephen Saupe. Absent – Will Huston. Also present – Paul Buttweiler (*Deputy Treasurer*), LeRoy Gondringer (*Planning Commission*), Marion Gondringer (*Deputy Clerk*), and Joe Koopmeiners (*Maintenance*).

**Approval of Agenda:** A liquor license and gambling permit for Immaculate Conception Church, housekeepers, and employee PTO were added to the agenda. Linn moved to approve the agenda as amended. Merdan second. All in favor. Motion carried.

**Minutes:** The dates of snow removal were corrected. Linn moved to approve the corrected minutes of the February 7, 2018 meeting. Merdan second. All in favor. Motion carried.

**Planning Commission Report** – Presented by LeRoy Gondringer, Chair:

1. **Smith Certificate of Compliance** – Mr. William Smith appeared at the Planning Commission meeting to request a Certificate of Compliance for the sale of an approximately 33 foot strip of their land to the Blattner's because the road leading to the new Blattner building falls partly on the Smith property. The Planning Commission supports the request. Linn moved to approve a Certificate of Compliance for the sale of an approximately 33 foot strip of their land to the Blattner's because the road leading to the new Blattner building falls partly on the Smith property. Merdan second. All in favor. Motion carried.
2. **Himsl Variance** – there will be a hearing by the Stearns County Board of Adjustment on March 22, 2018 to consider a request by Steve and Pamela Himsl for a variance to construct a new residential structure 280 feet from an existing feedlot. The Planning Commission recommends to the Supervisors that the Town express to the County Commissioners our concern that building a home 280 feet from an active feedlot may cause issues with odors. The Town will take no action.
3. **Bullert Plat** – the Stearns County Planning Commission has approved the "Lupine Meadows" plat for Dan & Marie Bullert with a series of mostly *pro forma* conditions.
4. **MOU** – The Stearns County Commissioners, acting against advice of the County Planning Commission and local residents, approved a CUP for Limited Manufacturing in an Agricultural Zone. The Planning Commission questioned whether to return CUP and IUP permitting back to the County and recommends that the Town begin the process of amending our Ordinance to not allow the Limited Manufacturing Zoning District in the Township. No action was taken.
5. **PC Membership** – LeRoy Gondringer does not want to be considered for reappointment to another term. There are now three openings on the PC. An application was received today. The applicant will be invited to the next meeting for an interview. The Supervisors need to conduct performance evaluations for the remaining two members. Recommendations for the fate of the PC will be discussed at the next meeting.

- 6. **Enterprise** – a tribute to past Town Supervisors/Board members was suggested.
- 7. **Bike Race** – The PC discussed the Revolution Cycle Bike Race that is scheduled for Town roads in April. There have been some issues, including safety concerns, in the past. A representative of the race, Mr. Mark Halstead, appeared at the Supervisor’s meeting to request a permit to hold the race on some Town roads on April 21. The County has already granted a permit to use County roads for the race. Other issues in the past include riders across the centerline especially near the corner of Tower and 360<sup>th</sup> and disrespectful behavior of cyclists and race marshals towards residents. Mr. Halstead noted that they have worked hard to alleviate any problems. Linn moved to approve the bicycle race permit for Revolution Cycle on April 21 on the condition that the course is sign posted, and with the condition that if there are issues this year that no permit will be granted in the future. Merdan second. All in favor. Motion carried.

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

**Treasurer’s Report:** Martini read the Treasurer’s Report and presented the Cash Control Statement for the period 02/01/2018 to 02/28/2018 (*below*). There is a discrepancy of about \$11.00 between the Total Amount in Bank reported on the Cash Control Statement and the amount that is actually present because of the way taxes are paid. Martini will contact the State Auditor to sort it out.

The mistake on the Report on Outstanding Indebtedness recently submitted to the County was corrected. The Clerk submitted for SCORE grant funding for 2018. We forgot to submit for SCORE reimbursement in 2017. Linn moved to approve the minutes from the February 8, 2018 Board of Audit meeting. Merdan second. All in favor. Motion carried. Linn moved to approve the Audit Board Report for 2018. Merdan second. All in favor. Motion carried. US Bank has increased its fee for the MN Taxable GO certificate to \$500. Merdan is not receiving many emails sent by the Clerk and Treasurer.

Linn moved to approve the Treasurer’s report. Merdan second. All in favor. Motion carried.

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$120,245.53	\$424.23	\$4,532.25	\$116,137.51
Road and Bridge	\$163,995.14	\$1,087.90	\$6,688.70	\$158,394.34
Road Damage Deposit	\$1,450.00	\$0.00	\$0.00	\$1,450.00
Fire Fund	\$7,826.49	\$0.00	\$0.00	\$7,826.49
General Capital Projects	\$41,507.47	\$0.00	\$0.00	\$41,507.47
<b>Total</b>	<b>\$335,024.63</b>	<b>\$1,512.13</b>	<b>\$11,220.95</b>	<b>\$325,315.81</b>

**Claims & Payroll:** Martini presented the March claims (3279 – 3289). February PERA claims were 3277 and 3278. February PERA and payroll were \$493.24 and \$2,578.70, respectively. March claims and payroll were \$2,985.13 and \$2,527.41, respectively. Linn moved to approve the payroll and claims. Merdan second. All in favor. Motion carried.

**Town Hall Maintenance Report** – Presented by Mr. Joseph Koopmeiners:

- 1. **Maintenance Shed** – The tank was pumped. The LP is about 35%. The Town should consider better insulating the building to save energy costs.

Linn moved to approve the Town Hall report. Merdan second. All in favor. Motion carried.

## **Road Report**

1. **Red Maple Drive** – Tony & Missy Ebnet appeared to request that Red Maple Drive be moved to the middle or south of the existing easement. It's current position, since it was originally constructed, is to the north of the easement and resulted in the Ebnet's being denied a variance to build a garage too close to the road. The Supervisors will discuss how to proceed at the next meeting. The Ebnet's and their neighbors were invited to participate.
2. **Monthly Road Work** – mostly involved plowing and sanding roads. Letters sent to residents for plowing snow across the road or having vehicles too close to the road were received positively. Linn moved to purchase and install signs alerting residents that Meadowview Road and part of 360<sup>th</sup> will not be plowed in the winter. Merdan second. All in favor. Motion carried. There was a complaint about lateness in plowing Norway Road. Road order is alternated when plowed. The drivers must follow the listed routes. The City had been plowing 1<sup>st</sup> Street SE but stopped; the Town found out after receiving complaints from residents that the road hadn't been plowed. The Town has added this road to the plowing list.
3. **Salt/Sand** – there is a little less than half remaining.
4. **Snow and Ice Control Policy** – Supervisors reviewed Resolution 11-05-14. Edits were suggested and will be approved at the next meeting.
5. **Culverts** –Culverts on 365<sup>th</sup>, Tower Road, and 135<sup>th</sup> will likely need to be jetted out. A letter was received from Stearns County requesting the Town clean out the Ditch 25 culvert at Meadowview Road. Linn will contact the County to inquire why this is not included as part of the assessment of residents and those benefitted by the project.
6. **Road Inspection** – Linn moved to set road inspection for Saturday, April 14<sup>th</sup> at 9:00 AM beginning at the Avon Town Hall. Merdan second. All in favor. Motion carried.

Linn moved to approve the Road report. Merdan second. Motion carried.

**Public Hearings:** *None scheduled.*

## **Business:**

1. **Boundary & Annexation Survey** – the Clerk will complete the form stating that the Township has no boundary changes.
2. **Master Gardeners** – there was a request to announce events on the Town website. This will be permitted on a trial basis.
3. **Annual Meeting** – the Clerk will not be able to attend. The Deputy Clerk (Marion Gondringer) and/or Chair of the Board (Will Huston) will fill-in to open the meeting. Merdan will contact Lee Larkey to see if he will attend the meeting and potentially serve as moderator. The Clerk will purchase refreshments to have available for residents while waiting for the meeting to begin. The Clerk will contact the Avon Fire Chief to see if he is able to attend and present the Fire Department report. Ken Mergen will be asked to give the Planning Commission and Joint Planning Commission reports. We will have available for residents an agenda, copies of the budget and Audit Board Report. Merdan will write a road report.

A copy of the 2017 roadwork summary will also be available for residents to view.

4. **Qualification Meeting** – the agenda will be the same as the previous meeting.
5. **Employee Issues/Handbook** – Huston will check into the cost of having Rinke-Noonan, or other professional, to create a handbook since MAT will likely not do so for a long time. There is a question about how much PTO employees can earn.
6. **Election Update** – The Town will be a test site for ePoll books. Several election judges attended training at the County on using the ePoll books. Martini will be the head judge for the election.
7. **Immaculate Conception Parish** – Linn moved to approve an on-sale liquor license and gambling permit for Immaculate Conception Parish for their June 24, 2018 festival. Merdan second. All in favor. Motion carried.
8. **Housekeeper** – the Town Hall housekeeper will not be able to fulfill her duties for a while. No action was taken.

**Other/Old Business:**

The Town logo is in progress.

**Signatures / Documents / Treasurer:** Some affidavits were notarized.

**Recurring Reports:**

1. There were no 911 sign requests.
2. Certificates of Real Estate Value are now available online.
3. There was one Construction Site Permit for January (Zierdan, 19436 Co Rd 154, 10 x 12 addition).
4. A Feedlot Permit was issued to Pierskalla (37556 Co Rd 155).
5. Special Assessment Searches were completed for 35982 165<sup>th</sup> Ave and 37646 Riley Court.
6. There will be a County hearing on March 13 to consider Ordinance 570 amending Ordinance 439 (expiration of CUP's and variances, feedlot setbacks, animal unit density for chickens).

**Announcements & Brief Reports:**

1. A CTAS update is available.
2. A card was received from Dave Bentrud.
3. MAT sent a warning to Town officials about phishing scams.
4. The Township LRIP Grant for resurfacing Norway Road was not successful.
5. The Girl Scouts were requested to treat the new front desk with care.
6. Century Link requests notification of roadwork.
7. The MAT Spring Short Course will be held March 27 in St. Cloud.
8. An Affirmative Action Statement was received from Midco.
9. A Town Law Review (Legal Short Course) will be held April 19 in Burnsville.
10. A letter was sent to Chuck Beisner, Gertken Solar Garden project, concerning the need to provide a landscape plan for the eastern most project.
11. The Noxious Weed Meeting is April 4 in Greenwald or Waite Park. Linn moved to send Koopmeiners as the Town representative. Merdan second. All in favor. Motion carried.
12. LTAP (Univ of Minnesota) will sponsor workshops on gravel road maintenance and other topics.
13. The Kremers family sent a thank you card for the flowers sent by personal contributions of Town staff/officials.

**Announcement of Next Regular Supervisor Meeting:** The next regular meeting will be held on Wednesday, April 4, 2018 at 7:00 PM.

**Announcement of Other Town Meetings:** *In addition to regularly scheduled Planning Commission and Supervisor meetings, the following are scheduled:*

- Apr 14 – Road Inspection
- Apr 23 – Board of Appeals & Equalization Meeting (7:00 PM)

**Adjournment** – Linn moved to adjourn the meeting at about 10:15 PM. Merdan second. All in favor. Motion carried.

Respectfully submitted,  
Stephen G. Saupe Clerk

Clerk signature: \_\_\_\_\_

**date:** February 13 , 2018

**Supervisor Signatures:**

date: \_\_\_\_\_

\_\_\_\_\_  
Will Huston

\_\_\_\_\_  
Mike Linn

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