

Minutes of the Meeting of the Avon Township Supervisors

September 5, 2018

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

Call to Order: Chair Huston 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 – Will Huston, Mike Linn, Kelly Martini, John Merdan, and Stephen Saupe. Also present – Paul Buttweiler (*Deputy Treasurer*), and Marion Gondringer (*Deputy Clerk*).

Approval of Agenda: Visits by candidates for local office were added to the agenda. Merdan moved to approve the agenda as presented. Linn second. All in favor. Motion carried.

Minutes: Linn moved to approve the minutes of the August 1, 2018 meeting as presented. Merdan second. All in favor. Motion carried.

Political Candidates: Jeff Howe, Lisa Demuth, and Joe Perske, candidates in the November General Election for Minnesota House and Senate, came to the meeting to listen to feedback from the Supervisors about Township concerns. Funding for roads, mail theft, and lack of broadband in large areas of the Town were the main items addressed.

Planning Commission Report – *Presented by Ken Mergen, Chair:*

- 1. Blonigen Variance** – A public hearing was held for Mr. Craig Blonigen who has requested a variance to construct an addition and garage on his current home closer to both 367th Street and 188th Avenue than is currently permitted. The Planning Commission supports both variances. Linn moved to approve a variance for Craig & Colleen Blonigen (18732 367th Street, Avon, MN 56310) to construct an addition to their existing home that is 39 feet from the center-of-the-road of 188th Avenue for a variance of 24 feet. Merdan second. All in favor. Motion carried. Linn moved to approve a variance for Craig & Colleen Blonigen (18732 367th Street, Avon, MN 56310) to construct an addition to their existing home that is 34 feet from the center-of-the-road of 367th Street for a variance of 18 feet. Merdan second. All in favor. Motion carried.
- 2. Rooney Driveway Permit** – Mr. Jeff Rooney appeared at the Planning Commission meeting to discuss a driveway permit for his property at 19139 Two Rivers Road. According to Mr. Rooney the culverts are too high and water does not flow through them and sits in the ditch making it difficult to mow and provides habitat for mosquitoes. Mr. Rooney proposes replacing the culvert and angle it to drain into the adjacent wetland and then fill in the ditches. He is considering building a new home on the site in the near future and would like to do this prior to home construction. As long as the proposed changes won't cause water to flow on the road, cause problems with neighbors, or undercut the road, the general consensus of the Planning Commission is that it would be acceptable. Huston visited the site after the last storm; rain was sitting in the ditches. Before approval, the Town will need to insure that future water issues won't occur. Huston will follow-up with the County.
- 3. Doll Conditional Use Permit** – Mr. Brent Doll appeared to request a Conditional Use Permit for a home-extended business at his residence at 35561 Tower Road, Albany, MN 56307. He is planning to start a small mechanics business to perform routine maintenance of cars and light trucks including engine diagnostics, brakes, suspension and electrical. The Planning Commission supports holding a public

hearing to consider this request. Linn moved to set a public hearing on September 26, 2018 at 7:10 PM to consider a request by Mr. Brent Doll for a Conditional Use Permit for a home-extended business. Merdan second. All in favor. Motion carried.

4. **Maciejewski Interim Use Permit** – Mr. Elmer Maciejewski appeared to request an IUP to allow a mobile home to temporarily remain on their property at 14138 360th St., Avon (MN) for supportive care. The Planning Commission supports holding a public hearing to consider this request. Linn moved to set a public hearing on September 26, 2018 at 7:15 PM to consider a request from Elmer and Genevieve Maciejewski to allow a mobile home to temporarily remain on the property at 14138 360th St. for supportive care until they are no longer able to live there. Merdan second. All in favor. Motion carried.
5. **Ebnet Non-compliant Garage** – Mr. Tony Ebnet appeared to discuss his new garage at his property (18424 Red Maple Drive), which was constructed without obtaining either a Stearns County Building permit or Township variance (it is too close to the road). His garage is a portable frame building and it is 14 feet from the side of the road. Mr. Ebnet applied for a variance in 2014 to build a similar garage but was denied a variance at that time. He stated that it has been a hardship in winter without having an indoor place to park a vehicle. In addition, he argued that the road was not in the middle of the right-of-way, which gives him less space. He said he has asked the Township to move the road back to the middle of the right-of-way. Mr. Ebnet’s new structure is even closer to the road than the one proposed in the 2014 variance application. No action was taken; Mr. Ebnet withdrew his request to consider a variance. He stated that he is planning to seek legal advice. Mr. Ebnet was informed that his driveway had been widened without obtaining a Township driveway permit.
6. **Road Planning** – the PC will soon undertake an analysis of Town roads to prioritize maintenance.
7. **360th** – Matt Preusser appeared at the PC meeting to request leveling off the ‘bump’ on 360th, which has caused problems for some motorists. Huston moved to authorize Koopmeiners to add gravel to the ‘bump’ on 360th. Linn second. All in favor. Motion carried.
8. **Broadband Survey** – Huston will follow-up.
9. **Enterprise Contribution** – The PC recommends this month feature the S&P Bond rating.

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 08/01/2018 to 08/31/2018 (*below*). Town-issued checks should only be picked up by the person to whom it is written, unless there is a prior written authorization. The Town received a notice that the 2019 Town Aid payment will be \$2,077, paid in July and December. The 2018 State Wetlands payment was \$511.90. S&P rated the financial status of the Township A+ stable. Linn moved to approve the Cash Control Statement and Treasurer’s report. Merdan second. All in favor. Motion carried.

For the Period : 8/1/2018 To 8/31/2018

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$181,446.68	\$1,330.33	\$4,420.87	\$178,356.14
Road and Bridge	\$286,939.39	\$0.00	\$2,757.66	\$284,181.73
Road Damage Deposit	\$1,450.00	\$0.00	\$0.00	\$1,450.00
Fire Fund	\$11,901.51	\$0.00	\$0.00	\$11,901.51
General Capital Projects	\$41,996.16	\$0.00	\$0.00	\$41,996.16
Total	\$523,733.74	\$1,330.33	\$7,178.53	\$517,885.54

Claims & Payroll: Martini presented the September claims (3386-3409), which totaled \$27,539.57. August PERA claims were 3384 & 3385 (total \$491.30). August and September payrolls were \$2630.02 and \$2,152.02, respectively. Central Hydraulics was inadvertently paid twice; we will carry a credit for the second payment. There are some outstanding checks; the next time checks are printed they should include an expiration date. There was a recommendation to revise our claims/reimbursement forms to make it easier to record mileage and other required information; this idea was tabled. The policy is that the Township does not pay mileage for travel to the Town Hall for meetings and for judges serving at an election. Merdan moved to approve the payroll and claims. Linn second. All in favor. Motion carried.

Town Hall Maintenance Report

1. **Hail Damage Quotes** – The Town received quotes for insurance work on the roof, salt shed and garage from Dale Gruber and MN Home Improvements. Huston moved to accept the quote from Dale Gruber to complete the insurance work on the Town Hall because it was more complete. Linn second. All in favor. Motion carried. The Board authorized Huston to contact both parties and alert them of this decision. Koopmeiners will contact the insurance company and Gruber to insure the work comes in at the price quoted.
2. **Power Box & Flagpole Repairs** – both completed.

Road Report

1. **Road/Maintenance Report** – Among the projects that were completed included: installing signs on Queens, 145th, and Norway roads; repairing potholes and adding class 5 gravel on Norway Road; cleaning up downed trees; grading the parking lot; gopher control on 140th Ave and 363rd Avenue; trimming branches on 185th; filling potholes on Shorewood, Noble Oak Circle and Nob Hill Drive; and mowing road ditches. Vandals are stealing signs – one suggested solution was to use lock-tight bolts. 360th will get gravel next week.
2. **Snow** – Salt/sand has been loaded in the shed. The Blue truck is done with DOT inspection. The Red truck gets DOT this month.
3. **190th** – the “problem” tree was removed by the resident.
4. **Sumac/Brush** – Koopmeiners was authorized to spray the sumac and brush at the intersection of Quaker and Tower Road.

5. **Guard Rails** - A guardrail on 360th requires tightening. Koopmeiners is waiting for feedback from H&R Construction concerning repair of guardrails on Tower Road.
6. **MN DOT Survey** – received.
7. Several items on the agenda were moved to next meeting because Koopmeiners was unable to attend tonight's meeting.

Public Hearings: *None scheduled.*

Business:

1. **Provisional Use Permit** – There is a conflict between Ordinance #4 (Section 4.18) and the MOU (#6) on whether the Town or County handles Provisional Use registrations. Linn moved that the Township will handle Provisional Uses. Merdan second. All in favor. Motion carried. The Clerk will contact the County about making the necessary changes in the MOU and how to handle the \$2000 cash escrow that is required by a Provisional Use for a period of 15 years.
2. **Driveway Permits** – we will continue to handle them as we currently do.
3. **Open the Books Request** – the Supervisors affirmed their decision to ignore the recent request.
4. **Enterprise** – S&P rating will be the next topic for our contribution to the *Enterprise*.

Other/Old Business:

1. The inventory is in progress.
2. Permitting to the County/MOU
3. Logo

Signatures / Documents / Treasurer: documents were signed as necessary.

Recurring Reports:

1. 911 Signs – The Koop's (Norway Road) requested to move the existing 911 sign from an abandoned driveway to their active one. Koopmeiners will handle. There was one request for a sign (Fischer; 15816 Norway Road).
2. Construction Site Permits were received for Voss (33054 154th Ave; deck).
3. No Feedlot Permits were issued.
4. Special Assessment Searches were completed for Schwab (33485 Poverty Point); Engelman *et al* (37116 Sara Lane); Oberg (37143 185th Ave); Zimmerman (13977 Co Rd 159); Pundsack *et al* (34553 Princewood); and 34184 Smiley Dr.
5. There were no pertinent County hearings.

Announcements & Brief Reports:

1. Norway Road will be an alternate route when the bridge north of Saint John's is repaired next year. MNDOT will add signage on Norway as needed.
2. The Clerk responded to a Request for Zoning Information related to the Gertken solar projects
3. The new MAT Executive Director is David Hann.
4. An inquiry about the need for a driveway permit was received (15816 Norway Road).
5. An inquiry about sideyard setbacks was received.

- 6. A Gambling Permit was signed for Avon Sportsman’s Club.
- 7. Letters to Ebnet and Maciejewski were forwarded to the County.
- 8. There was an inquiry concerning the existence of an easement to Narnia.
- 9. Minnesota LTAP workshops on sign maintenance & management will be held in October.
- 10. The Rinke Noonan Drainage conference is Feb 14, 2019.
- 11. The Technology Exchange (Sept 2018) newsletter was received.
- 12. The Thomas Tool & Supply catalog was received.
- 13. The MN Fall Maintenance Expo will be held Oct 3 & 4 in St. Cloud.

Announcement of Next Regular Supervisor Meeting: The next regular meeting will be held on Wednesday, October 3, 2018 at 7:00 PM. Huston will be unable to attend.

Announcement of Other Town Meetings: *None, other than the regularly scheduled Planning Commission and Supervisor meetings.*

Adjournment – Merdan moved to adjourn the meeting at about 9:27 PM. Linn second. All in favor. Motion carried.

Respectfully submitted,
Stephen G. Saupe, Clerk

Clerk signature: _____

date: September 20, 2018

Supervisor Signatures:

date: _____

Will Huston

Mike Linn

John Merdan