

# Minutes of the Meeting of the Avon Township Supervisors

October 3, 2018

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

**Call to Order:** Vice-Chair Mike Linn 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*), Joe Koopmeiners, and Marion Gondringer (*Deputy Clerk*).

**Approval of Agenda:** Several items were added to the agenda. Merdan moved to approve the agenda as amended. Linn second. All in favor. Motion carried.

**Minutes:** Linn moved to approve the minutes of the September 5, 2018 meeting as presented. Merdan second. All in favor. Motion carried.

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

1. **Doll CUP Hearing** – A public hearing for Mr. Brent Doll to consider a CUP for a home-extended business was cancelled because he owns less than 10 acres, which is the minimum required for an automotive business in an A40 zoning district.
2. **Maciejewski IUP Hearing** – The Planning Commission held a public hearing to consider a request for an IUP by Elmer & Genevieve Maciejewski to allow a mobile home to temporarily remain on their property at 14138 360<sup>th</sup> St., Avon (MN) for supportive care. The Planning Commission recommends approval with several conditions. Linn moved to approve an IUP for Elmer & Genevieve Maciejewski to allow a mobile home to temporarily remain on their property at 14138 30<sup>th</sup> Street, Avon (MN), until they are both no longer full-time residents of the property (*i.e.*, upon their passing or no longer living there) and on the conditions that the mobile home and septic system are removed within 30 days of their leaving the property and the site is cleaned up, and that they pay a \$2,000 financial assurance to cover any costs incurred by the Township if the Town needs to remove the mobile home and septic in the event the residents do not do so. Merdan second. All in favor. Motion carried.

A check for \$2000 was received from the Maciejewski's for the financial assurance to cover any costs of property cleanup. Martini will look into how to handle the funds.

The Maciejewski's also required a Certificate of Compliance. Linn moved to approve a Certificate of Compliance for the land split. Merdan second. All in favor. Motion carried.

3. **Blonigen Encroachment Agreement** – Craig Blonigen (18732 367<sup>th</sup> Street, Avon, MN 56310) appeared to request an encroachment agreement to allow a septic holding tank to be sited three feet into the utility easement on 367<sup>th</sup> Street. The Planning Commission recommends approval. Merdan moved to approve an encroachment agreement with Mr. Craig Blonigen (18732 367<sup>th</sup> Street, Avon) to allow a septic holding tank to be placed three feet into the utility easement on 367<sup>th</sup>. Linn second. All in favor. Motion carried.
4. **Ebnet Non-compliant Garage** – Mr. Tony Ebnet constructed a garage on his property at 18424 Red Maple Drive without obtaining either a Stearns County Building permit or a Township variance (it is too

close to the road). Mr. Ebnet and his attorney have been in discussions with representatives from the County (Angie Berg) and Township (Will Huston, Supervisor Chair, and Ken Mergen, PC Chair). Mr. Ebnet will need to go through several steps if he is to keep the structure, including requesting a variance from the Township. However, he did not appear at either the last PC meeting nor at tonight’s meeting. Linn moved to send Mr. Ebnet a letter requesting that he remove the garage within 30 days of receipt of the letter. Merdan second. All in favor. Motion carried.

5. **Avon Hills SNA** – Melissa Driscoll, Acquisition Coordinator for the Scientific and Natural Area program at the MN DNR, sent a letter stating that the St. Cloud State University Foundation has accepted their offer for the property. The DNR wants to know if the Town still supports the acquisition. The Planning Commission supports the proposal and recommends that no parking or access to the property be allowed from Tower Road. Merdan moved to authorize the Clerk to write a letter stating that the Township supports the acquisition but that there should be no parking along Tower Road to access the property. Linn second. All in favor. Motion carried.
6. **October PC Meeting** – Huston will be unable to attend.
7. **Road Maintenance Planning** – at the next meeting the PC will begin planning a study of Town roads and inventory their condition, rank roads for improvement, estimate costs, and determine if there are roads that should be vacated.
8. **Enterprise Contribution** – The PC recommends featuring the Sasquatch cutout that someone has been featuring in displays along County Road 9.

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

**Treasurer’s Report:** Martini read the Treasurer’s Report and presented the Cash Control Statement for the period 09/01/2018 to 09/30/2018 (*below*). Martini noted that new legislation allows DCP funds to be withdrawn at age 65. Merdan moved to approve the Cash Control Statement and Treasurer’s report. Linn second. All in favor. Motion carried.

For the Period : 9/1/2018 To 9/30/2018

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$178,356.14	\$931.60	\$7,213.90	\$172,073.84
Road and Bridge	\$284,181.73	\$75.00	\$20,599.76	\$263,656.97
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
<b>Total</b>	<b>\$517,885.54</b>	<b>\$1,006.60</b>	<b>\$27,813.66</b>	<b>\$491,078.48</b>

**Claims & Payroll:** Martini presented the October claims (3412-3430), which totaled \$8,374.74. September PERA claims were 3410 & 3411 (total \$491.30). September and October payrolls were \$2,630.02 and \$1,466.08, respectively. The wood chipper payments to Saint John’s from 2017 and 2018 were cashed. Several other outstanding checks were also cashed. Linn moved to approve the payroll and claims. Merdan second. All in favor. Motion carried.

### **Town Hall Maintenance Report**

1. **Hail Damage** – Dale Gruber Inc. is working on repairs. The cap for the wall on the maintenance shed was replaced and the siding was nailed and painted. There is a question about whether the siding should have been fully replaced instead of just repaired. Koopmeiners will follow up.
2. **Furnace** – Koopmeiners reports that one of the furnaces is making some noises. Linn will examine and decide what needs to be done.
3. **FFA Building Request** – The FFA alumni requested using the Town Hall. The Supervisors voted against this use because it is primarily a social event, which is prohibited by our current policy.
4. **Girls Scouts** – There was a special recruiting meeting scheduled at the Town Hall but it was cancelled. A local troop is scheduled to use the facility but the leader(s) have still not gone through the orientation process so they haven't been permitted access to the Hall.

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

### **Road Report**

1. **Road/Maintenance Report** – Among the projects that were completed included: filling potholes on 140<sup>th</sup>, Quaker Road, Narnia Lane, and 190<sup>th</sup>; trimming trees on 154<sup>th</sup>, 331<sup>st</sup>, St. Anna Drive, Red Maple Drive and Upper Spunk Lake Road; spreading gravel on 365<sup>th</sup>; and grading all gravel roads.
2. **Anderson Plowing** – Rosemary Anderson appeared to request the Town plow her driveway as per the verbal agreement when the Town purchased her land for the Town Hall. Merdan moved to approve plowing the Anderson driveway with the condition that she installs a snow fence and that this agreement is only valid for a year. Linn second. All in favor. Motion carried. The Clerk was authorized to draft a letter outlining the agreement.
3. **Snow Readiness** – Koopmeiners reports that we are ready. The red truck gets DOT this month.
4. **Guard Rails** – H&R Construction quoted a cost of \$65,400 to repair guardrails on Tower Road. Huston was authorized to contact the County for advice on replacement, other potential vendors, and if funding is available to help defray the cost.
5. **Tower Road** – Linn moved to authorize Koopmeiners to install two 15 mph signs on Tower Road. Merdan second. All in favor. Motion carried. These signs should be entered into our database.
6. **Projects in Progress** – 135<sup>th</sup> Avenue ditch repair not completed. Koopmeiners will check on status of 360<sup>th</sup> culvert repair and whether the resident repaired the ditch. Trees on Red Maple Drive were trimmed. The condition of 365<sup>th</sup> has been documented with photographs in case there is damage due to the approval to haul heavy. A problem tree on 145<sup>th</sup> was removed by the resident. Bulging culvert by Preusser's will be repaired by adding gravel.
7. **Bridge Chevron** – Koopmeiners was authorized to move the bridge chevron on Pelican Lake Road to the correct spot.
8. **Weed Report** – Koopmeiners will complete the annual weed report and return it at the November meeting.

Merdan moved to approve the Road Report. Linn second. All in favor. Motion carried.

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

**Business:**

1. **Complaint about Dust from the Blattner Facility** – A complaint was received about excessive amounts of dust that were coming from vehicles driving on the road into Blattner’s new facility. The Supervisors will wait until spring to see if the dust settles down. If not, the Supervisors will consider a course of action at that time.
2. **Yurczyk Land Split** – Kathleen Yurczyk, 33962 180<sup>th</sup> Ave., is planning to divide her 80-acre property and sell 70 acres to her neighbor, the Lange’s. Because the property is in the Joint Powers area, the Joint Powers Commission will need to meet to consider a Certificate of Compliance for the transaction. Additional considerations will be whether Ms. Yurczyk intends to maintain a feedlot and how to handle building credits.

**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. A request for a 911 sign was received from Schlict (33485 Poverty Point Drive). Number 33531 will be removed from her post as per request by Stearns County. Koopmeiners will soon install a 911 sign for Fisher.
2. Construction Site Permits were received for Voss (33054 154<sup>th</sup> Ave; deck); Poissant (37802 Cardinal Nest Court, single family home, detached accessory structure, hoop structure); Schwalbe (17472 360<sup>th</sup> Ave, deck); Oehrlein (32076 Narnia Lane, 14 x 41.5 addition); Haakonson (32712 182<sup>nd</sup> Ave, outdoor kitchen, detached garage); and Wohletz (18239 Co Rd 154, 17 x 18 deck).
3. No Feedlot Permits were issued.
4. A Special Assessment Search was completed for 18118 St. Anna Drive.
5. There were no relevant County hearings.

**Announcements & Brief Reports:**

1. Gambling Permits were signed for Holdingford Lion’s Club (Dec 29 – bingo & raffle; and Feb 24 – raffle); and Avon Sportsman’s Club (Dec 7 – raffle).
2. The Albany Area Schools First Monday meeting will be held October 29, 2018.
3. The annual Township Tax Levy form was submitted to the Auditor’s Office.
4. A warning about a Crafcro product was received.
5. MN Native Landscapes is having a fall plant sale.
6. A request for a building permit for a solar field was referred to Stearns County.
7. A Stearns County request for proposals for aquatic invasive species prevention was received.
8. The fall Township Association meeting will be held in Freeport on October 25<sup>th</sup> at 8 PM.

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

**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 8:55 PM. Linn second. All in favor. Motion carried.

Respectfully submitted,  
Stephen G. Saupe, Clerk

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

**date:** October 14, 2018

**Supervisor Signatures:**

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

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

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

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