

# Minutes of the Meeting of the Avon Township Supervisors

December 5, 2012

Avon Township Hall; 16881 Queens Road, Avon, MN

**Call to Order:** Chairman Gondringer called the meeting of the Avon Township Supervisors to order at 7:30 P.M.

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

**Roll Call:** Present – Richard Bresnahan, LeRoy Gondringer, Kelly Martini, and Stephen Saupe.  
Absent – John Merdan.

**Approval of Agenda:** Added to the agenda were: update on Massoletti tree clearing, levy to pay fire bill, and Lampert plat. Bresnahan moved to approve the revised agenda. Gondringer second. All in favor. Motion carried.

**Minutes:** Bresnahan moved to approve the minutes of the November 7, 2012 meeting. Gondringer second. All in favor. Motion carried.

**Treasurer's Report:** Martini read the Treasurer's Report and provided the Cash Control Statement for the period 11/1/2012 to 11/30/2012 (*below*). Martini suggested that in the new year it will likely be necessary to transfer funds from Road & Bridge to General Revenue. PERA was not paid last month so it was combined with this month's payment. Martini is working on revising account numbers in accordance with CTAS. Bresnahan moved to approve the Treasurer's report. Gondringer second. All in favor. Motion carried.

## For the Period 11/01/2012 to 11/30/2012

Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance
General Revenue	\$64,726.23	\$223.58	\$72,274.04	(\$7,324.23)
Road and Bridge	\$337,700.77	\$0.00	\$129,891.49	\$207,809.28
Fire	(\$21,533.19)	\$0.00	\$0.00	(\$21,533.19)
Road Damage Deposit	\$600.00	\$0.00	\$400.00	\$200.00
Capital Reserve Fund	\$77,206.13	\$0.00	\$0.00	\$77,206.13
<b>Total</b>	<b>\$458,699.94</b>	<b>\$223.58</b>	<b>\$202,565.53</b>	<b>\$256,357.99</b>

**Claims & Payroll:** Martini presented claims 1940 – 1972. There were a larger number of claims this month due to the Election. Bresnahan moved to approve the payroll and the claims. Gondringer second. All in favor. Motion carried.

**Road Report:** The following items were discussed:

1. Kurtzman Road – The Township Attorney, Mr. Adam Ripple, recommended the Town adopt Resolution 12-05-12: Resolution Confirming the Non-Existence of a Town Road, which establishes the Town's position on this issue. Mr. Tom Jovanovich, attorney for the Kurtzman family, argued for time to review the resolution. Bresnahan moved to approve Resolution 12-05-12: Resolution Confirming the Non-Existence of a Town Road. Gondringer second. All in favor. Motion carried. The document was signed and Attorney Ripple will record the document and provide a final copy to the Clerk.

2. Snow Plow Policy – The Supervisors briefly reviewed Resolution 03-02-11, “Resolution Establishing a Snow and Ice Control Policy,” and agreed that no changes are required at this time. Holding Township published a Snow Removal Policy in the *Enterprise*. Bresnahan moved to authorize the Clerk to prepare a similar policy that will be reviewed at the next Town meeting. Gondringer second. All in favor. Motion carried.
3. Massoletti Property (Norway Road) – Many trees are being cut on this property, which will likely increase erosion and runoff onto Norway Road and adjacent properties. The Town will monitor this situation and Bresnahan will contact Attorney Ripple about sending the landowner a letter about this situation.

Bresnahan moved to approve the Road Report. Gondringer second. All in favor. Motion carried.

**Public Hearing:** *none scheduled*

**Planning Commission Report:** Mr. Ken Mergen, Planning Commission Chair, presented the Planning Commission report.

Mohs Septic System – Mergen reported that Mr. Richard Mohs appeared to request approval to site a drain field for a septic system in the road right-of-way on Upper Spunk Lake Road. The Planning Commission takes no exception to the request. Bresnahan moved that the Avon Township Board takes no exception to allowing Mr. Richard Mohs to construct a drain field for a new septic system in the road right-of-way at 32805 Spunk Tree Circle with the condition that the homeowner assumes all responsibility for any utility or other Town work that needs to be done in the road right-of-way. The approval is conditioned on the property owner executing an encroachment agreement with the Township. Gondringer second. All in favor. Motion carried. Attorney Adam Ripple will provide a copy of the encroachment agreement.

### **Scheduled Business**

1. Wunderlich Plat – Mr. Jim & Mary Wunderlich appeared to request that the Town sign their final plat as soon as it is completed, before the end of the year. Ms. Angie Berg, Stearns County Environmental Services, told the Clerk that the plat was nearly identical to the preliminary plat and had no substantive changes. Bresnahan moved to approve signing the final plat when it is ready. Gondringer second. All in favor. Motion carried. The signing will occur at the Town Hall.
2. Queens View/Lampert Plat – Mr. Tim Backous requested that the Town sign the final plat for Queens View as soon as it is completed, before the end of the year. Bresnahan moved to approve signing the final plat when it is ready. Gondringer second. All in favor. Motion carried. The signing will occur at the Town Hall.
3. Brush Chipping – Roger Nelson reported that Ace Tree Service chipped remaining brush piles. Nelson reported that they did a great job.
4. Collect for Illegal Burn – The Avon Fire Department has not been able to collect for services from a Township resident who had an illegal fire in 2011. The Avon FD wants the Town to put a levy on the property taxes. Saupe contacted the Auditor’s office and they provided instructions on the process. Among other things, the affected resident must be given the opportunity to discuss the issue at a public meeting. Attorney Adam Ripple said that this is a City of Avon issue because the City operates the Fire Department. Gondringer will contact Gary Schmitz.

5. Gambling permits – The Clerk signed two gambling permits for the Holdingford Lions Club and one for the St. Wendel Sportsmen’s Club. Bresnahan moved to approve the gambling permits that were signed. Gondringer second. All in favor. Motion carried.
6. Humane Society Stray Animal Agreement – Bresnahan moved to approve the agreement excluding cats. They will be taken to the Smith farm or other. Gondringer second. All in favor. Motion carried.
7. Rock Crushing Complaint – a resident called to complain that Lange Excavating is running a crusher with bright lights continuously for the next two weeks. The Town was unaware of the activity and no Conditional Use Permit had been requested. Gondringer will contact the County.
8. March Elections – In March, the Town will vote for one Supervisor and Treasurer. Bresnahan and Martini now hold these positions, respectively. The Clerk will publish an announcement of the filing period for the affidavit of candidacy.

### **Other/Old Business**

1. Newsletter – we will consider publishing a newsletter before the annual meeting. Possible topics include the option to receive email updates from the Town, no-spray list, brushing issues and the compost facility.

### **Reports/Announcements**

1. Budde Trucking – Bresnahan reported that he signed a Minnesota Vehicle Dealer License Zoning Verification form for Budde Trucking. This document was required because they are separating the leasing business and selling tractors and trailers.
2. Certificate of Real Estate Values – none received this month
3. Construction Site Permits – none received this month
4. The *Technology Exchange Newsletter* was received.
5. The Town received a notice that Stearns County approved a Shoreland alteration permit for Mr. Dean Mielke.
6. The address on the new Property Tax Statements listed an old address. The address was changed to that of the clerk.

**Adjournment:** Bresnahan moved to adjourn the meeting at approximately 10:25 PM. Gondringer second. All in favor. Motion carried.

**Announcement of Next Meeting:** The next meeting will be held on Wednesday, January 2, 2013 at 7:30 PM.

Respectfully submitted,  
Stephen G. Saupe, Clerk

Supervisor Approval:

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Richard Bresnahan

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LeRoy Gondringer

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

Attest

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date