

**Minutes of the Meeting of the Avon Township Supervisors**  
**May 2, 2012**  
**Avon Township Hall**

**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, John Merdan, and Stephen Saupe.

**Approval of Agenda:** Added to the agenda were: liquor licenses and storm damage report. Merdan moved to approve the agenda as amended. Bresnahan second. All in favor. Motion carried.

**Minutes:** Gondringer moved to approve the minutes of the April 4, 2012 meeting. Bresnahan second. Two in favor. One abstain (Merdan). Motion carried.

**Treasurer’s Report:** Martini read the Treasurer’s Report and provided the Cash Control Statement for the period 4/1/2012 to 4/30/2012 (*below*). Checks 7052, 7053 and 7054 were voided and rewritten to exclude sales tax. Bresnahan moved to transfer \$9687.50 from Capital Reserve to General Revenue to pay the bond due to US Bank. Merdan second. All in favor. Motion carried. Merdan moved to accept the Treasurer’s report. Bresnahan second. All in favor. Motion carried.

**For the Period 04/01/2012 to 04/30/2012**

<b><u>Name of Fund</u></b>	<b><u>Beginning Balance</u></b>	<b><u>Total Receipts</u></b>	<b><u>Total Disbursed</u></b>	<b><u>Ending Balance</u></b>
General Revenue	\$28,621.80	\$213.25	\$7,104.51	\$21,730.54
Road and Bridge	\$269,894.87	\$0.00	\$1,582.79	\$268,312.08
Fire	\$5,115.13	\$0.00	\$0.00	\$5,115.13
Road Damage Deposit	\$400.00	\$0.00	\$0.00	\$400.00
Capital Reserve Fund	\$106,033.41	\$0.00	\$0.00	\$106,033.41
<b>Total</b>	<b>\$410,065.21</b>	<b>\$213.25</b>	<b>\$8,687.30</b>	<b>\$401,591.16</b>

**Claims & Payroll:** Martini presented claims 1801 – 1816. The invoice from Excel included sales tax again; Martini wrote the check minus tax. Merdan moved to approve the payroll and the claims. Bresnahan second. All in favor. Motion carried.

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

1. Adriaens / Kurtzman Property – Mr. Joe Kurtzman and Ms. Mary Adriaens and supporters (Ms. Jenna Braaten, Ms. Mary Beth Kurtzman, Ms. Jeanne Woods, Ms. Karen Crichton) appeared to request the Town improve the road leading from Meadowview Drive to their parcel (03.00966.0000). The question is whether or not this is a Town road. Mr. Kurtzman and Ms. Adriaens claim it is a Town road and provided copies of Town minutes that suggest the Town did some maintenance on this road in 1973. The Supervisors believe that it is a private road. Attorney Adam Ripple, who was present, stated that without a ‘Road Order’ or easement agreement, this issue will be difficult to settle. Several options were suggested including an access agreement between the current landowners, continued searching of records for a Road Order or Easement agreement, or designating a cart way.

2. Narnia Lane – Mr. Steve Wilhelm and Mr. Rocky Teske, representing residents of Narnia Lane, appeared to discuss the Town taking over the privately-owned section of Narnia Lane. Mr. Wilhelm stated that the road has been surveyed and easements are up to date. There are nine residences on this section of road. If the Town takes over the road, it must be brought to Town standards. The Town would have the road engineered by a firm such as Bonestroo (Stantec) who have done a good job in the past. The question of who pays the costs was discussed. Options include residents paying the entire cost, the Town paying the entire cost or some shared arrangement. Residents currently pay \$250 a year for road maintenance. The Town will need a signed commitment from all residents to insure that they support the project. One suggestion is that the Town would pay for the engineering costs and the residents for the actual roadwork. Attorney Ripple provided advice if a bond was used to pay for the project (i.e., residents must be assessed at least 20% of the cost of the bond, requires a feasibility study, and the law allows 30-year assessments). Gondringer will contact Bonestroo/Stantec as a preliminary step.
3. Vacating 180<sup>th</sup> – The affected resident, Ms. Yurczyk is opposed because she will need to change her address. The Town is concerned about liability issues related to the road. The Town will proceed with a petition to vacate the road. Attorney Ripple advised that the process requires holding a public hearing. A notice must be mailed to affected property owners 30 day prior to the hearing and it must be published/posted at least 10 days before. A written description of the road is required. It is important to having ‘findings’ and to not remove access to the property and preserve rights to the property. If public waters are impacted, the DNR/County must be contacted. A resolution to vacate the road will be on the agenda for the June meeting. The City should be notified since they are an adjoining property holder.
4. Storm Damage – a hole opened up on 363<sup>rd</sup>, associated with the culvert, across from the Schwalbe farm. The Panek driveway flooded in the storm and may need gravel. The Town Hall doesn’t appear to have much damage from the storm.
5. Road Inspection Results – Supervisors examined and prioritized projects identified during road inspection. Merdan will fill various potholes. Gondringer moved to authorize Eric Merdan to help with Town road projects as needed. Bresnahan second. Two in favor. One abstain (Merdan). Motion carried. Bresnahan moved to hire Roger Nelson to cut brush as assigned. Merdan second. All in favor. Motion carried. In addition to brushing and potholes, during 2012 the Town plans to: ditch along 135<sup>th</sup>, a quote will be needed; install minimum maintenance road signs; rubberize 360<sup>th</sup>; install fill on 377<sup>th</sup>; install rocks around the manhole on Nordica Road; fix crumbling areas of Parkwood Circle, a quote is needed; fix ditch and culvert on Pelican Lake Road; install fill on Quaker Road; Overlay St. Anna Drive, Sunnyfield Circle, and Two Rivers Road, bids required; fix area where Upper Spunk Lake road meets County Rd 156, quote needed. Bresnahan moved to accept the Road Inspection results and planned roadwork for 2012. Merdan second. All in favor. Motion carried. It was suggested to have an earlier road inspection next year and to either discuss the results directly afterwards or have a separate roads meeting. Gondringer authorized the Clerk to recruit bids for the roadwork. Merdan will contact Knife River and/or Hardrives to draw up specs so bids can be opened next month.
6. 911 sign – Mr. R. Achman’s 911 sign has been incorrect since it was originally installed. A new sign will be ordered to replace it.

7. Grading Roads – Bresnahan moved to authorize Gondringer to contact Lange Excavating to get a quote for blading the roads and ditch mowing. Gondringer is authorized to accept a reasonable quote. Merdan second. All in favor. Motion carried.

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

1. Ertl IUP – The Planning Commission discussed a proposed Interim Use Permit (IUP) and recommends the Town take no exception. Merdan moved that Avon Township takes no exception to the Interim Use Permit for Charles & Linda Ertl (17885 Upper Spunk Lake Road), for a vacation / private home rental. Bresnahan second. All in favor. Motion carried.
2. Reduced meetings – The Planning Commission does not recommend a reduced meeting schedule for a variety of reasons including it would not save much money and most importantly it could increase project timetables for residents.
3. PC duties – the Planning Commission discussed performance standards and policies for PC members. A document was prepared and will be formalized at their May meeting for final Supervisor approval.

Bresnahan moved to accept the Planning Commission report. Gondringer second. All in favor. Motion carried.

### **Scheduled Business**

1. Record Review – Attorney Ripple indicated that the Town should reconsider the policy of charging \$25/hour to examine records. Providing reasonable access to the records should be a normal part of Town business/service to residents according to the Data Practices Act (Ch 13). A check was written to Ms. Mary Adriaens for \$50 to return to her the fee she paid last month for access to Town records.
2. Land Sale – Mergen will chair the ad hoc ‘land sale’ committee. Attorney Ripple recommended a quitclaim deed rather than a warranty deed and will provide the Town with a sample purchase agreement. He also recommended a title company for closing the sale. The Town should contact the Assessor for the approximate value of the property. Mergen suggested an article in the *Enterprise* followed by ads in various newspapers. Craig’s list is another place the sale can be advertised. Bresnahan moved to list the Town land for sale for \$150,000. Merdan second. All in favor. Motion carried. Bresnahan moved to authorize an *ad hoc* committee of Mergen, Gondringer and Saupe to act on behalf of the Town to sell the property. Merdan second. All in favor. Motion carried. The Committee (Mergen, Saupe, Gondringer) will meet Monday, May 9<sup>th</sup> at 8:00 to discuss the sale.
3. CTAS Training – Bresnahan moved to authorize Saupe, Deputy Clerk Marion Gondringer, and Martini to attend CTAS training as needed. Merdan second. All in favor. Motion carried.
4. Skid loader – Gondringer obtained a quote of \$24,600 for a machine with one bucket. This price includes a 30% government discount. Bresnahan moved to authorize Gondringer to purchase the skid loader; assuming that it can lift high enough to load salt into the plow trucks. Merdan second. All in favor. Motion carried.

- 5. Liquor Licenses – Bresnahan moved to approve liquor licenses for The Landing and St. Anna Sports Bar. Merdan second. All in favor. Motion carried.
- 6. Work Authorization – Bresnahan moved to authorize the individuals assigned to Township committees/posts at the Qualification meeting to work in behalf of the Town and submit claims for services related to their assignment. Merdan second. All in favor. Motion carried.
- 7. Board of Appeals & Equalization – Bresnahan moved to accept the minutes from the Board of Appeals & Equalization meeting after correcting the date of the meeting. Merdan second. All in favor. Motion carried.
- 8. The Town calendar of activities will be examined at the June meeting.

**Reports/Announcements**

- 1. Certificate of Real Estate Values received from the County – *Sand (36750 Cty Rd 155 - \$55,000); Oehrlein (32074 Narnia - \$75,000)*
- 2. Construction Site Permits received from the County – *Kampfer (36935 Pelican Lake Road; house & garage, remove existing cabin); Ellingson (34638 Plum Hill Lane; 12 x 14 deck with stairs)*
- 3. The County approved a permit to expand or construct feedlot by Eichers (36932 160<sup>th</sup> Ave)
- 4. Midcontinent Cable sent the Town a letter alerting the Town to price changes
- 5. Albany Mutual Telephone will run fiber optic cable during 2012
- 6. Brochures/catalogs were received from Seal King, GameTime, and American Pavement (Green Bay, WI) Solutions.
- 7. The Towmaster Equipment & Education Expo will be July 17 in Litchfield.
- 8. Supervisors were invited to Fifth Monday on 30 April.

**Announcement of next meeting:** *June 6, 2012 at 7:30 PM*

**Adjournment:** Bresnahan moved to adjourn the meeting at 11:30 PM. Second by Gondringer. All in favor. Motion carried.

Respectfully submitted,  
Stephen G Saupe, Clerk

Supervisor Approval:

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Richard Bresnahan

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LeRoy Gondringer

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John Merdan

Attest

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date