

Minutes of the Meeting of the Avon Township Supervisors

August 7, 2013

Avon Township Hall

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

Pledge: The Pledge of Allegiance was recited.

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

Approval of Agenda: Carl Stich was added to the agenda. Merdan moved to approve the agenda as amended. Bresnahan second. All in favor. Motion carried.

Minutes: Bresnahan moved to approve the minutes of the July 3, 2013 meeting as presented. Merdan second. All in favor. Motion carried.

Treasurer's Report: Martini read the Treasurer's Report and provided the Cash Control Statement for the period 7/1/2013 to 7/31/2013 (*below*). The Township will receive \$1935 in State Aid in 2014. Invoices from Star Publishing and MAT were received after checks were issued. I-9 forms needed to be completed for new employees. The Town will receive \$15.63 Aggregate Tax revenue. Bresnahan moved to accept the Treasurer's report. Merdan second. All in favor. Motion carried.

For the Period 07/01/2013 to 07/31/2013

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Revenue	\$28,826.35	\$80,842.32	\$17,677.46	\$91,991.21
Road and Bridge	\$308,667.67	\$108,665.20	\$30,103.30	\$387,229.57
Fire	(\$52,698.89)	\$34,099.18	\$0.00	(\$18,599.71)
Road Damage Deposit	\$400.00	\$0.00	\$0.00	\$400.00
Capital Reserve Fund	\$81,900.16	\$5,367.08	\$8,000.00	\$79,267.24
Total	\$367,095.29	\$228,973.78	\$55,780.76	\$540,288.31

Approval of Claims & Payroll: Martini presented claims #2076 – 2087. Check 7519 (claim 2064) was voided because MN Revenue requests a direct deposited instead. These will be coded as W07032013 (month day year). Check #7544 was voided and rewritten to check # 7545. Three claims from last month were numbers 2073 – 2075 (US Bank, Auditor, CTAS, and Worms Lumber). Bresnahan moved to approve paying the Notary Public renewal fee for Martini. Merdan second. All in favor. Motion carried. Bresnahan moved to approve the payroll and the claims. Merdan second. All in favor. Motion carried.

Road Report: The following items were discussed:

1. **136th Ave** – Mr. Carl Stich, St. Wendel Township Supervisor, appeared to discuss the joint township road resurfacing project on 135th. According to Mr. Stich, the work by Knife River was not done as well as it should have been and as a result the company will give each township a written two-year warranty. It was decided to not withhold any payment to the company. Shouldering is not complete.
2. **Hiring a Snowplow Operator** – No applicants have been received. The position will be re-

advertised for two more weeks in the *Enterprise*. We will also run an ad, on two occasions, in the *St. Cloud Times* and *Peach*.

3. **Signs** – Ms. Sally Heurung (32709 Spunk Tree Circle) sent a letter stating she did not originally receive a fire number. Bresnahan moved to order and install a fire number for Heurung's. Merdan second. All in favor. Motion carried. Martini reported that she ordered a fire number sign for Smith and five additional posts. Sunnyfield Circle requires a road sign, and new "Speed Limit" and "Watch For Children" signs are needed to replace existing ones on Upper Spunk Lake Road. Bresnahan moved to order the necessary signs and posts. Merdan second. All in favor. Motion carried. A few signs on Parkwood Circle are covered by overgrown brush. Merdan and Gondringer will drive township roads looking for others and have the brush cleared.
4. **Spraying** – a called was received to request spraying of poison ivy in the road ditch.
5. **Upper Spunk Lake Road Brushing** – two calls, including one from the Sheriff's department, alerted the Township to overhanging branches. Merdan and Nelson removed them.
6. **Water on Quaker Road and 370th** – Washed out areas were repaired. The main problem is that the privately owned culverts are undersized. The residents were told that if these areas wash out again they will not be repaired until the residents replace the culverts.
7. **165th Ave.** – Mr. Robert Keppers quoted \$9/yard to haul and apply gravel; he has not yet completed this work.
8. **Massoletti (Norway Road) Ditch Work** – This work was completed by the landowner without Township approval and with no expense to the Township. It looks great, although it is noted that the culvert installed under this field approach was not metal, but was plastic. No action taken.
9. Motion by Bresnahan to approve the Road Report. Second by Merdan. All in favor. Motion carried.

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

1. **Fuchs Septic** – The Planning Commission supports the request by Mr. Eb Fuchs that the drain field for a new septic system on his property at 36825 Pelican Lake Road be allowed to encroach into the road right-of-way approximately six feet. Bresnahan moved to allow Mr. Eb Fuchs to construct a drain field for a new septic system six feet into the road-right-of-way at 36825 Pelican Lake Road 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, and the existing road slopes are maintained. Merdan second. All in favor. Motion carried. The Clerk will send a letter to the County.
2. **Casey Property** – Bresnahan moved to approve a Certificate of Compliance for Mr. Mark Casey to purchase 12 feet of property from the adjacent property and add it to his parcel. Merdan second. All in favor. Motion carried. Bresnahan moved to approve attachment and preliminary plat for Mr. Mark Casey. Merdan second. All in favor. Motion carried.
3. **Fisher Certificate of Compliance & Plat** – Bresnahan moved to approve a Certificate of

Compliance for the Louis and Liz Fisher Trust. Merdan second. All in favor. Motion carried. Bresnahan moved to approve a preliminary plat for Liz Fisher Estates if one is required. Merdan second. All in favor. Motion carried.

4. **Fisher TDR & Plat** – Bresnahan moved to allow the transfer of a Holding Township building credit for Richard and Peggy Fisher to their property on Goosehaven Road on the condition that the properties are owned for at least three years and that they meet Stearns County and other regulations. Merdan second. All in favor. Motion carried. Bresnahan moved to approve the preliminary plat for Richard and Peggy Fisher for Goosehaven Addition. Merdan second. All in favor. Motion carried.
5. **TDR Transfers** – This is a topic for the Planning Commission to consider.
6. **News** – Mergen reported that the bond status for the City of Avon and City of Albany has been downgraded. He also reported that the I-94 noise reduction wall was not approved by Avon City.

Bresnahan moved to approve Planning Commission report. Merdan second. All in favor. Motion approved.

Public Hearings: None scheduled.

Scheduled Business:

1. **Salt Shed** – The project has begun. The floor has been completed and walls will be up next week. There was discussion about the quality of the rebar used in the project. The Township will wait to see if an overhead door is necessary before one is installed. Bresnahan moved that in the event a door is required because of issues with snow in the salt shed, Supervisor Gondringer has the authority to order a door. Merdan second. All in favor. Motion carried.
2. **Land sale** – The purchase agreement has been signed. Stearns County Abstract is doing the closing work and has the Abstract. Mr. Meyers will conduct an environmental assessment of the property. The closing is scheduled for September 2nd. Merdan moved to authorize Bresnahan to sign closing documents in place of the acting Clerk or Chair if necessary. Gondringer second. All in favor. Motion carried.
3. **Kurtzman Case** – The case will move to mediation on September 10, 2013.
4. **Volunteers** – Some teenagers volunteered to help the Township file records. The Supervisors were grateful for the offer but due to confidentiality concerns, decided to explore other areas to utilize these volunteers.
5. **Town Hall Use** – Bresnahan moved to allow Helping Hands Seniors Group to use the Township Hall in September and October for a six-week class. Merdan second. All in favor. Motion carried.
6. **Internet service** – has been installed by CenturyLink and appears to work well.
7. **Township Logo** – Someone needs to be identified to create a logo for the Township.

8. **Kurtz Driveway** – There was damage to the road when the driveway was installed. Gondringer will let them know that the damage deposit will not be returned. Red Oak Circle should be on the list of roads to overlay in the near future.
9. **Flag** – our new Minnesota flag and pole has been purchased. A matching pole with ornament will be purchased for the American flag.
10. **Rain Garden** – Our plantings are not doing well because of the drought the past two years. We may need to replant.
11. **Purchases** – the step ladder approved at a previous meeting has been purchased. The Town will consider purchasing a pallet rack for the maintenance shop.
12. **R3 Hearing** – There will be a public hearing at Stearns County to consider an amendment to Ordinance 439 to add an R3 zone. The Supervisors are opposed. Bresnahan moved that Avon Township opposes an R3 zoning district and authorized a letter to Stearns County stating the opposition of Avon Township to the proposed change. Merdan second. All in favor. Motion carried.
13. **Corporate Credit Card** – The Township will not pursue one at this time.
14. **Clerk Cell Phone** – The Clerk is taking a leave of absence until December and will be replaced by the Deputy Clerk. Bresnahan moved to pay for the Clerk's cell phone to forward calls to the Deputy Clerk. Merdan second. All in favor. Motion carried.
15. **Ditch Cutting:** A survey from Albany Township about cutting ditches was received, completed and returned. Gondringer described the rules relating to the amount of roadside the Township can cut at different seasons of the year.

Other/Old Business

1. **Peach Drive** – No new information was available.
2. **Garbage & Recycling** – we will save our trash and recycling until there is enough to warrant a dumpster.
3. **Shepard Nuisance Complaint** – still no word from Stearns County. The Clerk will follow up.

Reports/Announcements

1. Certificates of Real Estate Value were received for Woitalla (18897 Co Rd 154; \$65,000); and Smith (34905 Co Rd 9; \$10,000).
2. Construction Site Permits were received for: Avon Township (16881 Queens Rd, salt storage building); Blattner (3227 Nob Hill Dr., 10 x 15 shed); Guggenberger Trust (19228 Two Rivers Rd, addition & attached garage); Schulte (18960 Upper Spunk Lake Rd, 30 x44 accessory bldg); Smith (16713 363rd St., 28 x 56 manufactured home, 60 x3 6 accessory & 60 x 60 accessory); Mueller (4235 Co Rd 9; 24 x 27 garage addition); Bowen, Jr. (18432 332nd St.; 14 x 80

manufactured home); and Huston (17559 360th St.; detached garage)

- 3. The Township was contacted about a special assessment search which has been processed.
- 4. The Township was contacted by realtors inquiring about the process for adding shed / garage to property on 325th St.
- 5. The *Technology Exchange* newsletter (Summer 2013) was received.
- 6. A brochure for legal seminars by Couri & Ruppe was received.
- 7. Stearns County granted a variance for Guggenberger.
- 8. The MAT District 5 Meeting is August 22, 2013. Bresnahan moved to authorize Martini to attend. Merdan second. All in favor. Motion carried.
- 9. A call was received inquiring about the Township land that has been sold.
- 10. The State Demographer reports that the Avon Township 2012 population estimate is 2,281 and the household estimate is 797.
- 11. A FEMA applicant meeting was held at Stearns County.

Adjournment: Bresnahan moved to adjourn the meeting at 10:05 PM. Merdan second. All in favor. Motion carried.

Announcement of Next Meeting: The next meeting will be held on Wednesday, Sept 4, 2013 at 7:30 PM.

Respectfully submitted,
Stephen Saupe, Clerk

Supervisor Approval

Richard Bresnahan

LeRoy Gondringer

John Merdan

Attest

Date