

# Minutes of the Meeting of the Avon Township Supervisors

February 6, 2013

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, John Merdan, and Stephen Saupe.

**Approval of Agenda:** Added to the agenda were: Jonas Building permit and the Himsl plat. Merdan moved to approve the revised agenda. Bresnahan second. All in favor. Motion carried.

**Minutes:** Bresnahan moved to approve the minutes of the January 2, 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 1/01/2013 to 1/31/2013 (*below*). Martini will start reporting interest monthly rather than quarterly. David Drown Associates, Inc., completed the Town Disclosure Report. Martini will check into the year for which it was filed and also to insure that the Town has received the proper reimbursement for the interest on our Bond. Last year the Town received \$10,788.05 but this year to date only \$3390.62. St. Wendel Township paid for their share of ditch work on 135<sup>th</sup>. Bresnahan moved to approve the Treasurer's report. Merdan second. All in favor. Motion carried.

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

Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance
General Revenue	\$49,578.00	\$406.00	\$2,150.55	\$47,833.45
Road and Bridge	\$295,597.34	\$1,443.00	\$6,862.68	\$290,177.66
Fire	\$7,412.07	\$0.00	\$0.00	\$7,412.07
Road Damage Deposit	\$200.00	\$0.00	\$0.00	\$200.00
Capital Reserve Fund	\$81,779.87	\$0.00	\$0.00	\$81,779.87
<b>Total</b>	<b>\$434,567.28</b>	<b>\$1,849.00</b>	<b>\$9,013.23</b>	<b>\$427,403.05</b>

**Claims & Payroll:** Martini presented claims 1986 – 1999. Check #7385 to Rinke-Noonen was voided because another invoice was received; a new check for both was written. Bresnahan moved to approve the payroll and the claims. Merdan second. All in favor. Motion carried.

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

1. Buettner Property – Ms. Barbara Betz appeared to discuss the estate of Angeline Buettner. According to Watab, Inc., the septic can be sited entirely within the property so there will be no need for a road encroachment agreement. However, the current survey shows that the property is landlocked and doesn't touch the Town road. Although the County didn't think this would be a problem Ms. Betz is concerned that a potential buyer will have difficulties such as not being able to obtain Title Insurance. We will contact our Town Attorney to learn about potential options to handle this situation.

2. Road Salting/Sanding – some residents have complained that too much salt/sand is being spread while others have complained that the Town has not applied enough. The Town salt/sand supply is starting to run low but there should be enough to make it through the winter. A request was made to apply salt/sand on Smiley Drive for the school bus. This request was denied because it is not a Town Road. A similar request to apply salt/sand on Narnia Lane was denied. The policy of the Town is to not maintain private roads/drives.

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

**Public Hearing:** *none scheduled*

**Planning Commission Report:** Mr. Ken Mergen, Planning Commission Chair, presented the Planning Commission report. Lowell Rushmeyer is resigning his seat at the end of March. There is a year remaining on his term. In addition, Mergen is completing a three-year term. He is willing to be reappointed. Rushmeyer's opening on the Planning Commission will be posted. Mergen will be evaluated at the March meeting. The procedures for appointing Planning Commission members will be re-examined at the March meeting. Bresnahan moved to approve the Planning Commission report. Merdan second. All in favor. Motion carried.

### **Scheduled/Other Business**

1. Board of Appeals Meeting – was confirmed for April 25, 2013 at 7:00 PM in the Town Hall.
2. Election Resolutions – Merdan moved to approve Resolution 02-06-13-1: Resolution appointing judges for the March Election in Avon Township. Bresnahan second. All in favor. Motion carried. Bresnahan moved to approve Resolution 02-06-13-2: Resolution appointing absentee ballot board for March Township Election. Merdan second. All in favor. Motion carried.
3. Annual Meeting – The agenda for the Town meeting was discussed and will be finalized at the March meeting. Gondringer will contact Mr. Lee Larkey to see if he is willing to be nominated as the moderator. Saupe will contact Fire Chief Linn to confirm he will be on the agenda.
4. Web Site – Saupe reported that he has been working on the Town website and requests suggestions for additions, corrections, etc. We will likely need to add more storage space. Bresnahan moved to approve any necessary upgrade in the site through our provider, CloudNet. Merdan second. All in favor. Motion carried.
5. Internet – Saupe will look into the cost of Internet service to the Town through Albany Telephone and other carriers.
6. Clerk & Treasurer Meeting – Bresnahan moved to approve a meeting of the Treasurer, Deputy Clerk and Clerk if necessary to discuss finances and revise claims forms. Merdan second. All in favor. Motion carried.
7. Planning Commission Policies & Evaluation Forms – Saupe will revise and bring to the March meeting for discussion and approval.

8. Mohs Encroachment Agreement – Two copies of the agreement approved at the December 2012 meeting and drafted by Rinke-Noonan was signed. Saupe will contact Mr. Mohs for his signature.
9. Meetings Schedule – the upcoming meeting and event schedule was reviewed. It will be published in February. A Joint Powers meeting date is still being worked out with the City.
10. Spanier Property – the Joint Planning Board will need to hold a public hearing to address a request by Mr. Scott Spanier for a plat. This will necessitate a public hearing, and it will also include a hearing to re-zone the property from Urban Expansion to R-1, a change the County inadvertently made in June 2010.
11. Financials – Treasurer Martini provided a copy of the yearly financial statements. These were discussed and the Supervisors proposed a budget/levy for 2014. This will be finalized at the March meeting to present to residents for approval at the Annual Meeting.

### **Old Business**

1. Joint Powers Meeting Date – still being worked out with the City.
2. Peach Drive – No news. The Clerk will contact the DNR to seek a resolution to the problem.
3. Wunderlich Plat – The Wunderlich's have not yet contacted the Town to have their plat signed.
4. Collect for Illegal Burn – There has been no progress in this area; Gondringer has been unable to contact Mr. Gary Schmitz.
5. Newsletter – we will consider publishing a newsletter. Possible topics include the option to receive email updates from the Town, no-spray list, brushing issues and the compost facility.

### **Reports/Announcements**

1. Certificates of Real Estate Value were received for properties of Notch (35005 Goosehaven Road; \$296,000) and Jonas (NW ¼ of Section 4, Township 125, Range 30; \$70,000)
2. Construction Site Permits were received for properties of Pitzer/Dale (33357 185<sup>th</sup>; 16 x 80 mobile home, 16 x 8 deck, 14 x 15 addition on 8 x 7 shed), and Bosl (34746 Co Rd 9; 40 x 96 single family residence & 40 x 80 accessory structure).
3. An Animal Feedlot Permit for a 50 x 50 confinement barn and a 30 x 50 open lot was received for Bosl (34746 Co Rd 9).
4. Mr. Chuck Griffith contacted the Town concerning whether any areas of the Town are scheduled for automatic annexation into the City. The only automatic aspect of the agreement is that, if annexed, a resident must hook up to City sewer 10 years after annexation.
5. The Spring Short Course will be held in St. Cloud on March 26, 2013. Bresnahan moved to approve Town Officers attend this meeting. Merdan second. All in favor. Motion carried.
6. The LTAP workshop brochure was received.

- 7. A notice was received from Xcel concerning a pending rate hike and public meetings.
- 8. Bresnahan moved to approve Merdan attend the Township Day at the Capitol on February 27, 2013. Gondringer second. All in favor. One abstain (Mergen).
- 9. Baker property – Ms. Lisa Baker inquired about restrictions concerning hosting a party with alcohol and running a CSA. In addition, the County approved a Feedlot construction permit for Ms. Baker for 9.96 animal units (including 2 steers, 2 pigs, 6 horses, 4 sheep, 120 chickens, 20 turkeys)
- 10. A nuisance complaint was received concerning a property on Sunnyfield Circle. Supervisor Gondringer checked the property and concluded that no action is required at this time.
- 11. Brownie Troop 67 is now using the Town Hall for meetings.
- 12. Mr. Backes (16898 Queens Rd) was contacted concerning purchasing a 911 Sign.
- 13. Informational Meetings about the Stearns County Ordinance 439 will be held Feb 27, 2013.
- 14. Russell Arendt contacted the Town concerning his services in Planning.
- 15. Mr. Frank Himsl needs to attend a Supervisor meeting to have his plat signed.
- 16. Mr. Wayne Cymbaluk, NRSC, said a grant was available to that would pay for labor and weeding on the Town restoration, if the Town pays for chemicals. Merdan will check into this including the cost of the chemicals.

**Adjournment:** Bresnahan moved to adjourn the meeting at 11:17 PM. Merdan second. All in favor. Motion carried.

**Announcement of Next Meeting:** The next meeting will be held on Wednesday, March 6, 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

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 John Merdan

Attest

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 date