

Minutes of the Meeting of the Avon Township Supervisors

April 1, 2015

Avon Township Hall

Call to Order: Chairman Bresnahan 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, John Merdan, Roger Nelson, Kelly Martini, and Stephen Saupe. Also present – Paul Buttweiler (Deputy Treasurer), Marion Gondringer (Deputy Clerk), Ken Mergen (Planning Commission Chair), Joseph Koopmeiners (Maintenance)

Approval of Agenda: Discussions of aquatic invasive species and the Schlichting driveway were added to the agenda. Merdan moved to approve the agenda as amended. Nelson second. All in favor. Motion carried.

Minutes: Nelson moved to approve the minutes of the March 4, 2015 meeting. 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 3/1/2015 to 3/31/2015 (*below*). The total beginning balance was \$148.05 higher than the ending balance last month because a check (#8112) was voided. Check #8108 was voided because it was previously paid. Martini will complete the forms to receive the reimbursement for the Bond interest. Nelson moved to accept the Treasurer's report. Merdan second. All in favor. Motion carried.

For the Period : 3/1/2015 To 3/31/2015

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$81,995.69	\$459.50	\$8,732.56	\$73,722.63
Road and Bridge	\$88,742.28	\$0.00	\$3,355.73	\$85,386.55
Road Damage Deposit	\$1,000.00	\$0.00	\$0.00	\$1,000.00
Fire Fund	\$7,927.90	\$0.00	\$62,464.00	(\$54,536.10)
General Capital Projects	\$52,990.38	\$0.00	\$0.00	\$52,990.38
Total	\$232,656.25	\$459.50	\$74,552.29	\$158,563.46

Approval of Claims & Payroll: Martini presented claims #2525 – 2553. Claims 2523 and 2524 were for March PERA. Martini noted that the CenturyLink bill nearly doubled. There are questions about how to handle payment for election judges in CTAS. Election judges are paid less than for other hourly Town work. Merdan moved to approve the payroll and claims. Nelson second. All in favor. Motion carried. Nelson moved to move the “Treasurer Report” and “Claims & Payroll” to after “Scheduled Business” at future meetings. Merdan second. All in favor. Motion carried.

Planning Commission Report:

- 1. Orion Solar Community Garden:** The Planning Commission held a public hearing to consider a request for a Conditional Use Permit for Orion LLC to install and operate a Community Solar Garden at Saint John's. The Planning Commission supports the request with nine conditions. Representatives from Orion (Tena Rytel, Nathan Franzen, Andy Catanin, August Christenson) and Saint John's (Br. Benedict Leuthner, Gary Jorgenson) were present. Ms. Rytel provided an overview of the project and outlined plans for screening and the fence. A neighbor questioned whether the system would affect a home wireless network (A Westwood Company representative said that the answer was 'no' but that if

it did they should contact the utility company). A neighbor also requested a taller planting for the screen. PC Chair Mergen read the findings of facts from the hearing. The Supervisors requested the right to periodically inspect the site. Merdan moved to approve the Conditional Use Permit for Orion to build and operate a Community Solar Garden at Saint John's with the following conditions: (1) the interconnection agreement with Excel be provided to the Township prior to construction; (2) the project meet all application Stearns County guidelines including those for solar farm performance; (3) the company provide evidence that a bond or escrow account has been established for the decommissioning of the project; (4) project follow the Stearns County Storm Water Management rules and requirements; (5) noxious weeds are controlled in the project area; (6) provide a landscaping and screening plan acceptable to the Avon Township Board of Supervisors; (7) Orion provide to the township the contact information for the responsible party once the project is completed; (8) Replace the last paragraph in section 2.3 on page 4 of the application for a CUP with the following: "The CUP shall run with the real property on which the Project is located (the "Property"). The Township agrees that OCSG may lease portions of the Property to one or more entities (each, a "Lessee" and together, the "Lessees") for the construction and operation of solar gardens or solar farms. Each Lessee shall be responsible for complying with all of the terms and conditions set forth in the CUP. OCSG will remain responsible for the performance of all of OCSG's obligations under the CUP, and the Township will pursue directly against OCSG any proceeding for termination of the CUP due to any failure by OCSG or any Lessee to comply with the terms and conditions of the CUP."; (9) the extent of the project size is that shown by the fence line on page C.100 of the March 27, 2015 site plan; and (10) the Avon Board of Supervisors reserves the right to inspect the site at five-year intervals. Nelson second. All in favor. Motion carried. Geronimo has presumably not yet identified how anyone other than Saint John's can become a customer/partner in the solar garden. One of the representatives from Orion said that the company will post this information on their website and they provide the Township with it once it becomes available.

2. **Bueckers Conditional Use Permits** – The Planning Commission opened a public hearing to consider a request by Brian and Melissa Bueckers for a CUP for a conventional subdivision in the environmental overlay district. The hearing will be continued at the next meeting pending water and soil boring test results. Ms. Bueckers stated that they had hired a private company to retest the water. The Planning Commission also opened a public hearing to consider a request to permit the construction of a home more than 150 feet from an existing structure on the property. This hearing will be continued at the next meeting, also. Merdan moved to approve a 60-day extension of the 60-day rule. Nelson second. All in favor. Motion carried.

Road Report:

1. **Breth Driveway** – Nelson moved to approve a driveway permit for Mr. Dan Breth at 37805 Cardinal Nest Court, Avon. Merdan second. All in favor. Motion carried. No culvert or apron is required.
2. **Schlicting Driveway** – The Schlicting's will require a driveway permit (no culvert or apron is required). They have not yet applied for the permit. The Clerk will contact the Schlicting's.
3. **Road Closed Signs** – Koopmeiners will purchase road closed signs to install during roadwork to insure safe conditions.
4. **365th** – Nelson moved to authorize Koopmeiners to dump add fill (2-3 loads) on 365th (minimum maintenance road).

5. **Norway Road** – no bid for roadwork will be made unless the state grant is successful. Bresnahan will follow up.
6. **Culvert Inventory** – Koopmeiners was authorized to conduct a culvert inventory when other work was slow.
7. **Road Blade quote** – Lange Excavating submitted a quote of \$102 per hour to blade roads.
8. **Woitalla Driveway** – one continuous culvert will be installed between adjacent driveways.

Merdan moved to accept the road report. Nelson second. All in favor. Motion carried.

Public Hearings: None scheduled.

Scheduled Business:

1. **Board of Canvass** – Merdan moved to approve the minutes from the March 10, 2015 meeting of the Avon Township Board of Canvass. Nelson second. All in favor. Motion carried.
2. **Qualification/Organization Meeting** – Section 6 was reworded to read, “Bresnahan moved to increase the hourly wage of drivers Duane Willenbring and Kenny Hinnekamp to \$24.” Nelson moved to approve the amended minutes of the Avon Township Qualification/Organization meeting that was held on March 18, 2015. Merdan second. All in favor. Motion carried.
3. **Nathe Request** – Ms. Bev Nathe was unable to be present at the meeting. She will attend a future meeting.
4. **Joint Powers Extension** – The City has approved the agreement. Saupe will contact the City for wording. Merdan moved to approve having attorney Adam Ripple prepare the document. Nelson second. All in favor. Motion carried.
5. **Milfoil** – Denis McGuiness appeared to request funding for aquatic invasive species control. The Supervisors expressed reservations about chemical treatments. Mr. McGuiness will return with a plan once a lake survey is taken to determine the extent of the infestation and type of treatment that is necessary. This will likely be at the June meeting.
6. **Stearns County Legal Seminar** – Stearns County will host a Land Use & Training Workshop on May 21, 2015 at Saint John’s. Nelson moved to approve Planning Commission and Supervisors to attend. Merdan second. All in favor. Motion carried.
7. **Resolutions** – The Supervisors signed resolutions from the previous meeting. Nelson abstained from signing Resolution 03-18-15-1.
8. **Consultant** – the Township will investigate hiring a consultant to examine our methods for record keeping.
9. **Insurance Inspection** – Merdan will meet with a MATA insurance inspector tomorrow at 9:00 AM. The inspection was requested by MATA to insure our coverage is adequate.
10. **Bonding** – the Clerk and Treasurer are bonded through the MN Association of Townships.

Other/Old Business:

- 1. Eichers CUP & Township logo – no action taken.

Reports and Announcements:

- 1. There were no Certificates of Real Estate Value, Construction Site Permits, 911 sign requests or Feedlot permits.
- 2. Special Assessment Searches were completed for the following properties: Kaluza (32573 182nd Ave); 15672 & 15063 Parkwood Circle; Lukaswicz (34514 Peach Drive); Breth (37761 Sunnyfield Circle)
- 3. Catalogs from Kay Park Recreation, Century Enterprises & GameTime were received.
- 4. The Tax Capacity Rates for 2015 were received. Township rates compare favorably to surrounding communities.
- 5. The County denied a variance requested by Hondl.
- 6. A letter from MidContinent concerning affirmative action was received.
- 7. A County inspection of Township bridges showed no deficiencies.
- 8. The Minnesota Roadway Maintenance Training and Demo Day will be held in Rosemount on May 13, 2015.
- 9. The Town Officers Association meeting will be held April 23, 2015 at 7:45 PM in Freeport.
- 10. There will be a Legal Short Course on April 23, 2015 in Otsego.
- 11. The Minnesota Benefits Association had a variety of materials available at the recent short courses.
- 12. The Fifth Monday meeting for Avon/Albany Schools was held March 30, 2015.

Adjournment: Merdan moved to adjourn the meeting at 9:45 PM. Nelson second. All in favor. Motion carried.

Announcement of Next Meeting: The next meeting will be held on Wednesday, May 6, 2015 at 7:30 PM. Road inspection will be April 18th and the Board of Appeals and Equalization meeting will be April 27 at 7:00 PM.

Respectfully submitted,
Stephen Saupe, Clerk

Supervisor Approval

Richard Bresnahan

Roger Nelson

John Merdan

Attest

Date