

# Minutes of the Meeting of the Avon Township Supervisors

October 5, 2016

Avon Township Hall, 16881 Queens Road, Avon (MN)

**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 and welcomed guests.

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

**Roll Call:** Present – Richard Bresnahan, John Merdan, Roger Nelson, Kelly Martini, and Marion Gondringer. Absent - Stephen Saupe. Also present – Paul Buttweiler (*Deputy Treasurer*), Ken Mergen (*Planning Commission*), and Joseph Koopmeiners (*Maintenance*).

**Approval of Agenda:** Additions of: Rose Mary Anderson, Bush Foundation Innovation Grant, Head Judge review meeting, and Road Mileage Certification. Nelson moved to approve the agenda as amended. Merdan second. All in favor. Motion carried.

**Minutes:** Nelson moved to approve the minutes of the September 7, 2016 meeting with one correction. (160<sup>th</sup> Street was corrected to 360<sup>th</sup> Street). Merdan second. All in favor. Motion carried.

**Planning Commission Report:** Presented by Mr. Ken Mergen, Planning Commission Member:

1. **Cari Wiersema Variance** request: 18685 368<sup>th</sup> Street, Avon. Wiersema requests a variance to build a 20' by 24' addition onto her home which would be 53 feet from the center of the road instead of the 60 foot ordinance requirement. Planning Commission recommends approval. No driveway permit is necessary. Motion by Merdan to approve the variance to add a 20' by 24' addition to her home, 53 feet from the center of the road. Second by Nelson. All in favor. Motion approved.
2. **Scott Spanier driveway permit:** (Poverty Point Road) No driveway permit is required since this is a private road. Spanier will return to the Township with the County forms to get the signature required stating that no driveway permit is needed.
3. **Elaine Randall: driveway permit.** No permit is required since no alterations to the driveway took place other than the replacement of the surface material.
4. **360<sup>th</sup> Street (East of 155):** There are concerns for the fact that this road was altered by the resident on the road without Township approval. (See below)
5. **Richard and Colette Bresnahan Certificate of Compliance:** (Note: Supervisor Richard Bresnahan secluded himself from discussion, and abstained from voting.) Colette Bresnahan presented a request for a Certificate of Compliance to swap two, 6-acre parcels of land between Bresnahan and James Dean (parcels # PID #03.0190.0000, and PID #03.01090.0025) and add the 46.13-acre parcel, purchased from the Renee Smith Estate, to the Bresnahan property. The 46.13 acre property has one building entitlement which may be transferred in the future to a location near their current home site to facilitate a cluster development. The 6-acre land swap will make the recently purchased 46.13-acre parcel contiguous with the current Bresnahan property, therefore there is no need for an easement through the Smith farm to County Road 9. Motion by Nelson to approve the Certificate of Compliance for Richard and Colette Bresnahan to swap two 6-acre parcels of land between Bresnahan and Dean to make the recently purchased 46.13-acre parcel contiguous with the current Bresnahan property. Second by Merdan. Nelson and Merdan in favor. Bresnahan abstained. Motion carried.
6. **Mary Schlicting driveway deposit return request** (18478 Red Maple Drive, Albany. Permit – Spring

2015): Koopmeiners reports that the driveway looks good. Motion by Merdan to approve request to return driveway damage deposit to Mary Schlicting. Nelson second. All in favor. Motion carried.

Nelson moved to approve the Planning Commission report 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 9/1 /2016 to 9/30/2016 (*below*). Merdan moved to approve the Treasurer's report. Nelson second. All in favor. Motion carried.

**Avon Township Cash Control Statement**

<b>For the Period :</b>	<b>9/1/2016 To 9/30/2016</b>			
<b><u>Name of Fund</u></b>	<b><u>Beginning</u></b>	<b><u>Total</u></b>	<b><u>Total</u></b>	<b><u>Ending</u></b>
	<b><u>Balance</u></b>	<b><u>Receipts</u></b>	<b><u>Disbursed</u></b>	<b><u>Balance</u></b>
General Fund	\$119,936.60	\$3,560.37	\$10,664.39	\$112,832.58
Road and Bridge	\$34,440.11	\$125.00	\$3,214.97	\$31,350.14
Road Damage Deposit	\$1,800.00	\$200.00	\$0.00	\$2,000.00
Fire Fund	\$11,161.63	\$0.00	\$0.00	\$11,161.63
General Capital Projects	\$62,308.98	\$0.00	\$0.00	\$62,308.98
<b>Total</b>	<b>\$229,647.32</b>	<b>\$3,885.37</b>	<b>\$13,879.36</b>	<b>\$219,653.33</b>

**Approval of Claims & Payroll:** Martini presented the October 5<sup>th</sup> claims (2927 – 2947), and PERA claims for September (2925 & 2926). A question arose concerning the bill from Mid-Minnesota Hot Mix. This check (#8779) will be held temporarily so that Bresnahan can get a clarification on the amount billed. Merdan moved to approve the claims and payroll. Nelson second. All in favor. Motion carried.

**Town Hall Maintenance Report:** Joe Koopmeiners

1. **Maps:** The person who was in the process of framing the maps for the Hall will not be able to complete the framing. Bresnahan will seek out a new source for framing the maps.

Nelson moved to accept the Town Hall Maintenance report. Merdan second. All in favor. Motion carried.

**Road Report & Roadwork Update:**

1. Driveway inspections:
  - a. **Mary Schlicting** - 18478 Red Maple Drive - Driveway damage deposit return request.
  - b. **Elaine Randall** – Elaine Randall/Monk Rev Trust, 32141 Noble Oak Circle – driveway permit request. Asphalt was replaced. No other changes. No permit necessary. (Note: As per the June 1, 2016 Supervisor's minutes "Changing the surface material does not require a driveway permit").
2. **Road shouldering** update: Tower Road, Sara Lane, 360<sup>th</sup> Street (West). All completed. Bresnahan pointed out two places on Upper Spunk Lake road that need shouldering before winter. Koopmeiners will replace shouldering material in those areas with Class 5 gravel to help prevent washing.
3. **Salt Sand:** Bresnahan reports that salt sand will be delivered when it arrives. Salt shed is kept locked for security purposes.
4. Spraying of **Wild Parsnips** is complete.
5. **Recessed asphalt area near 16829 Kopy Lane:** A low spot in the road fills up with water. Resident requests consideration for patching next season. Bresnahan reports that this area of the road was weakened by the presence of stumps that were buried in the area. This repair will be addressed in the spring.
6. **Road ditches:** The cutting of road ditches will begin on Monday.

7. **Brush cutting** on 180<sup>th</sup> is complete.
8. **Arrow signs on Norway road.** One more sign is still needed and has been ordered.
9. **“No Parking” signs on Peach Drive.** Stearns County Sheriff has given specific instructions as to how to place the no parking signs by the Lake Wobegon Trail so they will be legally correct and enforceable by law enforcement officers. Motion by Nelson to order two more signs to comply with what is being requested for “No Parking” signage on Peach Drive. Second by Merdan. All in favor. Motion carried.
10. **140<sup>th</sup> Street:** Near David Raab’s driveway. Koopmeiners will research the cost of reshaping the ditch to alleviate washing on the Raab driveway.
11. **Plow trucks:** DOT inspections are complete. Inspection called for the replacement of brake pads on one truck due to rust.
12. **Safety Training:** Joe and plow drivers will be attending safety training this month.
13. Koopmeiners will take plow drivers on a road tour to review road plowing routes for the winter.
14. **Rosemary Anderson:** Nelson moved to approve request by Anderson for snow removal during the 2016-2017 winter months in compliance with the agreement entered into at the time of the land sale for the Town Hall. Merdan second. All in favor. Motion carried. Anderson will install snow fence.
15. **Road Mileage Certification:** Moved by Merdan to certify road mileage at 44.5 miles. Second by Nelson. All in favor. Motion carried.
16. **Lemke / 15063 Parkwood Circle:** A decorative structure around the mailbox may be dangerous for snow plowing. Koopmeiners will assess the possible dangers.
17. **360<sup>th</sup> Street-(Township road East of Co Rd 155):** Bresnahan read a letter from Elmer Maciejewski concerning his requests for 360<sup>th</sup> Street. Maciejewski is the only current resident on 360<sup>th</sup> Street. Maciejewski has recently altered the roadway without permission from the Township. Research has indicated that this and past alterations, (removal of “Minimum Maintenance” sign, adjustments to the roadway ditch, and hiring a contractor to grade and alter the roadway) has violated Minnesota Statute 160.271. Neighbors in the area have questioned why 360<sup>th</sup> is a Township road and not a driveway. Township attorney Ripple will undertake a title search to determine ownership of the land on which the road is located and any possible land-locked issues. Motion by Bresnahan to begin the process of researching the possible vacation of 360<sup>th</sup> Street (East of Co Rd 155). Second by Nelson. All in favor. Motion carried.

Motion by Nelson to approve road report. Merdan second. All in favor. Motion carried.

**Public Hearings:** None

**Scheduled Business:**

1. **Avon Area Lakes Association** milfoil update: Denis McGuiness summarized what has taken place on the lakes including surveying for Eurasian Milfoil, hand removal on Lower Spunk and the beach area, and chemical treatment on September 21<sup>st</sup>. Nelson reports his attendance at the hand-picking process confirms the presence of Eurasian Milfoil.
2. **Legalities:** Bresnahan addressed the challenge recently brought to the Supervisors’ attention concerning the restrictions involving the donation of funds which are not authorized by Minnesota State donation Statutes. The Avon Area Lake Association (AALA) does not fall into any authorizing Statute, thereby making any donation to the AALA illegal. According to Minnesota Association of Townships Attorney, Steve Fenske, Avon Township cannot donate to the Avon Area Lakes Association. The supervisors apologize for this inconvenience.
3. **Avon Girl Scouts:** Troop 433 sent a letter explaining the need for the use of the hall on five additional Sundays this winter. They will be mentoring a new Daisy Troop on these dates.
4. Set **Election schedule:** 7 a.m. to 8 P.M., November 8, 2016, at the Avon Township Hall.
5. Set date for **Preliminary-Public Accuracy Test and Public Accuracy Test:** Motion by Nelson to allow Martini and Mergen to set these dates in accordance with the voting regulations. Second by Merdan. All in favor. Motion carried.

- 6. **Bush Foundation Innovation Grant:** The Bush foundation now has a rolling deadline for applying for grant funding to better rural communities and bring creative ideas for community innovation. Discussion took place exploring the idea of applying for this grant for the purpose of the installation of a solar power setup in case of local disaster needs. Motion by Merdan for Marion Gondringer, or the Clerk, to investigate the possibility of applying for the Bush Foundation Grant in connection with a possible solar garden on the Avon Township property. Second by Nelson. All in favor. Motion carried.

**Other/Old Business:** none

**Recurring Reports:**

- 1. **911 signs;** None
- 2. **Certificates of Real Estate Value.**
- 3. **Construction Site Permits** were received for:
  - a. Harold Blonigen, 19127 Two Rivers Rd., 12'x38'/12'x18' decks on single family residential unit
  - b. Lewis McCann, 33706 Highland Ter., Avon, replace and add on to deck 10'x23'/6'x8' on single family residential unit
- 4. **County feedlot permits:** None
- 5. **Home-extended business permits:** None
- 6. **Special Assessments Searches:** No information

**Announcements & Brief Reports:**

- 1. SWCD: Cooperative Weed Management Cost Share Contract awarded. 75% cost sharing for weed control expenses. Applicable to Crop Production Services bill = \$488.55. Grant total = \$363.75
- 2. SCORE Grant awarded to Avon Township: = \$1000.00
- 3. SAMs Club sent an offer to purchase a membership
- 4. Invitation to the dedication of BHE Renewables' Community Solar Garden on October 12, 2016, at 11:00 at the Northfield Community Solar Garden site at 1520 St. Olaf Ave, Northfield, MN. Bresnahan has viewed the garden at a previous date
- 5. Semi-Annual Meeting of the Town Officers Association of Stearns County on Thursday, October 27, 2016 at 8 p.m. at the Freeport Community Center. Motion by Nelson to allow township officers to attend Semi-Annual Meeting if desired. Second by Merdan. All in favor. Motion carried.

**Announcement of Next Meeting:** The next meeting will be on Wednesday, November 2, 2016 at 7:30 PM.

**Adjournment:** Motion by Nelson to adjourn at 9:12 PM. Merdan second. All in favor. Motion carried.

Respectfully submitted,

\_\_\_\_\_  
Marion Gondringer, Deputy Clerk

**Supervisor Approval:**

date: \_\_\_\_\_

\_\_\_\_\_  
Richard Bresnahan

\_\_\_\_\_  
Roger Nelson

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