

Minutes of the Meeting of the Avon Township Supervisors

May 3, 2017

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, Kelly Martini, Mike Linn, John Merdan, and Stephen Saupe. Also present – Paul Buttweiler (*Deputy Treasurer*), Marion Gondringer (*Deputy Clerk*), Will Huston (*Planning Commission*), and Joseph Koopmeiners (*Maintenance*).

Approval of Agenda: Merdan moved to approve the agenda as presented. Linn second. All in favor. Motion carried.

Minutes: Linn moved to approve the minutes of the April 5, 2017 meeting as presented. Bresnahan second. Two in favor. One abstain (Merdan). Motion carried.

Planning Commission Report – *Presented by Mr. Will Huston, Planning Commission Chair:*

1. **Notch Septic** – The Planning Commission supports a request by Mr. Eric Notch to install a 4-inch pipe under Upper Spunk Lake Road to access a mound system drain field on his neighbor's property. He has obtained permission and a signed easement from his neighbor. Linn moved to approve the installation by directional drilling not an open cut, of a four-inch pipe beneath Upper Spunk Lake Road contingent upon the signing of an encroachment agreement that is mutually acceptable to the applicant and Town with the cost of the legal agreement to be paid by the applicant. Merdan second. All in favor. Motion carried. Bresnahan will contact the Town attorney to prepare the encroachment agreement that will be recorded.
2. **Ramler Rezoning** – Mr. Greg Ramler is seeking to rezone one acre of his property on Tower Road from A40 to Commercial to construct a 40-unit mini-storage facility. The Planning Commission recommended a public hearing. The Supervisors do not support spot zoning and prefer commercial development be restricted to the areas adjacent to the City as per previous agreements with the City. Because the testimony from a public hearing wouldn't affect their decision and to save the applicant money to hold a public hearing, Merdan moved to deny the request by Mr. Greg Ramler to rezone one acre of his property from A40 to Commercial. Linn second. All in favor. Motion carried.
3. **Sunrise Energy Ventures** – The Planning Commission supports holding public hearings for Conditional use Permits (CUP) for two, 1-MW solar gardens on the Gertken property. Mr. Chuck Beisner, Sunrise Energy Ventures, said that they had submitted an application for an interconnect agreement to Xcel. Mr. Beisner also stated the interconnection would likely occur in the same manner as existing lines in the area and that they are aware of the proximity of the Wobegon Train, water/drainage issues, and the need for pollinator-friendly plantings. Linn moved to hold a public hearing on May 31, 2017 at 7:45 PM to consider a request by FastSun3 LLC for a CUP to construct a 1 MW AC solar energy conversion farm on the property of Brian and Linda Gertken, 34206 Smiley Drive, Albany, MN 56307 (PID 03.009935.0000). Merdan second. All in favor. Motion carried.

Linn moved to hold a public hearing on May 31, 2017 at 7:50 PM to consider a request by Stearns Community Solar One, LLC for a CUP to construct a 1 MW AC solar energy conversion farm on the

property of Brian and Linda Gertken, 34206 Smiley Drive, Albany, MN 56307 (PID 03.009935.0000). Merdan second. All in favor. Motion carried.

- THK Bike Race** – there were several concerns about the recent race including (a) difficulty seeing race organizers in foggy conditions; (b) the peloton taking up large amount of road; (c) a race vehicle parked the wrong way on the wrong side of the road; and (d) organizers placing race information into resident mailboxes. The Planning Commission, by a 3 to 2 vote, recommends to not approve the race in the future, and to charge race organizers a fee between \$250 – 500 to perhaps be used for safety training or hiring more police or Town staff to help supervise. Any rules for this race would also have to apply to other events including the Tour of Saints. The Supervisors tabled this discussion for a future meeting.

Linn moved to approve the Planning Commission report. 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 04/01/2017 to 04/30/2017 (*below*). Merdan moved to approve the Treasurer’s report. Linn second. All in favor. Motion carried. Koopmeiners noted a possible error in his paycheck; it is being examined. Due to data privacy laws, Martini can only discuss personal financial matters with an employee or someone who is authorized in writing by the employee. There was a clarification that Koopmeiners receives ‘comp time’ rather than ‘banked hours.’ If there are future changes in the salary structure at the Qualification meeting, the changes should take effect at the beginning of a month for ease in bookkeeping. Because of her work schedule, it is not always possible for the Treasurer to immediately respond to requests. Martini clarified the mileage reimbursement and stipend schedule for Town officials who attend various meetings. A refund was sent to a resident for overpayment for a 911 sign and post. Martini completed the MAT Sales tax exemption forms. The Clerk provided an audit that matches the Treasurer’s records as of March 31, 2017.

For the Period : 4/1/2017 To 4/30/2017

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$88,709.99	\$389.71	\$8,330.22	\$80,769.48
Road and Bridge	\$61,421.02	\$75.00	\$3,716.09	\$57,779.93
Road Damage Deposit	\$2,050.00	\$0.00	\$0.00	\$2,050.00
Fire Fund	\$9,673.88	\$0.00	\$0.00	\$9,673.88
General Capital Projects	\$66,829.88	\$0.00	\$0.00	\$66,829.88
Total	\$228,684.77	\$464.71	\$12,046.31	\$217,103.17

Claims & Payroll: Martini presented the April claims (3080 – 3101). April PERA claims were 3078 and 3079. Check #8997 was voided (incorrect amount). Linn moved to approve the payroll and claims. Merdan second. All in favor. Motion carried.

Town Hall Maintenance Report – Presented by Mr. Joseph Koopmeiners:

Koopmeiners will need to purchase salt for the water softener. Garbage is taken to Opatz. Merdan moved to accept the Town Hall Maintenance report. Linn second. All in favor. Motion carried.

Road Report – Presented by Mr. Joseph Koopmeiners:

- Monthly Road Work** – included filling potholes on Norway Road, Spunk Tree Circle, Upper Spunk Lake Road, Narnia Lane and Shorewood Drive; cleaning up a downed tree (188th Ave); trimming trees (182nd Ave); and completing the sign inventory project. Koopmeiners is also nearly finished with shouldering

work.

2. **New Equipment** – a new snowplow was purchased to replace one of the existing plows. In addition, a wood chipper was purchased. The Town needs to look into whether additional insurance is required for the woodchipper. Linn and Martini questioned whether this equipment could be authorized at the Road Inspection Meeting even though the meeting was posted and published. The Township is committed to always doing everything correctly.
3. **Narnia Lane Plowing** – a resident on Narnia Lane requested the Township to plow the snow on their private road. The Supervisors examined this situation during road inspection. The Supervisors decided that the Town would not plow this road.
4. **Road Inspection** – the Supervisors discussed and edited the notes taken during road inspection. Bresnahan moved to table the approval of the minutes from the road inspection until the next meeting. Merdan second. All in favor. Motion carried. Linn moved to authorize obtaining quotes for patches on Highland Terrace, Kopyy Lane and Parkwood. Merdan second. All in favor. Motion carried. Merdan will obtain quotes on rubberizing roads identified during road inspection. Weaver Tree Service provided a quote for removing trees identified during road inspection. The Supervisors postponed the decision on which trees to cut to give Linn an opportunity to examine proposed work. Gravel will be applied to some minimum maintenance roads.
5. **Sign Inventory** – Mr. Connor Stark-Haws, a student at Saint John’s University, provided the Township with GIS maps showing Township signs. The maps provide an exact geolocation of every sign and are tagged to a database which the Town can update as signs are replaced, etc. Merdan moved to give Mr. Stark-Haws a Township Certificate of Appreciation. Linn second. All in favor. Motion carried.
6. **Schmitz Driveway** – Mr. Jamie Schmitz appeared to request a driveway permit for his property at 37654 160th. He wants to move the existing driveway 75 feet to the south. There are no wetland issues to consider. Koopmeiners has examined. The driveway must have a steel culvert (minimum diameter 15 inches) with aprons. Merdan moved to approve a driveway permit for Mr. Jamie Schmitz on the condition that the existing driveway is removed and that the new driveway have a 15 inch (minimum) steel culvert and aprons. Linn second. All in favor. Motion carried.
7. **Electric Fence in ROW** – a resident has installed an electric fence one foot from Tower Road. It will need to be removed.
8. **Salt Sand** – Koopmeiners will look into getting quotes for the salt/sand mix needed for next winter.
9. **Inventory** – Koopmeiners has completed an inventory of the shop and is working on the Hall.
10. **Camera** – a camera would be helpful for documenting roadwork and other items.

Merdan moved to approve the road report. Linn second. Two in favor. One abstain (Linn). Motion carried.

Public Hearings: *None scheduled.*

Scheduled Business:

1. **Appeals Board Meeting Minutes** – Linn moved to approved the minutes of Board of Appeals and Equalization that was held on April 24, 2017. Merdan second. All in favor. Motion carried.
2. **Liquor Licenses** – Linn moved to approve a resolution for an on-sale intoxicating liquor license for The Landing. Merdan second. All in favor. Motion carried. Linn moved to approve a resolution for an off-sale 3.2 percent malt liquor license for The Landing. Merdan second. All in favor. Motion carried. Merdan moved to approve a resolution for an on-sale intoxicating liquor license for the Pelican Lake Ballroom. Merdan second. All in favor. Motion carried.
3. **Census Report** – Martini reported that she completed the US Census report.
4. **Email** – we will look into having Town officials obtain email through our new web provider.
5. **Enterprise Article** – possible topics to consider for future contributions include bike races/events on Town roads, breakaway mailbox posts, compost facility use, road right-of-way issues, cutting ditches, snowplow driver for the 2017 – 2018 season, and weed control issues.
6. **Revenue from Fines** – Towns can apply to receive a portion of any revenue generated by fines in the Township. This will be discussed at the next meeting.
7. **Building Permits** – the County will no longer send permits for shoreland projects to the Town for signature. The County is considering requiring building/zoning inspections.

Other/Old Business: logo, bike events on Town roads

Recurring Reports:

1. There was one request for a 911 sign for Eibensteiners (36397 160th Ave).
2. Certificates of Real Estate Value were received for
3. Construction Site Permits were applied and/or approved for Koop (14127 Norway Road; new home & garage) and Jungles (37533 Riley Court; new home).
4. No County feedlot permits were received.
5. No home-extended business permits were received.
6. Special Assessment Searches were performed for Schmitz (37654 160th Ave), Pierson (15678 Parkwood Circle), and Opitz (32438 Narnia Lane).
7. An upcoming Stearns County Hearing was planned to discuss their Five-Year Construction Program. The Town recommends that during emergency closings of I-94 traffic be routed down Co Rd 159 and not Norway Road.

Announcements & Brief Reports:

1. Martini attended the recent Township Association Meeting in Freeport. She reported on a variety of issues including HR issues.
2. Election Equipment Update – Stearns County Auditor-Treasurer Randy Schreifels sent a letter alerting Towns that new voting equipment will be purchased for the 2018 election. The equipment will be owned by the County and rented back to the Townships. They are currently evaluating products from three vendors (Dominion, Hart and ES&S). Replacement equipment will cost about \$1.2 million

- 3. The Technology Exchange newsletter was received.
- 4. Catalogs for recreation equipment were received from Kay Park & GameTime.
- 5. Century Link sent a letter to encourage the Township to contact them prior to road projects to insure uninterrupted communication services during roadwork.
- 6. Midwest Asphalt (320.254.3484) sent literature about their services.
- 7. Midco updated the Town on upcoming changes in service.

Announcement of Next Regular Supervisor Meeting: The next regular meeting will be held on Wednesday, June 7, 2017 at 7:30 PM.

Announcement of Other Town Meetings: *none*

Adjournment: Merdan moved to adjourn the meeting at 11:26 PM. Linn second. All in favor. Motion carried.

Respectfully submitted,
Stephen G. Saupe Clerk

Clerk signature: _____ date: _____

Supervisor Approval: _____ date: _____

Richard Bresnahan

Mike Linn

John Merdan