

Minutes of the Meeting of the Avon Township Supervisors

August 4, 2010

Avon City Hall

Call to Order: The meeting of the Avon Township Supervisors was called to order by Chairman Gondringer at 7:30 P.M.

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Kelly Martini, Richard Bresnahan, LeRoy Gondringer, John Merdan, Marion Gondringer, acting Clerk. Absent - Clerk Steve Saupe.

Approval of Agenda: Added to the agenda were: (a) Discuss recently received bill from the City of Avon for fire services; (b) Potholes on Two Rivers Lake Road; and (c) Avon Hills Conservation Area concerns. Bresnahan moved to approve the agenda as amended. Merdan second. All in favor. Motion carried.

Minutes: Merdan moved to approve the minutes of the July 7th meeting as written. Bresnahan second. All in favor. Motion carried. Merdan moved to approve the minutes of the July 21st meeting with corrections. Bresnahan second. All in favor. Motion carried. Merdan moved to approve the minutes from the July 21st site visit for Dennis McGinnis public hearing. Bresnahan second. All in favor. Motion carried.

Treasurer's Report: Martini presented the Treasurer's Report for approval (below). Bresnahan moved to accept the Treasurer's report. Merdan second. All in favor. Motion carried.

	General Revenue	Road & Bridge	Fire	Road Damage Deposit	Capital Improvement Fund	Total
Balance from 06/30/10	523,057.71	361,062.94	36,836.12	400.00	129,706.32	1,051,063.09
Receipts	275.00	0.00	0.00	200.00	0.00	475.00
Total	523,332.71	361,062.94	36,836.12	600.00	129,706.32	1,051,538.09
Disbursements	160,828.06	11,518.74	0.00	200.00	0.00	172,546.80
Ending balance 07/31/10	362,504.65	349,544.20	36,836.12	400.00	129,706.32	878,991.29

Claims: Martini presented claims (1397 - 1413) for the signature of the Supervisors. Discussion ensued. (a) A bill for fire protection services for \$48,000 has been received from the City of Avon. There was no breakdown of services or information concerning how the formulation was arrived at for this amount. A clarification of this is needed. Also, since no contract information was received it was decided to wait on the bill until a contract is finalized and signed.

(b) A bill from Bonestroo for the building expenses for the Town Hall was approved, signed and forwarded.

(c) Martini requested the drafting of a new claims sheet which would better accommodate new payroll concerns in the future.

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

Road Report: The following topics were discussed:

(a) **182nd Street** – Project is complete. Project was about \$3,000 less than the bid due to the difference in cost created by the change in shouldering material from black dirt and seeding to gravel;

(b) **911 Sign** – The Stearns County Sheriff's Department has sent notification that a traffic accident caused the 911 sign near the Tom King resident to be knocked down. Discussion as to who will be responsible

for expenses ensued. It was felt the driver of the vehicle should be notified of the expense. Martini will contact homeowner to determine needs and who to contact for payment;

- (c) **Tall grass** along 360th and Pelican Lake Road has been cut by Gondringer;
- (d) **Potholes** on Two Rivers Lake Road will be taken care of by Merdan;
- (e) **135th Ave** – The County will be contacted concerning the tar break-up near the Freeway overpass by St. John's since this road is a county responsibility due to the frontage connection for the Freeway;
- (f) **Salt sand** – Discussion took place concerning ordering salt sand. Quotes will be solicited from several vendors for the coming season. Discussion took place about how to load the mix into the trucks but was not concluded at this point. Merdan will contact Budde Trucking to find out if they could provide temporary assistance with this until the salt shed is built at the Town Hall site;
- (g) **Upper Spunk Lake Road waterway– (Heurung culvert)** The DNR has denied responsibility for this culvert. Discussion took place concerning the issue of this being private property and options were explored. Since the problem is located on private property it is not clear what actions need to be taken to remedy the situation. Concerns center around the legalities involved with entering private property without proper legal authority, and also the risk that if the Township takes responsibility for this issue it will set a precedent for similar expectations by other landowners. Gondringer will seek legal advice as it pertains to acquiring legal jurisdiction to enter the property to maintain the ditch. Saupe will also inquire as to whether an appeal can be made to the DNR to take over this ditch as a designated water right-of-way;
- (h) **Downed tree** on Upper Spunk Lake Road– Merdan handled a tree blockage caused by recent wind; and
- (i) **Brush cutting and chipping** is moving forward and will continue to be paid out of Road and Bridge funds. A decision was made to purchase a chain saw and safety equipment to be used for this need. Merdan will take care of research and purchase what is needed. Bresnahan moved to purchase a chainsaw and safety equipment at a cost not to exceed \$500. Merdan second. All in favor. Motion carried.

Bresnahan moved to approve the road report. Merdan second. All in favor. Motion carried.

Planning Board Report: Chair Ken Mergen presented the Planning Board Report.

Denis McGuinness permit – July 21st site visit determined clarification on the fact that the high LESA score of 80.61 does not accurately reflect the land conditions. Although zoned as Prime Ag, this land has poor soil composition and rocky terrain and was not viewed by the board as good farmland. It has not been farmed in the past, other than for grass hay, and the location of the building site was in good keeping with preserving any farming possibility in the future. McGuinness stated he will move forward with fruit trees and organic farming on the open land in the future. Xcel Energy line placement was evaluated.

It was felt by the planning board that the following conditions needed to be applied to the permit;

- a. The two dump sites of trash in and around the rock piles be eliminated and disposed of in an appropriate manner and within a time frame of one year;
- b. All information on utility power line access to the property be provided to the Avon Township Board; and
- c. All Stearns County requirements are met.

Motion by Bresnahan to approve Conditional Use Permit. Second by Merdan. All in favor. Motion carried with above conditions applied.

McGuinness driveway permit – Culvert and apron needs were discussed in relation to aforementioned land. Motion by Bresnahan to approve driveway permit with the conditions of proper installation of a culvert with aprons. Merdan second. All in favor. Motion carried.

Eibensteiner permit request – Matt and Jane Eibensteiner requested a public hearing and site inspection for a Conditional Use Permit to place a home on land with a high LESA score.

Motion by Bresnahan to approve site inspection for August 25th, 2010, at 6:45 PM. and Conditional Use Public Hearing to follow at 7:45 p.m. at City Hall. Second by Merdan. All in favor. Motion carried

Bresnahan moved to approve the Planning Board report. Merdan second. All in favor. Motion carried.

Public Hearings: none.

New Business:

1. **River Lakes Fire District** – Bob Simon, Collegetown Township Treasurer, attended the meeting to present an update on the progress toward forming this fire district.
2. **Noise Ordinance Exemption Application** – Nick Retka and Ms. Joy Brandt, St. Anna Bar & Grill. Exemption is requested for an August 28th event at which the establishment will host a Pig Roast, Bike Run and outdoor music occasion beginning at 2:00 PM. ending at 1:00 a.m. Conditions imposed on event are as follows;
Conversation with Immaculate Conception Church officials must take place prior to the event concerning parking considerations and avoidance of the Saturday evening church hour as it concerns noise issues. Motion by Merdan to approve. Second by Bresnahan. All in favor. Motion approved with condition applied.
3. **Lisa and Steve Schwalbe** – Attended meeting to inquire about the status of the Cap2020 power line. No final decision as to the final routing will be made until January 2011.
4. **Avon Hills Conservation Overlay District** – In relation to a phone call from Tom Studinski, and concerns voiced by Kelly and Dean Martini, discussion took place concerning this overlay district and how its parameters may affect owner land use. Questions about a landowner requesting release of land from this district were discussed. It is maintained by the board that allowing removal would create spot-zoning which should be avoided in any district.
5. **Building Update** – In lieu of the absence of Steve Plantenberg, Gondringer presented an update to the board on the status of the Township building project. Project remains ahead of schedule. The maintenance shed is nearly complete. Some discussion took place concerning furnishings, ID placement on the building and the flagpole.
6. **Snowplow drivers** – Snowplow drivers will be needed before winter. A notice will be posted advertising this position and asking for applications.

Motion by Bresnahan to post an advertisement for snowplow drivers with an application deadline of September 1, 2010. Interviews on September 15, 2010. Merdan second. All in favor. Motion carried.

Reports/Announcements:

- Plow Trucks – Merdan and Gondringer will view plow trucks available in Minneapolis on August 10th. Gondringer will contact GATR in Sauk Rapids as well.

Adjournment: Bresnahan moved to adjourn the meeting at 11:15 PM. Merdan second. All in favor. Motion carried.

Next Meeting: The next meeting is August 18, 2010 at 8:00 PM.

Respectfully submitted,
Marion Gondringer, Deputy Clerk

Minutes approved: September 1, 2010