

Minutes of the Meeting of the Avon Township Supervisors

July 7, 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: Clerk Saupe led the Pledge of Allegiance.

Roll Call: Present – Kelly Martini, Richard Bresnahan, LeRoy Gondringer, John Merdan, Stephen Saupe.

Approval of Agenda: Added to the agenda were: (a) Request for plat approval by Mr. D Kulas; (b) Luke Johnson – brushing work; (c) R Melton – potholes on Shorewood Dr.; and (d) 182nd St project. Merdan moved to approve the agenda as amended. Bresnahan second. All in favor. Motion carried.

Minutes: Bresnahan moved to approve the minutes of the June 2 meeting as written. Merdan second. All in favor. Motion carried. Merdan moved to approve the minutes of the June 16 meeting as written. 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 05/31/10 | 1,930.10 | 219,269.98 | 10,276.51 | 400.00 | 117,740.32 | 349,616.91 |
| Receipts | 560,173.23 | 145,371.09 | 26,559.61 | 0.00 | 11,966.00 | 744,069.93 |
| Total | 562,103.33 | 364,641.07 | 36,836.12 | 400.00 | 129,706.32 | 1,093,686.84 |
| Disbursements | 39,045.62 | 3,578.13 | 0.00 | 0.00 | 0.00 | 42,623.75 |
| Ending balance 06/30/10 | 523,057.71 | 361,062.94 | 36,836.12 | 400.00 | 129,706.32 | 1,051,063.09 |

Claims: Martini presented the claims (1379 – 1396) for the signature of the Supervisors. Bresnahan moved to approve the claims. Merdan second. All in favor. Motion carried.

Road Report: Mr. Jeff Lang, Lange Trenching, was present. The following topics were discussed:

- (a) Thistles – Merdan reported that they will soon be sprayed by Cold Spring Co-op;
- (b) Stumps – stumps should be cut as close to the ground as possible to avoid damaging the mowers;
- (c) Plow Truck – Mr. Lange has a truck he is willing to sell;
- (d) 182nd Ave – the project is nearly finished. Excavation went down 18-24 inches. The shoulder was spread with gravel (class 5) to minimize resident complaints in case the plow digs into the lawn. However, the Supervisors questioned whether the specs called for sod/seed; if so, we should get a refund. Merdan will contact Bonestroo to sort this out. Merdan moved to approve payment of the voucher for the 182nd project contingent on it meeting plan specifications. Bresnahan second. All in favor. Motion carried.

- (e) Chipping – Luke Johnson will haul away chips. Roger Nelson will provide Mr. Johnson a list of areas requiring chipping. Brush in the ditch on 188th will be chipped;
- (f) Potholes – Merdan will look into fixing potholes on Shorewood Dr and other areas. There is limited patch material left; and
- (g) Upper Spunk Lake Road – there has been no word from the DNR whether the culvert on Upper Spunk Lake Road is an actual waterway. Saupe will follow-up with a call to the DNR.

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.

McGuinness Conditional Use Permit – Denis McGuinness attended to inform the Planning Board that the Supervisors set a public hearing at their next meeting (July 28 at 7:45 PM) for a Conditional Use Permit to build a home on a 40-acre site currently with a LESA score greater 65. The Supervisors decided a site inspection would be necessary, especially since this will be the first consideration of a LESA conditional use permit. The property has presumably received a LESA score of 85.6, which is considered to be very good. However, some individuals at the meeting suggested that the land was rocky and perhaps should have a lower score. Bresnahan moved to set a site inspection for July 21 at 7:00 PM. Merdan second. All in favor. Motion carried. Meet in the Avon City Hall Parking lot at 7:00 PM. Saupe will post a notice of the site inspection and will contact Mr. McGuinness to alert him of the planned inspection, ask him to meet us there, inform him of the fee that he will be billed, and suggest that he contact the County to check if the LESA score is accurate. Saupe will also alert the Planning Board to the inspection.

Rushmeyer will take notes at the next Planning Board meeting because neither Saupe, nor the new Deputy Clerk (Marion Gondringer), will be able to attend.

St. John's WECS – The Planning Board held a public hearing to consider a request by St. John's for a conditional use permit for the installation of a 2.5 megawatt wind turbine. The Planning Board recommends approval and cited a series of conditions. Br. Benedict Leuthner provided a letter of escrow for the decommissioning of the turbine. St. John's will work with Bob Russell, US Fish & Wildlife Service, to minimize the turbine's impact on migrating birds and bats. Bresnahan moved to approve a conditional use permit for the installation of a 2.5 megawatt turbine at St. John's on an A40 zoned site with the following conditions: (1) St John's works with appropriate individuals to develop a plan to reduce impacts on migratory birds and bats; (2) The project must meet all Township and County guidelines; (3) The Township is provided a copy of the Building Site Permit; (4) the Township retains the right to an annual review of the conditions of the CUP; (5) St. John's provides data currently unavailable in their application; (6) The permit allow a change of corporate name; and (7) The Township allows the turbine to be light according to FAA and County guidelines. Merdan second. All in favor. Motion carried. Br. Benedict agreed to alert the Township if they go ahead with the process.

Martin Variance – The Planning Board held a public hearing to consider a variance request by Jeff & Leah Martin to construct a deck closer to the road than is currently permitted. The Planning Board recommends approval. Bresnahan moved to approve the variance request by the Martin's to construct a deck on Pelican Lake Road 82 feet from the center-of-the-road. Merdan second. All in favor. Motion carried.

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

Public Hearings: none.

Business:

1. **Noise Ordinance Exemption** – Ms. Joy Brandt, St. Anna Bar & Grill, didn't appear because they cancelled the planned event that would require an exemption.
2. **Kulas Plat Approval** – Mr. Dan Kulas appeared to receive approval of a preliminary plat. His son was transferring approximately 40 acres back to Mr. Kulas. Merdan moved to approve the preliminary plat of Schmitz Acres for Mr. Dan Kulas. Bresnahan second. All in favor. Motion carried. This will also be placed on the agenda of the next Planning Board meeting. Mr. Kulas will need a Certificate of Compliance to attach the parcel to his original one.
3. **Building Update** – Construction Manager Plantenberg appeared to update the Supervisors on the status of the Township building project. The Building Committee selected most of the interior finishes; all that remains is the laminate colors and some decorative lighting fixtures. Proper tests of the site, etc. have been completed and passed. Approval was received from the State Plumbing Inspector to run plumbing lines under the maintenance shed. The electrical has been roughed in. The floors will be poured next week. Both buildings are watertight. Site grading is nearly complete. Windows will be delivered next week. Siding is at the site. Overall, the project is about two weeks ahead of schedule. Plantenberg will look into an eyewash station, flagpole and water softener. Plantenberg went over the Draw documents.
4. **Noise/Nuisance Complaint** – Saupe reported a complaint from a resident about excess animal noise and cats. There's not much to be done since the area is zoned A40. Nuisance complaints should be directed to the County (Don Kleumpke).
5. **Springer Variance** – the Stearns County Board of Adjustment will hear a variance request by Bradford & Erica Springer to locate a drainfield 90 feet from the ordinary high water level of Two Rivers Lake. Bresnahan moved that the Township take no exception to this variance. Merdan second. All in favor. Motion carried.
6. **Pilarski Variance** – the Stearns County Board of Adjustment will hear a variance request by Brian & Jean Pilarski to install pole-mounted solar panels that will be 26 feet high when oriented a maximum tilt. Bresnahan moved that the Township take no exception to this variance. Merdan second. All in favor. Motion carried.

Reports/Announcements:

- To order a new or replacement 911 sign, contact Treasurer Kelly Martini. Replacement signs cost \$22.
- The Township received a rating of "A" from Standard & Poor.
- Gondringer plans to attend the Board of Appeal and Equalization Training on November 10 at 6:30 PM.
- 2010 Tax Capacity Rates were provided to the Clerk.
- Certificate of Real Estate Value were provided to the Township for the following properties: Oehrlein (\$150,000); Kleman (\$52,500); Bernhardt (\$70,000); Stifter (\$75,000); and Breuer (\$257,900).

- Construction Site Permits were issued to the following individuals by the County: Carlson (34025 Lower Spunk Ln – addition); Hernandez (33268 185th Ave – 4 x 8 addition roof over stairs); Koshiol (36819 Pelican Lake Road – 8 x 32 RV/Camper & 10x15 shed)
- The County denied a permit for the construction of a deck for Mr. Batzer.
- The Stearns County Board of Adjustment approved a variance for a septic tank by Mr. Hanson.

Adjournment: Bresnahan moved to adjourn the meeting at 9:51 PM. Merdan second. All in favor. Motion carried.

Next Meeting: The next meeting is July 21, 2010 at 8:00 PM.

Respectfully submitted,
Stephen Saupe, Clerk

Minutes approved: August 4, 2010