

Minutes of the Meeting of the Avon Township Supervisors

May 5, 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) Luke Johnson – road report; (b) Knapp Addition meeting. Bresnahan moved to approve the agenda as amended. Merdan second. All in favor. Motion carried.

Minutes: Gondringer moved to approve the minutes of the April 7 meeting after correction (Merdan was erroneously listed as seconding a motion). Bresnahan second. All in favor. Motion carried. Merdan moved to approve the minutes of the April 12 meeting as written. Bresnahan second. All in favor. Motion carried. Merdan moved to approve the minutes of the May 21 meeting as written. Bresnahan second. All in favor. Motion carried.

Treasurer’s Report: : Martini presented the treasurer’s report for approval (below). Two CD’s will come due soon. They will be moved to General Revenue. 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 3/31/10	-10,876.34	224,942.04	10,276.51	400.00	195,752.05	420,494.26
Receipts	150.00	0.00	0.00	0.00	0.00	150.00
Total	-10,726.34	224,942.04	10,276.51	400.00	195,752.05	420,644.26
Disbursements	49,312.12	5,500.38	0.00	0.00	0.00	54,812.50
Ending balance 04/30/10	-60,038.46	219,441.66	10,276.51	400.00	195,752.05	365,831.76

Claims: Martini presented the claims (1343 – 13460) for the signature of the Supervisors. Merdan moved to approve the claims. Bresnahan second. All in favor. Motion carried.

Road Report: Mr. Jeff Lange, Lange Trenching, was present. Gondringer received a complaint about sand/gravel on the road surface. The Supervisors discussed the need to sweep roads but the problem didn’t seem an immediate safety concern and the decision was made to wait to see if a good rain will wash the gravel away and then reevaluate. Mr. Lange suggested a series of areas to include to the road inspection report including trees by the stop at Cardinal’s Nest and the corner breaking up near Himsel’s. Other roads with a similar problems were also mentioned (i.e., Blattner addition).

Upper Spunk Lake Road Culvert – Mr. Mike Nelson from Minnesota Engineering presented a report on the malfunctioning culvert on Upper Spunk Lake road. A sinkhole and collapsed culvert was detected behind a garage during Road Inspection. The garage sits over the underground culvert. Water has backed up on the opposite side of the road and threatens to erode the roadbed and allow sediment into the lake. Mr. Nelson provided a series of options including: (a) do nothing; (b) open cut the ditch; (c) slide another pipe into the existing one; and (d) install a “cured in place” pipe. All have pros and cons. Mr. Nelson suggested hiring a contractor to dig out the collapsed area and use a camera or bright light system to discover the specific problem. A silt fence should be used to prevent sediment from entering the lake. The culvert is apparently not a county ditch but a natural waterway. The owners of the affected property Mr. & Ms. Francis and Elaine Heurung, and their neighbors, Mr. & Ms. Steve and Joan Kurilla, questioned who would be responsible for fixing the situation. The Township Attorney states that since the problem is on private property, it is up to the homeowner’s to correct. Mr. Lange will examine the pipe to see what can be done.

Haakonsen Variance – Bresnahan moved to approve a variance for Mr. Chance Haakonsen to complete renovations on his home 27 feet from the road right of way. Merdan second. All in favor. Motion carried.

Driveway Permit for the Township Facility – Bresnahan moved to approve a driveway permit for the new township facility and to waive the typical fee and damage deposit. Merdan second. All in favor. Motion carried.

Roadside Brush Chipping – Mr. Luke Johnson, from Trees, Trails & Land LLC, appeared to answer questions about the services provided by his company. Bresnahan moved to authorize Mr. Johnson to chip brush piles along 175th, St Anna Dr., and Queen’s Road. Merdan second. All in favor. Motion carried. The chips will be left in the ditch. If the layer becomes too thick the chips will be dumped at the Merdan farm.

Crack Filling – Bresnahan moved to not do any crack filling in 2010 to save money. Merdan second. All in favor. Motion carried.

Speed Limit Signs – Ms. L. Childs requested a speed limit sign on her road. No sign will be erected at this time.

Elm on the Township Property – Gondringer will cut down and remove the dead elm on the property.

Garbage in Ditch – a resident reported garbage in the ditch near Queen’s Road and 160th. Gondringer also reported dumping along Tower Road. There is no formal process for cleanup. It was suggested that the Scouts could perhaps adopt the road. Mr. Dean Martini will pick up and recycle the materials from Queen’s Road.

Planning Board Report: Chair Ken Mergen presented the Planning Board Report: (a) Haakonsen Variance Hearing – the PB held a public hearing for a variance for renovations that would be 27 feet from the road right-of-way instead of the 30 feet specified by current ordinance. The Planning supports the variance; (b) Trailer Park – the PB held a meeting of representatives from the City, Township, County, and non-profits to discuss the unsafe conditions at the Trailer Park. All agreed that there were problems, but there is no clear-cut answer. One possibility is to seek better management. Bresnahan moved to accept the Planning Board report. Merdan second. All in favor. Motion carried.

Public Hearings: none.

Business:

1. **Koshiol Property on Pelican Lake Road** – Mr. Glen Koshiol, representing his mother Marion Koshiol, appeared to clarify setbacks for installing a holding tank on his property. The Supervisors stated that, under some circumstances, tanks have been permitted in the right of way. Merdan moved to hold a Public Hearing at the May 26 meeting of the Planning Board at 8:00 PM for a variance for a setback for a holding tank within the road right of way approximately 53 from the center of the road or 20 feet from the right of way. Bresnahan second. All in favor. Motion carried. Mergen will conduct a site inspection.
2. **Private Activity Questionnaire** – A request was received from Fryberger *et. al.* law firm to complete a private activity questionnaire related to the issuance of the \$560,000 GO Certificate of Indebtedness. The Supervisors completed the questions and Saupe will mail it back.
3. **Standard & Poor Conference Call** – A request was received from Kathryn Horan Clayton, Standard & Poor, to hold a conference call with township officials to discuss credit characteristics of the township. Bresnahan moved that he, Martini and Saupe participate in the conference call on call on Tuesday, May 11th at 2:00 PM. Merdan second. All in favor. Motion carried.
4. **Verizon Cell Tower Renovation** – The Township received an inquiry from Ms. Tammy Bernard, Project Manager for Buell Consulting, whether a building permit is required for modifications to the Verizon cell tower at 32906 County Road 50. Saupe was instructed to inform her that the County handles building permits and that the township requests she appear at a future meeting to provide more details about the project. We also warned her that there is an active osprey nest on the tower.
5. **Knapp Addition Meeting** – Neighbors will hold a meeting at Joseph's on May 10th to discuss a variety of issues. Gondringer moved to authorize Supervisor Bresnahan to attend to provide more details about the upcoming road project. Merdan second. All in favor. Motion carried.
6. **Sun Ridge Setbacks** – a resident contacted the township about setbacks in Sun Ridge Addition. It was believed that they are 10 feet from the side yard. The County (Environmental Services) should be contacted for more specifics or a building permit.
7. **Facility Project Update** – Construction Manager, Steve Plangenberg appeared to provide an update concerning the progress of the township facility project. He provided a document summarizing the project status. His report is appended.
8. **Groundbreaking Ceremony** – Bresnahan moved to hold a groundbreaking ceremony for the facility on Saturday, May 22nd at 11:00 AM. Mr. Plantenberg will prepare a press release. Saupe will post at the approved locations.
9. **Building Committee** – at the May 19 meeting at 8:00 PM, Mr. Plantenberg and Architect Dan Tideman will be present to provide an update. In addition, the building committee is requested to be present to make selections of colors, floor coverings, etc. Saupe will contact the Building Committee.
10. **Liquor Licenses** – Bresnahan moved to approve liquor license renewals for Mr. David Woitalla and Mr. James Nierenhausen. Merdan second. All in favor. Motion carried.
11. **Plat Update** – The County was supposed to have approved it yesterday.

12. **Pelican Lake Association Meeting** – Mergen represented the Township at their recent meeting. He said that they are willing to provide funds or host a fundraiser to help pay for township legal services related to the CAPX2020 project.
13. **Fire Board Meeting** – the upcoming meeting (May 12) will be posted since it is a public meeting and more than Supervisor may attend.
14. **Avon Hills** – Mr. Tom Studniski has requested to be removed from the Avon Hills Overlay District. The Supervisors said that it is too late and that it is not an option, just as it is not an option to get out of Shoreland Overlay.
15. **Election Judges** – Bresnahan moved to authorize the Clerk and Treasurer to serve as election co-chairs of the election process this year and to attend voter training. Merdan second. All in favor. Motion carried

Reports/Announcements:

- **Board of Appeals & Equalization** - meets Thursday, May 6 at 7:00 PM.

Adjournment: Bresnahan moved to adjourn the meeting at 10:05 PM. Gondringer second. All in favor. Motion carried.

Next Meeting: The next meeting is May 19, 2010 at 8:00 PM.

Respectfully submitted,
Stephen Saupe, Clerk

Minutes approved: