

# Minutes of the Meeting of the Avon Township Supervisors

October 3, 2012

Avon Township Hall; 16881 Queens Road, Avon, MN

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

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

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

**Approval of Agenda:** Bresnahan moved to approve the agenda with the addition of Eric Linn (Avon Fire Chief) and Rosemary Anderson. Merdan second. All in favor. Motion carried.

**Minutes:** Bresnahan moved to approve the minutes of the September 5, 2012 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 9/1/2012 to 9/30/2012 (*below*). The skidloader was paid from capital reserve; insurance increased an additional \$129. Martini corrected the address the insurance company had for the salt shed. Bresnahan moved to accept the Treasurer's report. Merdan second. All in favor. Motion carried.

## For the Period 09/01/2012 to 09/30/2012

Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance
General Revenue	\$72,027.15	\$1,027.30	\$8,665.01	\$64,389.44
Road and Bridge	\$364,323.87	\$0.00	\$26,400.61	\$337,923.26
Fire	(\$21,533.19)	\$0.00	\$0.00	(\$21,533.19)
Road Damage Deposit	\$400.00	\$200.00	\$0.00	\$600.00
Capital Reserve Fund	\$101,642.43	\$0.00	\$24,436.30	\$77,206.13
<b>Total</b>	<b>\$516,860.26</b>	<b>\$1,227.30</b>	<b>\$59,501.92</b>	<b>\$458,585.64</b>

**Claims & Payroll:** Martini presented claims 1909 – 1922. Check 7237 was voided; it was used for the blank to order new checks. Merdan moved to approve the payroll and the claims. Bresnahan second. All in favor. Motion carried.

**Road Report:** The following items were discussed:

1. Anderson Plowing – Rosemary Anderson appeared to request that the Town plow her driveway in accordance with the agreement made when the Town purchased her land for the Town Hall. Bresnahan moved to plow the Anderson driveway to fulfill part of the agreement to purchase her land for the Town Hall. Merdan second. All in favor. Motion carried.
2. Road Work – Mr. Eric Linn appeared to comment about Town roadwork. He recommended more aggressive cutting of trees and shrubs in the right-of-way, spraying brush, not leaving brush piles, doing more shouldering work, doing road inspections more often, and insuring there is someone to call if there are emergencies in which the roads need clearing after a storm.

3. Mobile Home Park – Bresnahan suggested that the Town should take over the permitting process. Shelly Benson from the County will organize a meeting concerning the mobile home park.
4. Shepard Driveway – Bresnahan talked to Lange Excavating about Mr. Nelson Shepard's driveway that lacks a culvert. The water moves quickly in this area. The permit was granted with the condition that the homeowner is required to make changes if necessary.
5. McGuiness Driveway – Mr. Dennis McGuiness installed his driveway with a plastic culvert which is against Town Policy. All culverts must be steel.
6. Snow Plowing Policy – the Supervisors will review the snow plowing policy at the November meeting. Saupe will send the Supervisors a copy of the existing policy for review. The Town should consider publishing the policy in the *Enterprise*.
7. Salt/Sand – Gondringer will call Avon Lime to order salt/sand.
8. No-Spray Policy – the Town will consider allowing resident to opt out of having his/her right-of-way sprayed by joining a no-spray list. This could be a topic for the Annual Meeting and newsletter.

**Public Hearing:** Supervisor Gondringer opened the Public Hearing to consider vacating 180<sup>th</sup> Avenue at approximately 8:45 PM. There was a site inspection of the road from 6:30 – 7:05 PM. In attendance were Richard Bresnahan, LeRoy Gondringer, John Merdan, Ken Mergen, Stephen Saupe, Kathleen Yurczyk and Ron Hommerding. Supervisors noted that the road used to be located about 100 yards to the west of the current road, that there are no ditch issues, there is no public waters adjacent to the road, and that the road does not provide access to any other property owners.

Twenty-three letters about the site inspection and road vacation were sent to neighbors, including the City of Avon. No public comments were received. No one from the public attended the hearing. Bresnahan moved to close the public hearing. Merdan second. All in favor. Motion carried.

The Supervisors went through a Finding of Facts that concluded: (a) this will not affect Town ditches; (b) Ms. Yurczyk owns both sides of the road; (c) the vacation will not negatively affect public health and welfare; (d) utilities are not affected; (e) there are no damages; and (f) the road is not the means to access another property.

Bresnahan moved to approve the “Resolution Vacating a Portion of 180<sup>th</sup> Avenue.” Merdan second. Bresnahan, Gondringer, and Merdan in favor. Motion carried.

Merdan moved to approve the “Order Vacating Part of 180<sup>th</sup> Avenue.” Bresnahan second. Bresnahan, Gondringer, and Merdan in favor. Motion carried.

Saupe will serve Ms. Yurczyk with the Resolution and Order and have her sign the damages waiver. The order will be published in the *Enterprise*.

**Planning Commission Report:** Mr. Ken Mergen, Planning Commission Chair, presented the Planning Commission report. Mergen reported:

1. Koop Conditional Use Permit – The Planning Commission held a public hearing to hear a request by Steven & Debra Koop for a Conditional Use Permit to construct an 18 x 32 foot hermitage building on their property at 14127 Norway Road, Avon, MN (parcel ID – 03.00970.0006). The Planning Commission supports approving the permit. Bresnahan moved to approve a Conditional Use Permit for Steven & Debra Koop for a hermitage building that will be outside of the residential building envelope on land with a LESA score of 70 or greater. Merdan second. All in favor. Motion carried.
2. Woitalla Plat – Mr. Ray Woitalla appeared to alert the Town that he plans to work with the County to attach the portion of his farm adjacent to Pelican Lake to the lot with his new home.

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

### **Scheduled Business**

1. Wunderlich Certificate of Compliance & Plat – Mr. Jim Wunderlich and Mr. Jack Ramler appeared to request a Certificate of Compliance for a land swap. Bresnahan moved to approve a Certificate of Compliance for Jim & Mary Wunderlich, for Lot 1, Block 1, and for the dedicated road-right-of-way. Merdan second. All in favor. Motion carried. Merdan moved to approve the preliminary plat for Jim & Mary Wunderlich. Bresnahan second. All in favor. Motion carried.
2. Building Use – Avon Girl Scout Troop 433 requested to use the Town Hall for their meetings on the second and fourth Monday of the month. The Avon Daisy Scouts requested to use the Town Hall on the second Tuesday of the month. The Supervisors approved both, except that it was noted the Town Hall will not be available on the second Tuesday in March because of the Annual Meeting.
3. Newsletter – we will consider publishing a newsletter before the annual meeting. Possible topics include the option to receive email updates from the Town, no-spray list, brushing issues and the compost facility.

### **Other/Old Business**

1. Fire Levy – The Avon Fire Department has not been able to collect for services from a Township resident who had an illegal fire in 2011. The FD wants the Town to put a levy on the property taxes. The Clerk will look into this process and how we insure that we get any levied monies.

### **Reports/Announcements**

1. Maleska – A Feedlot & Manure storage permit was approved by the County.
2. Sand & Gravel Maps were provided by the MN DNR.
3. Certificate of Real Estate Values – *Brutger & Hawkinson – \$55,000 (18682 367<sup>th</sup> St.); Jensen – \$28,900 (42727 147<sup>th</sup> Ave); Luitjens - \$110,000 (19471 Co Rd 154); Nordby - \$185,000 (34289 Co Rd 9)*
4. Construction Site Permits – *Senart (32452 Co Rd 156, home with garage); Himsl (14553 Co Rd 159, 30 x 64 pole bldg); Tamm (15557 Parkwood Cir, 28 x 34 residential accessory structure);*

*Hommerding (33023 185<sup>th</sup> Ave, replacement MH & accessory shed); Heeck (18068 Upper Spunk Lake Rd, front and rear dormers)*

- 5. Upcoming LTAP Workshops include concrete rehabilitation; snowplow and safety simulator snowplow salt and sander controller.
- 6. Baker – the County approved the variance for their accessory structure.

**Adjournment:** Bresnahan moved to adjourn the meeting at approximately 9:50 PM. Merdan second. All in favor. Motion carried.

**Announcement of Next Meeting:** The next meeting will be held on Wednesday, November 7, 2012 at 7:30 PM.

Respectfully submitted,  
Stephen G. Saupe, Clerk

Supervisor Approval:

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Richard Bresnahan

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LeRoy Gondringer

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John Merdan

Attest

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date