

Minutes of the Meeting of the Avon Township Supervisors
July 3, 2013
Avon Township Hall

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: Merdan moved to approve the agenda as presented. Bresnahan second. All in favor. Motion carried.

Minutes: Merdan moved to approve the minutes of the June 5, 2013 meeting as presented. Bresnahan second. All in favor. Motion carried. Merdan moved to approve the minutes of the June 7, 2013 meeting as presented. Bresnahan second. All in favor. Motion carried. Merdan moved to approve the minutes of the July 2, 2013 meeting as presented. Bresnahan second. All in favor. Motion carried.

Treasurer’s Report: Martini read the Treasurer’s Report and provided the Cash Control Statement for the period 6/1/2013 to 6/30/2013 (*below*). A check (\$159,999.79) was received from the County but it is not yet listed under receipts; it is temporarily listed in CTAS as a debit though it is credited to our account. Bresnahan moved to approve spending \$300 on the updated CTAS program. Merdan second. All in favor. Motion carried. Martini will process the payment. Bresnahan moved to accept the Treasurer’s report. Merdan second. All in favor. Motion carried.

For the Period 06/01/2013 to 06/30/2013

Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance
General Revenue	\$27,670.19	\$3,593.95	\$2,437.79	\$28,826.35
Road and Bridge	\$311,511.70	\$175.00	\$3,019.03	\$308,667.67
Fire	\$8,173.11	\$0.00	\$60,872.00	(\$52,698.89)
Road Damage Deposit	\$400.00	\$0.00	\$0.00	\$400.00
Capital Reserve Fund	\$81,900.16	\$0.00	\$0.00	\$81,900.16
Total	\$429,655.16	\$3,768.95	\$66,328.82	\$367,095.29

Approval of Claims & Payroll: Martini presented claims #2055 – 2072. Check #7510 was voided and rewritten for the appropriate amount. Bresnahan moved to approve the payroll and the claims. Merdan second. All in favor. Motion carried.

Road Report: The following items were discussed:

1. **Hiring process for a new plow driver** – The position will be advertised for two to three weeks in the *Enterprise*. Saupe will prepare an ad. Applications will be collected and interviews conducted. The driver must be licensed to drive a snowplow and have a Health Card.
2. **Storm Damage** – Quite a few trees were downed during the recent storm but they have been cleaned up. The Township is grateful to several residents who helped clean up some trees including Mr. Jim Huls and neighbors on Upper Spunk Lake Road and Rob Kleinschmidt on Kopy Lane.

3. **No Spray List** – one individual has, to date, requested to be placed on the no-spray list.
4. **370th** – A resident alerted the Township to water that is washing across 370th. Ditch work will be completed when the crop is removed from the adjacent field. Residents of minimum maintenance roads are reminded that this designation means that the road is maintained to a lower standard than other roads and the Township is responsible for only minimal maintenance of these roads.
5. **Heurung Fire Number** – Ms. Sally Heurung (32709 Spunk Tree Circle) requested a fire number. The Township provided signs when the system was adopted but subsequent signs must be paid for by the resident (\$75 including installation). Ms. Heurung was requested to send a letter to the Clerk stating she didn't originally receive a fire number.
6. **Two Rivers Road** – a resident requested that the Township contact Krain Township to fix their section of Two Rivers Road. The resident was requested to follow up with Krain Township.
7. **Brushing** – a complaint was received that Stearns Electric discarded trimmings in a ditch on Pelican Lake Road. The resident was requested to follow up with Stearns Electric.
8. **Quotes for Roadwork** – Bresnahan moved to accept a quote from Lange Excavating for \$62 per hour (*which is the same as last year*) to mow Township ditches. Merdan second. All in favor. Motion carried. A quote for spraying from D. Holmgren was received (\$95/hour plus chemical). Gondringer moved to authorize up to \$3,000 for spot-spraying brush. Merdan second. Two in favor. One abstain (Bresnahan). Motion carried. Possible roads to be sprayed include 185th, Two Rivers, and 331st. Merdan and Gondringer will tour the Township to develop a list of roads to be sprayed.
9. **Ditch Mowing** – a resident called to complain that the Township mowed the lawn on his property, but a neighbor was actually responsible.
10. **Water on Quaker Road and 370th** – In heavy rain, water runs across these two roads and is causing the shoulder on Quaker to wash away in one area. The culverts may be plugged, though it is more likely that they are undersized. Bresnahan moved to authorize Gondringer to determine if the culverts are plugged and take the appropriate action. Merdan second. All in favor. Motion carried. The Township policy is that all culverts are steel, are no smaller than 18 inches in diameter, and must have aprons. One cause of the problem is that driveways are not inspected after completion. Gondringer moved to appoint someone to inspect all new driveways before a permit is issued and to determine the size of the culvert that is required. Bresnahan second. All in favor. Motion carried.
11. **165th** – Gravel on this road is washing out. Mr. Keppers quoted \$9/yard to haul and apply gravel. Bresnahan moved to approve Mr. Keppers to apply gravel not to exceed 14 loads (18 yds/load). Merdan second. All in favor. Motion carried.
12. **Crack Filling** – Glieden Enterprises has completed work on rubberized crack filling of designated Township roads.
13. **Weed Inspection** – will be done next week.
14. **Blading Roads** – Merdan moved to authorize Lange Excavating to blade designated roads. Bresnahan second. All in favor. Motion carried.

Motion by Bresnahan to approve the Road Report. Second by Merdan. All in favor. Motion carried.

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

1. **Mueller Variance** – Merdan moved to approve a variance for Mr. Jonathan and Ms. Teresa Mueller to construct a garage closer to the road than is currently allowed on the conditions that it meet all applicable County guidelines and it is no closer to the road than the existing garage. Bresnahan second. All in favor. Motion carried.
2. **Merdan Preliminary Plat** – Gondringer moved to approve a preliminary plat for Ms. Erin & Mr. Eric Merdan (Merdan's Acres Plat 2). Bresnahan second. Two in favor. One abstain (Merdan). Motion carried.
3. **Fuchs Septic** – Mr. Eb Fuchs appeared to request that the drain field for a new septic on his property at 36825 Pelican Lake Road encroach into the road right-of-way approximately six feet. Bresnahan moved to send the request back to the Planning Commission for further review. Merdan second. All in favor. Motion carried. Members of the Planning Commission were requested to visit the site prior to their next meeting.
4. **TDR Request** – a request was received to transfer a building credit into the Township from a neighboring township. The resident was referred to Section 11 in both the Stearns County Land Use and Zoning Ordinance #439 and Avon Township Land Use and Zoning Ordinance #4.
5. **Woitalla Certificate of Compliance** – Bresnahan moved to approve a Certificate of Compliance for the variance received by Mr. Ray Woitalla. Merdan second. All in favor. Motion carried.

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

Public Hearings: None scheduled.

Scheduled Business:

1. **Liquor License** – Bresnahan moved to approve a liquor license for Tumbleweed Tavern (formerly St. Anna Bar & Grill). Merdan second. All in favor. Motion carried.
2. **Land sale** – Bresnahan announced that during a meeting on June 26th the Township received a purchase agreement for \$102,500 from Mr. Jeff Meyer to purchase the Township salt shed property. Details are being negotiated and finalized between Mr. Meyer and Township Attorney Adam Ripple. A closing date of September 2, 2013 is anticipated. The Township will be able to lease the salt shed for one year for \$1.00. Merdan moved to approve the purchase agreement and any changes approved by Attorney Ripple and to authorize the Chair and Clerk to sign the document as appropriate. Bresnahan second. All in favor. Motion carried. Mr. Meyer will provide earnest money of \$4,000. The Supervisors thanked Planning Commission Chair Ken Mergen for his work on the land sale.
3. **Salt Shed** – Bresnahan moved to authorize Gondringer to negotiate with Worms Lumber in New Munich to insure the building will be completed on time and if so, to authorize the Treasurer to issue a check for the earnest money (\$8,000) to initiate the project. Merdan second. All in favor. Motion

carried.

4. **US Bank** – Bresnahan moved to authorize the Treasurer to write a check for \$425 to US Bank for servicing the Township bond. Merdan second. All in favor. Motion carried.
5. **Filing Cabinet** – Mergen and Saupe were authorized to look into purchasing a fire-proof filing cabinet for the storage room.
6. **Nuisance Complaints** – A letter and email to Stearns County concerning the numerous cars stored on the Shepard property have received no response. The Clerk will follow-up. Another complaint was received about a property on 367th Ave. Bresnahan moved to authorize the Clerk to write a letter to the County. Merdan second. All in favor. Motion carried.
7. **Newsletter Update** – The Newsletter was sent out to more than 1000 addresses. Address labels were provided by Stearns County Auditor's office. For the next issue, the newsletters will be addressed during printing from an Excel file. The fold should be at the bottom of the newsletter rather than the top. It may be possible to have Saint John's Duplicating Center meter the newsletters to save time. At least 20 newsletters were returned by the USPS because they were mailed to the physical address of the property rather than the resident's mailing address.
8. **Township Logo** – A graphic design student at CSB/SJU will be contacted to create a logo. The student will be asked to attend a Board meeting to provide ideas for incorporating into the logo.
9. **Drainage Pipe on 325th St.** – The Supervisors authorized a letter be sent to a resident requesting that no drainage pipes be placed on 325th Street or any Township road.
10. **Internet service** – will be installed next week by CenturyLink. Albany Telephone is not accepting any more customers for wireless Internet.
11. **Data Back Up** – Merdan moved to authorize the purchase of jump drives to back up the computer files of the Clerk, Deputy Clerk and Treasurer. Bresnahan second. All in favor. Motion carried.

Other/Old Business

1. **Peach Drive** – No new information presented.
2. **Garbage & recycling** – No new information presented.

Reports/Announcements

1. Certificates of Real Estate Value were received for properties of Worm (35978 Co Rd 9, Avon; \$245,500); Mueller (34235 Co Rd 9; \$170,000); Backes / Dingmann (16116 Queens; \$218,500); O'Leary (17604 Upper Spunk Lake Rd, \$20,000); Sand (6750 Co Rd 155; \$55,000)
2. Construction Site Permits were received for properties of Schmainda (37248 185th; 30 x 40 house); Dinndorf (15458 Norway Road, 18 x 26 bedroom & bath addition); Zeimetz (35982 165th Ave, two accessory structures); and Soenneker (17162 Marsh Lane, 84 x 47.5 house)

3. A letter was received from Mr. Paul Nathe describing an incident in which he alleges a light was broken on his boat at a Township work site.
4. A complaint was received about the Township authorizing the Merdan CUP and about the process to notify residents of a public hearing. The Township is following legal requirements.
5. A Noise Exemption was issued for a private party at St. Anna Sports Bar on June 20th.
6. Stearns County approved the variance for Mr. Ray Voitalla.
7. An unsolicited request to work on the Township website was received.
8. Mr. Michael Pierskalla notified the Township about a barn to be constructed on the property of Roman Pierskalla.
9. A resident called to inquire about whether horses can be raised on a property. It depends on the zoning.
10. A resident was added to the Township email list.
11. The MN Transportation Conference will be held March 4-6, 2014 (mntransportationconference.org)
12. The Terra Pavement Conference will be held Feb 5, 2014 at the Univ. of Minnesota.
13. There will be a County Public Hearing concerning Ordinance 489 on July 9, 2013. Bresnahan moved to authorize Gondringer to attend the hearing. Merdan second. Two in favor. Gondringer abstain. Motion carried.
14. The County was notified about several corrections on their web site.
15. The State Demographer sent information concerning the estimated Township population and number of households.
16. The Towmaster Equipment & Education Expo will be held July 16, 2013 in Litchfield.
17. City Resolution 201-016 – 34122 annexing the Rausch property was received.
18. A call concerning a property on the corner of Riley Court and St. Anna Dr. was received.
19. The unapproved minutes of the Joint Planning Commission meeting were received.
20. Stearns County approved a poultry feedlot at 37556 Co Rd 155 (Pierskalla).

Adjournment: Bresnahan moved to adjourn the meeting at 10:15 PM. Merdan second. All in favor. Motion carried.

Announcement of Next Meeting: The next meeting will be held on Wednesday, August 7, 2013 at 7:30 PM.

Respectfully submitted,
Stephen Saupe, Clerk

Supervisor Approval

Richard Bresnahan

LeRoy Gondringer

John Merdan

Attest

date