

Minutes of the Meeting of the Avon Township Supervisors November 5, 2014

Call to Order: Chairman Bresnahan called the meeting of the Avon Township Supervisors to order at 7:30 P.M. in the Main Chamber of the Avon Township Hall, 16881 Queens Road, Avon (MN).

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Richard Bresnahan, Kelly Martini, John Merdan, Roger Nelson, and Stephen Saupe. Also present – Ken Mergen (*Planning Commission Chair*), Joe Koopmeiners (*maintenance*), Marion Gondringer (*Deputy Clerk*).

Approval of Agenda: Added to the agenda was a discussion of a road request from T. Pierskalla. Merdan moved to approve the agenda as amended. Nelson second. All in favor. Motion carried.

Minutes: Nelson moved to approve the minutes from the October 1, 2014 meeting 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 10/01/2014 to 10/31/2014 (*below*). Martini needs claims turned in to her by the Friday before the Supervisor's meeting. The ACH payment from the State was received on 31 October for \$3347.69. Although the Total Ending Balance from September is the same as the Beginning Balance in October, the amounts in General Revenue and Road & Bridge are different – the distribution in the funds differs. Martini indicated that this occurs because Koopmeiners' check is written the prior month without knowing the specific distribution into the accounts based on his work. This same issue has occurred in past months. This will be corrected in the future so that all balances match. There were large expenditures this month (salt/sand for roads, bond payment for the Town Hall). Merdan moved to accept the Treasurer's report. Nelson second. All in favor. Motion carried.

For the Period 10/01/2014 to 10/31/2014

Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance
General Revenue	\$102,781.69	\$4,285.59	\$7,976.26	\$99,091.02
Road and Bridge	\$464,875.91	\$0.00	\$5,558.70	\$459,317.21
Fire	(\$20,712.23)	\$0.00	\$0.00	(\$20,712.23)
Road Damage Deposit	\$800.00	\$400.00	\$0.00	\$1,200.00
Capital Reserve Fund	\$48,474.75	\$0.00	\$0.00	\$48,474.75
Total	\$596,220.12	\$4,685.59	\$13,534.96	\$587,370.75

Approval of Claims & Payroll: Martini presented claims 2406 – 2426. Check #8038, erroneously written to PERA, was voided. Merdan moved to approve the payroll and the claims. Nelson second. All in favor. Motion carried.

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

1. **Knife River IUP** – Knife River Corp. is requesting a year extension to their Interim Use Permit for an asphalt plant on the Ramler/Pierskalla gravel mine site. The Planning Commission held a site inspection and a public hearing. The Planning Commission recommends approval. Merdan moved to approve the IUP for Knife River with the conditions that: generator startup not be earlier than 5:30 AM, plant hours not exceed 6:00 AM to 6:30 PM, M – F, with no weekend or holiday hours; the last truck will come in no later than 9:00 PM; there is no hauling on Township roads; signage be

installed as per MN DOT and County regulations; notification is received a week in advance of startup; Avon Township officials reserve the right to access the property to determine if conditions of the permit are being met; all equipment and waste must be removed from the site at the completion; the operation must comply with all pertinent Township, County and State regulations; a performance bond of \$5000 will be maintained; signage is placed at the site entrance; noise, air emissions, storm water, and other environmental considerations comply with EPA, MPCA and other regulatory requirements. Nelson second. All in favor. Motion carried.

2. **Baumgard Variance** – The Planning Commission recommends that a public hearing is set to consider a variance request by Mr. John Baumgard to install a 12' x 16' garden shed 10 feet closer to the road than is currently permitted by ordinance. Nelson moved to set a public hearing at a Planning Commission meeting at a time and date to be mutually agreed upon by Mr. Baumgard and the Clerk, to consider a request by Mr. John Baumgard for a variance for a 12 x 16 foot shed. Merdan second. All in favor. Motion carried.
3. **Dehn Driveway** – No action was taken by the Planning Commission.
4. **Truck Parking on Township Roads** – A complaint has been received about a resident who is parking a tractor-trailer truck in a residential area of the Township. Bresnahan will contact the resident.
5. **Upper Spunk Lake Road** – Knife River finished about mid-October but didn't meet the deadline specified in the contract. Westwood is examining the contract to determine the potential rebate. Drivers are going too fast and cutting the curve kicking rocks up onto the road surface. The Town may need to do more brushing.
6. **Fees for Tickets** – the Township is looking into the possibility to claim a portion of the fine paid by residents for tickets.

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

Road & Maintenance Report:

1. **Plow Driver** – Three applications have been received. Candidates will be interviewed next week. Nelson moved to appoint Merdan to sit in on the interview and make a decision on hiring an applicant. Bresnahan second. All in favor. Motion carried.
2. **Snow** – Salt/sand mix has been loaded in the shed and the trucks are ready to go.
3. **Mailbox Damage** – a resident complained that her mailbox was damaged by vandals. She was advised to contact the Sheriff's office.
4. **Pierskalla** – Ms. Theresa Pierskalla complained that the installation of a Minimum Maintenance Road sign on her road had encouraged drivers on the road. She requested its removal. The Supervisors authorized Koopmeiners to remove the sign.
5. **Road Mileage Certification** – the Township approved the Road Mileage Certification form received from the County.

6. **Township Mail** – The Post Office is holding our Saturday mail since no one is available to remove it from the mailbox. Koopmeiners will check the mailbox to see if the latch can be fixed.
7. **Pipe in Road Right-of-Way** – Koopmeiners will check it out.

Merdan moved to accept the roads and maintenance report. Nelson second. All in favor. Motion carried.

Public Hearings: *none scheduled*

Business:

1. **Hengel Cabin** – Ms. Michelle Hengel seeking information about a family cabin on Lower Spunk Lane. She is completing research for a project through St. Cloud State University.
2. **Election Report** – The General Election went well. Saupe served as main organizer. Martini and Mergen were head judges. Approximately 15 other judges who worked 6 to 10 hour shifts assisted them. There were 814 voters including 35 new registrants. There were 1307 voters pre-registered for a voter response of 60.7% of residents. A brief summary of results follows: US Senate: McFadden – 443, Franken – 332; US House: Emmer – 450, Perske – 315; Governor: Johnson – 474, Dayton – 297; Sheriff: Sanner – 420, Bromenshenkel – 332; State House: Howe – 217, Jensen – 175; School Board (742, top three): Mohs – 14, Conway – 11, Von Korff – 9; School Board (745, top three): Gersch – 287, Winkels – 267, McLachlan – 265. One resident tried to vote in person after having voted absentee – he was denied. Nelson moved to authorize Koopmeiners to make a “Vote Here” sign to be placed on Co Rd 9 on election days. Merdan second. All in favor. Motion carried.
3. **Snow Policy** – Merdan will make the decisions on when to send out the snowplows. Nelson moved to approve Resolution 11-05-14 – Revised Snow Plowing Policy. Merdan second. All in favor. Motion carried.
4. **Building Permits** – Nelson recommends that the Township handle building permits instead of the County since we have qualified individuals and the Township would keep the fees down. The Supervisors request the Planning Commission to discuss this proposal and provide feedback before a decision is made.
5. **Weeds** – Nelson reported that the County is pleased with Township work in this area. A biological control agent (beetles) has been released in an attempt to control a leafy spurge population on Tower Road. The Township will avoid mowing this area. The Annual Weed Report was completed by Nelson, Saupe & Martini.
6. **Board of Appeals & Equalization Certification** – Bresnahan recently went through training. A certification form must be returned to the County Assessor’s office.
7. **LRIP Grant** - Nelson moved to authorize Bresnahan to meet with Stearns County Engineer Jody Teich to develop an application for grant funding for Norway Road through the Local Road Improvement Program (LRIP). Merdan second. All in favor. Motion carried. This would be an ideal project because it receives a lot of traffic because it is a frontage that parallels I-94 and it has already been engineered.

8. **Aquatic Invasive Species Questionnaire** – a questionnaire was received from Stearns County Environmental Services as a part of their Aquatic Invasive Species funding received from the State. The Clerk will complete and return.
9. **David Drown Associates** – they will continue to handle the paperwork for the annual Township disclosure documents for our Bond.
10. **MAT Conference** – Nelson moved to authorize Martini and Merdan to attend the MAT meeting. Bresnahan second. All in favor. Motion carried.
11. **Letters** – drafts of letters requested by Nelson concerning road hazards were approved to mail.
12. **Town Hall Use** – one of the Girl Scout troops currently using the Town Hall during the week is considering changing to Sunday night. They were told that Sunday night could only be used if they needed to complete another application and provided an adequate justification for the need to meet on Sunday.

Other/Old Business

1. **Township Logo** – no action.

Reports/Announcements

1. No Certificates of Real Estate Value were received.
2. Construction Site Permits were received for Bresnahan (17007 Norman Rd; solar array system); Binsfield (34611 Princewood Rd, 40 x 48 shed); and Dolan (19249 Red Oak Circle, 24 x 24 accessory structure).
3. A Special Assessment Search was performed for Hennen (19076 Co Rd 54).
4. No requests for 911 signs were received.
5. No Feedlot Permits were received.
6. A Local Government Innovation Award grant was submitted in collaboration with the City of Avon concerning the cooperative agreement for using the Avon compost facility.
7. The MN LTAP Fall 2014 newsletter was received.
8. The Clerk worked with City Clerk, Jim Thares, to sign a Certificate of Compliance for the Posch administrative subdivision, which was approved at the Joint Planning Commission meeting held earlier this year.
9. The Township received notice that Mining Operations began at the Ramler/Pierskalla pit on Tuesday Oct 28 and asphalt operation began on Tuesday Oct 29.
10. The Township received a copy of the initial tax rate for taxes payable in 2015: General Revenue - \$153,900; Road & Bridge - \$196,700; Fire - \$63,500; Capital Improvement - \$10,000; Total - \$424,100.
11. The Fall 2014 *Technology Exchange* newsletter was received.
12. A signed copy of the Contract for Assessing Services was received back from Stearns County.
13. The MN Department of Health has approved the City of Avon Wellhead Protection Plan. A copy will soon be available on the City website. Paper copies are available to see at City Hall.

Announcement of Next Meeting: The next meeting will be December 3, 2014 at 7:30 PM in Avon Township Hall.

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

Respectfully submitted,
Stephen Saupe, Clerk

Supervisor Approval

Richard Bresnahan

John Merdan

Roger Nelson

Attest

date