

Minutes of the Meeting of the Avon Township Supervisors

May 6, 2015

Avon Township Hall

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.

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Richard Bresnahan, John Merdan, Roger Nelson, Kelly Martini, and Stephen Saupe. Also present – Paul Buttweiler (*Deputy Treasurer*), Marion Gondringer (*Deputy Clerk*), LeRoy Gondringer (*Planning Commission Chair*), Joseph Koopmeiners (*Maintenance*)

Approval of Agenda: Mr. Stanley Streit requested being added the agenda. Merdan moved to approve the agenda as amended. Nelson second. All in favor. Motion carried.

Minutes: Nelson moved to approve the minutes of the April 1, 2015 meeting. Merdan second. All in favor. Motion carried. Nelson moved to approve the minutes of the April 27, 2015 meeting of the Board of Appeals & Equalization. Merdan second. All in favor. Motion carried.

Planning Commission Report: Mr. LeRoy Gondringer, newly elected Chair of the Planning Commission reported:

1. **Bueckers Conditional Use Permits** – The Planning Commission reopened a public hearing from the previous meeting to consider a request by Brian and Melissa Bueckers for a CUP for a conventional subdivision in the environmental overlay district. The Planning Commission recommended approval by a vote of four to one. The water was retested and boron levels are still high. It may be due to the depth of the well. The building envelope needs to be identified and clearing outside of this area should be restricted. Nelson moved to approve the Conditional Use Permit for Brian and Melissa Bueckers for a conventional subdivision in the environmental overlay district on the conditions that the Bueckers identify an acceptable two-acre building envelope and that the project meets all other Stearns County rules and ordinances, including for water quality. Merdan second. All in favor. Motion carried.

The Planning Commission also reopened a public hearing to consider a second CUP request by Brian and Melissa Bueckers to construct a home more than 150 feet from an existing structure on the property. The Planning Commission supported the proposal by a vote of four to one. Bresnahan moved to deny the Conditional Use Permit. Merdan second. Two in favor. One opposed (Nelson). Motion carried.

The Bueckers requested a signature on their preliminary plat. The drawing doesn't show the building envelope so it cannot be signed at this time. There will be a special joint meeting of the Planning Commission and Supervisors on May 27, 2015 at which time the Supervisors will consider a revised plat.

2. **Fasen Variance** – The Planning Commission held a public hearing to consider a request by Mr. Duane Fasen to build a garage closer to the road than is currently permitted by ordinance. Mr. Fasen addressed complaints from neighbors. The Planning Commission supports the request. Nelson moved to grant a variance to Mr. Duane Fasen to construct an outbuilding on his property at 32123 Noble Oak Circle (Avon), no closer than 50 feet to the center-of-the-road. Merdan second. All in favor. Motion carried.

3. **Red Maple Drive** – Mr. Tony Ebnet and other residents from Red Maple Drive appeared at the Planning Commission meeting, as well as this meeting, to request the Township move the road to the center of the right-of-way. The Planning Commission takes no exception to the request. The Supervisors supported the idea. If the road is moved, it will need to be engineered and the Township will consider extending it through to Pelican Lake Road or installing a cul-de-sac. Neighbors will be surveyed and a plan will be put together. Who will pay for the roadwork is not clear.
4. **Braegelmann CUP** – Mr. David Braegelmann appeared to request a Conditional Use Permit for a conventional subdivision in the Conservation Overlay area. The Planning Commission recommends setting a public hearing. Merdan moved to set a public hearing on May 27, 2015 at 7:45 PM to consider a request by Mr. Braegelmann for a conventional subdivision in the conservation overlay area. Nelson second. All in favor. Motion carried. Merdan moved to authorize the Clerk and Chair of the Planning Commission to discuss the situation with the County. Nelson second. All in favor. Motion carried.
5. **Eiyk Certificate of Compliance** – The Planning Commission recommends approving a request by Mr. Kenneth Eiyk for a Certificate of Compliance to join 2.6 acres to an existing parcel. Nelson moved to approve the Certificate of Compliance. Merdan second. All in favor. Motion carried.
6. **Assorted** – the Planning Commission will examine the environmental overlay map at the next meeting. The Town will contact the County for maps. Lights will be installed on the baseball field at Saint John's. Members of the Planning Commission and Supervisors were encouraged to attend a training workshop sponsored by Stearns County.

Bresnahan thanked the outgoing Planning Commission Chair, Mr. Ken Mergen, for his 10 years of service as chair. Nelson moved to approve the Planning Commission report. Merdan second. All in favor. Motion carried.

Maintenance & Road Report:

1. **Inspection** – Overall, the roads are in good shape. The Supervisors are considering abandoning three roads, however it may be impossible because it could landlock some residents. Nelson moved to accept the results of the 2015 Road Inspection. Bresnahan second. Two in favor. One abstain (Merdan).
2. **Tree Removal** – Nelson reported that he was in contact with an Xcel crew and they will remove trees on Two Rivers Road, Nordica, Upper Spunk Lake Road, and Knob Hill Drive.
3. **2016 Roadwork** – The Supervisors decided it was too late to obtain reasonable bids for roadwork to be completed this year. Nelson moved to put 325th St. and the north part of 165th out for bids in January 2016. Merdan second. All in favor. Motion carried.
4. **Upper Spunk Lake Road** – Mr. Stanley Streit raised a concern that work wasn't done as expected on Upper Spunk Lake Road especially considering it had been engineered.
5. **Weeds** – Nelson reported that poison ivy is now considered a native weed. He will inspect weeds with Mr. Dunning from the County in June. The Town will spray at the end of July. Koopmeiners will determine areas in need of spraying.
6. **Koopmeiners Contract** – Nelson moved to set Koopmeiners renegotiated salary retroactive to the April meeting. Merdan second. All in favor. Motion carried.

Merdan moved to accept the road report. Nelson second. All in favor. Motion carried.

Public Hearings: None scheduled.

Scheduled Business:

1. **Nathe Request** – Ms. Bev. Nathe did not appear at the meeting.
2. **Liquor License** – Merdan moved to approve a resolution approving a County On-Sale intoxicating Liquor License for *The Landing* of St. Anna. Merdan second. All in favor. Motion approved. Merdan moved to approve a County Off-Sale 3.2 Percent Malt Liquor License for *The Landing* of St. Anna. Nelson second. All in favor. Motion approved.
3. **MATA Inspection** – The MN Association of Townships Agency (MATA) recently inspected the Town Hall, Shop and Salt Shed. Nelson moved to approve Resolution 05-06-15-1: Approving Replacement Cost Coverage of the Town Hall. Merdan second. All in favor. Motion carried. Merdan moved to approve Resolution 05-06-15-2: Approving an Increased Property & Casualty Deductible (from \$1000 to \$2500). Nelson second. All in favor. Motion approved. Merdan moved to request the Clerk to seek a contract for servicing of Township fire extinguishers. Nelson second. All in favor. Motion carried. The Clerk will also contact MATA to inform them that all vehicles should be included in policy, the address needs to be corrected, and salt shed coverage should be increased to \$35,000.
4. **AIS** – The Supervisors opted for Saupe to remain as the Township liaison to the Avon Area Lakes Association aquatic invasive species committee.
5. **Schlichting Driveway** – Merdan moved to approve a driveway permit for Ms. Mary Schlichting. Nelson second. All in favor. Motion carried. No culvert or apron are required.
6. **Art Exhibit** – Merdan moved to send a letter on behalf of the Township to the Metropolitan Regional Arts Council to thank them for supporting the exhibit held at the Town Hall. Nelson second. All in favor. Motion carried.
7. **Truck Parking** – Mr. Daniel Binsfield was present to inquire about complaints. He was told that the Township was considering an ordinance against parking tractor-trailers on the road in residential neighborhoods and that his yard light seemed excessively bright. Mr. Binsfield stated that he no longer parks on the road now that he built a garage.

Other/Old Business:

1. Eichers CUP & Township logo – no action taken.

Treasurer's Report: Martini read the Treasurer's Report and provided the Cash Control Statement for the period 4/1/2015 to 4/30/2015 (*below*). The beginning balance (\$158,459.95) doesn't match the end balance from last month (\$158,415.41) because of a correction. Nelson moved to accept the Treasurer's report. Merdan second. All in favor. Motion carried.

For the Period : 4/1/2015 To 4/30/2015

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$73,574.58	\$2,592.47	\$7,333.96	\$68,833.09
Road and Bridge	\$85,431.09	\$15.83	\$3,564.89	\$81,882.03
Road Damage Deposit	\$1,000.00	\$400.00	\$0.00	\$1,400.00
Fire Fund	(\$54,536.10)	\$0.00	\$0.00	(\$54,536.10)
General Capital Projects	\$52,990.38	\$0.00	\$0.00	\$52,990.38
Total	\$158,459.95	\$3,008.30	\$10,898.85	\$150,569.40

Approval of Claims & Payroll: Martini presented claims #2556 – 2572. Claims 2554 and 2555 were for PERA. A check to Bresnahan was rewritten because it had a mistake. Checks #A8190 & 8240 were voided (payroll mistakes). Merdan moved to approve the payroll and claims. Nelson second. All in favor. Motion carried. All in favor. Motion carried.

Reports and Announcements:

1. A 911 sign request was processed for LeRoy & Marion Gondringer,
2. There were no Certificates of Real Estate Value or Construction Site Permits.
3. There was one Feedlot permit (Lisa Baker).
4. Special Assessment Searches were completed for the following properties: Frank (32909 182nd Ave), Hovland (37052 Pelican Lake Road), Lillemoen (37686 190th Ave); Tamm (15557 Parkwood Circle); and Merdan (32498 Co Rd 50).
5. There were no Stearns County Public Hearings or Actions.
6. There will be a Stearns County Legal Seminar at Saint John's, May 21st, 9 AM – 2:00 PM.
7. Stearns County has a Meetings on Demand website (www.co.stearns.mn.us).
8. The Township submitted a SCORE Grant application to the County for funding for using the Avon Compost Facility.
9. The Township Directory listing was returned to the County.
10. Xcel Energy will host an Energy Efficiency Forum on May 20, 2015 in St. Cloud.
11. Midcontinent notified the Township of rate information. The address to which they send correspondence was changed to the Town Hall.
12. The *Technology Exchange Newsletter* was received.
13. The Township received credit cards from Lowe's to receive a discount of 5%.
14. CenturyLink requests notification of upcoming road projects.
15. Stearns County denied variance to RRCH #3LLC to put a drain field 41 feet from OHWL of Upper Spunk Lake.
16. Bresnahan and the Chair of the Planning Commission will represent the Township at a meeting to consider alternate routes for emergencies on I-94.
17. Stearns County Disaster Response Action Team has been meeting weekly concerning avian flu.

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

Announcement of Next Meeting: The next regular meeting will be held on Wednesday, June 3, 2015 at 7:30 PM. The Supervisors will also be present at the next Planning Commission meeting (May 27, 2015) to consider a plat submitted by the Bueckers and approve liquor licenses. The Clerk will publish and post the meeting.

Respectfully submitted,
Stephen Saupe, Clerk

Supervisor Approval

Richard Bresnahan

Roger Nelson

John Merdan

Attest

Stephen Saupe, Clerk

Date