

Minutes of the Meeting of the Avon Township Supervisors

March 2, 2016

Avon Township Hall, 16881 Queens Road, Avon (MN)

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 and welcomed guests.

Pledge: The Pledge of Allegiance was recited.

Recording: Bresnahan announced that the meeting was being recorded. The recorder was turned on.

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

Approval of Agenda: Merdan moved to approve the agenda with additions. Nelson second. All in favor. Motion carried.

Minutes: Nelson moved to approve the minutes of the February 3, 2016 meeting. Merdan second. All in favor. Motion carried.

Planning Commission Report: Mr. LeRoy Gondringer, Planning Commission Chair, reported:

- 1. Pierskalla/Ramler Asphalt Plant** – A public hearing was held to consider the renewal of an Interim Use Permit for Knife River for their asphalt plant on the Pierskalla/Ramler property. The Planning Commission recommends renewal and outlined 14 conditions. Merdan moved to approve the renewal of the Interim Use Permit for Knife River for operation of an asphalt plant with the following conditions: (1) Permit will be for the 2016 construction season; (2) Hours of operation are from 6:00 AM to 6:30 PM with a generator startup not be earlier than 5:30 AM, and with all trucks returned to the location by 9:00 PM; (3) Days allowed for operation will be restricted to Monday through Friday with no weekend or holiday hours; (4) No truck hauling will take place on Township roads; (5) The entrance will be signed according to Stearns County regulations; (6) Traffic signs will be placed as per MNDOT and Stearns County requirements for truck hauling; (7) Postcards will be sent out one week prior to the beginning of operations; (8) Avon Township officials reserve the right to access the property for the purposes of determining compliance of the Interim Use Permit, after providing Knife River personnel proper identification and notification; (9) Knife River will make available to Board member and Avon residents, a tour of the facility upon request; (10) Portable satellites will be provided for employees. Trash will be collected and contained in a suitable receptacle and hauled offsite to an appropriate disposal area; (11) All equipment and waste must be removed from the site at the completion; (12) The operation must comply with all pertinent Township, County and State regulations; (13) A financial bond of \$5000 will be maintained; and (14) Noise, air emissions, storm water, and other environmental considerations must comply with EPA, MPCA and other regulatory requirements. Nelson second. All in favor. Motion carried.
- 2. Balfour/Ritzer Property** – Ms. Karen Balfour appeared at the Planning Commission meeting to request a Certificate of Compliance for a split of their property and a Conditional Use Permit for a standard two-lot plat instead of a conservation subdivision in the Stearns County Conservation Design Overlay area (see Section 7.6.5 of County Ordinance #439, Section 7.6 Avon Township zoning ordinance). The Planning Commission supports both. Nelson moved to approve a Certificate of Compliance for the Balfour / Ritzer Property split. Merdan second. All in favor. Motion carried. Nelson moved to approve

a Nelson moved to set a public hearing for the 30 March 2016 meeting of the Planning Commission at 7:45 PM. Merdan second. All in favor. Motion carried.

3. **Plat Review Form** – Nelson moved to approve the updated Plat Review Form and fee. Merdan second. All in favor. Motion carried.
4. **Mergen** – Ken Mergen’s term on the Planning Commission ends in April. Merdan moved to reappoint Ken Mergen to the Planning Commission for another term. Nelson second. All in favor. Motion carried. The performance review will be done at the Qualification meeting.
5. The Planning Commission also discussed potential topics for the Annual Meeting, rescheduling the Joint Planning Commission meeting to March 31, 2016, the open City Administrator position, and the Fire Board meeting.

Nelson moved to approve the Planning Commission report. 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 2/1/2016 to 2/29/2016 (*below*). Martini will contact the City to request payment of the Fire Board invoice on a semi-annual basis. She will hold the check until she confirms with the City. The Town will receive about \$36,000 next month in revenue from the gas tax.

For the Period : 2/1/2016 To 2/29/2016

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$96,497.08	\$1,035.98	\$5,844.72	\$91,688.34
Road and Bridge	\$142,290.96	\$239.08	\$4,209.65	\$138,320.39
Road Damage Deposit	\$1,800.00	\$0.00	\$0.00	\$1,800.00
Fire Fund	\$7,586.92	\$0.00	\$0.00	\$7,586.92
General Capital Projects	\$62,512.95	\$0.00	\$0.00	\$62,512.95
Total	\$310,687.91	\$1,275.06	\$10,054.37	\$301,908.60

Nelson moved to accept the Treasurer’s report. Merdan second. All in favor. Motion carried.

Approval of Claims & Payroll: Martini presented the claims 2767 – 2777. February PERA claims were 2765 and 2766. Check 8525 (D. Pilarski) was voided. The Xcel bill was high this month – it suggests something may be wrong. Koopmeiners will follow up with Precise Heating. MAT returned a check for \$5.00, which was overpayment by Merdan for the most recent conference; it was added to his reimbursement. A receipt for \$239.08 was received from USAA General Indemnity Company for damage done to a Township sign. Merdan moved to approve the payroll and claims. Nelson second. All in favor. Motion carried.

Maintenance & Road Report:

1. **Bid Opening** – Bids were opened for the 325th and 165th Ave road projects. The projects were posted and published. The bids received were:

Company	325th St.	325th St. – Saint John’s Portion	165th	Total
Hardrives	\$163,999.26	\$17,600.43	\$49,388.31	\$230,988.00
Hot Mix, Inc	\$210,998.00	\$9,420.75	\$77,969.00	\$298,388.70
Knife River	\$152,188.50	\$7,794.14	\$46,307.55	\$206,290.19

Westwood engineer, Will Huston, analyzed the bids and recommended awarding the bids to Knife River. Merdan moved to accept the bids from Knife River to complete both projects. Nelson second. All in favor. Motion carried. Huston will contact the bidders to alert them of the outcome of the process.

2. **135th Ave Culvert** – Koopmeiners reported that a culvert near I-94 is in danger of freezing up.
3. **Shop Fan** – Koopmeiners was authorized to seek quotes for a ceiling fan in the shop to hopefully decrease heating costs.
4. **Peach Drive** – individuals are parking on the road near the corner making it difficult for traffic to pass. No parking signs are in place. Bresnahan will contact the Sheriff.
5. **Snow** – Koopmeiners has completed a route map for the small pickup plow.
6. **Tree Removal** – Xcel will remove a tree threatening power lines at the intersection of Co Rd 54 and Pelican Lake Road.

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

Public Hearings: *None scheduled.*

Scheduled Business:

1. **Audit Board** – Nelson moved to approve the minutes of the Audit Board as presented. Merdan second. All in favor. Motion carried. Merdan moved to approve the Audit Board Report. Nelson second. All in favor. Motion carried.
2. **Outstanding Checks** – The Supervisors examined the outstanding checks that total about \$2500. Nelson moved to void check #5563 from 2007 for \$3.00. Merdan second. All in favor. Motion carried. Merdan moved to void and reissue check #6090 from 2009 for \$200. Nelson second. All in favor. Motion carried. Nelson moved to void and reissue check #6084 from 2009 for \$50.00. Merdan second. All in favor. Motion carried. Merdan moved to void check #7856 from 2014 for \$651.40. Nelson second. All in favor. Motion carried. Nelson moved to void and reissue check #7373 from 2013 for \$46.17. Merdan second. All in favor. Motion carried. Check #6279 from 2010 for \$168.39 is still outstanding. Martini will seek clarification from the State Auditor on how to handle it.
3. **Fire Board** – It was a busy year for the department. The Township contribution will be \$68,000 for the coming year. Mutual Aid calls will now be billed at \$25 per hour. A joint Avon City/Avon Township/Collegeville Township Fire District is being considered.
4. **Weed Meeting** – Merdan moved to authorize Nelson to attend the upcoming weed inspector meeting. Nelson second. All in favor. Motion carried.
5. **Annual Performance Reviews** – these will be conducted at the Qualification Meeting for Planning Commission members and employees.
6. **Annual Meeting Plans** – The agenda was set for the upcoming Annual Meeting. Merdan moved to approve the agenda. Nelson second. All in favor. Motion carried. The Clerk will obtain refreshments.

Mr. Lee Larkey will be contacted to see if he is willing to serve as moderator.

7. **Qualification Meeting** – the agenda was set for the upcoming Qualification Meeting. Nelson moved to approve the agenda. Merdan second. All in favor. Motion carried.
8. **Liquor License & Gambling Permit** – Merdan moved to approve an application for a Lawful Gambling Permit and to approve a resolution for a Temporary On-Sale Liquor License for the sale of intoxicating liquors at the Immaculate Conception Parish grounds on June 26, 2016. Nelson second. All in favor. Motion carried.

Other/Old Business: none

Recurring Reports:

1. There were no requests for a 911 sign.
2. No Certificates of Real Estate Value or Construction Site Permits were received.
3. Stearns County approved a feedlot permit for a 56 x 144 barn for Raab (34934 140th Ave).
4. No home-extended business permits were received.
5. A notice for a public hearing to consider property setbacks for Shawn & Beth Williams will be held at the County Service Center on Thursday, March 24, 2016. The Supervisors task no exception.
6. Special Assessments Searches were performed for Secord (18157 Co Rd 154) and Hines (15701 Parkwood Circle).

Announcements & Brief Reports:

1. The *Catalyst* e-newsletter for February 2016 was received.
2. A notice for a demo concerning Laserfiche Paperless Software was received.
3. The Board of Appeals & Equalization Meeting will be held on April 25 at 7:00 PM. All Supervisors are up to date with training.
4. The Avon Area Lakes group recently met. They were awarded \$7,000 for mitigation but are hoping to be able to use some of it for surveys. They are waiting to hear if a DNR grant has been approved.
5. An injured Yellow Lab, dubbed Remington, was found in the Township. It had been shot multiple times with an air rifle. The dog is available for adoption.
6. Bresnahan met with Kathy Korte from the Assessor's Office to discuss two properties in the Town.
7. Short Course – Nelson moved to authorize Supervisors, Treasurer, Clerk and both deputies to attend the upcoming MAT Short Course. Merdan second. All in favor. Motion carried.
8. Geronimo Solar Garden – the project appears to be moving again. They are considering extending their CUP for another year. CUP's are good for one year; an administrative extension can be granted in response to a request in writing within 30 days prior to expiration (4.8.7 – Ordinance 439). The extension would include the conditions that accompanied the original proposal.
9. The Board of Appeals and Equalization meeting will be held on April 25 at 7 PM in the Town Hall.

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

Announcement of Next Meeting: The next regular meeting will be held on Wednesday, April 6, 2016 at 7:30 PM.

Respectfully submitted,

Stephen Saupe, Clerk

Supervisor Approval:

date: _____

Richard Bresnahan

Roger Nelson

John Merdan