

Minutes of the Meeting of the Avon Township Supervisors

June 7, 2017

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.

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

Approval of Agenda: Added to the agenda were approval of the minutes from the road inspection and discussions of attorneys and personnel changes. Linn moved to approve the agenda as amended. Merdan second. All in favor. Motion carried.

Minutes: Merdan moved to approve the minutes of the May 3, 2017 meeting as presented. Linn second. All in favor. Motion carried.

Planning Commission Report – *Presented by Mr. Will Huston, Planning Commission Chair:*

1. **Notch Encroachment Agreement** – An agreement drafted by Township Attorney Adam Ripple to allow Mr. Eric Notch to run a line for his septic drain field beneath Upper Spunk Lake Road was signed. The agreement will be recorded with the County.
2. **Solar Garden Hearings** – The Planning Commission opened public hearings for Stearns Solar Community One LLC and FastSun3 LLC to consider requests for a Conditional Use Permit (CUP) for a 1-MW solar garden on the Gertken property. Mr. Chuck Beisner, Sunrise Energy Ventures, appeared and provided an overview of the projects. At least two neighbors appeared in opposition to the project. The Planning Commission moved to continue the hearings until the next meeting and recommends holding a site inspection to give time to examine some of the concerns of residents. Merdan moved to hold a site inspection at 6:30 PM on June 28, 2017 at the property Smiley Drive just north of the Wobegon Trail. Linn second. All in favor. Motion carried.
3. **Schmitz Plat** – Mr. Jamie Schmitz appeared to request approval of a preliminary plat for a land swap on his property (37654 160th Ave, Avon, MN 56310). The Planning Commission recommends approval of the preliminary plat. Linn moved to recommend approval of the preliminary plat for Mr. Jamie Schmitz. Merdan second. All in favor. Motion carried. The preliminary plat was signed. Merdan moved to approve a Certificate of Compliance for the project if one is required. Linn second. All in favor. Motion carried.
4. **Bullert Zoning** – Daniel & Marie Bullert appeared at the Planning Commission meeting to learn about options for rezoning their property (PID 03.01551.0006; 18703 Two Rivers Road) which is currently zoned A40. They are considering splitting off lots to sell. The Planning Commission recommended contacting Stearns County Environmental Services. They were also told that the Township is opposed to spot zoning but they could potentially make a case for R5 zoning because neighboring parcels are zoned R5.

Linn 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 05/01/2017 to 05/31/2017 (*below*). Merdan moved to approve the Treasurer's report. Linn second. All in favor. Motion carried. Linn moved to approve the Clerk/Deputy Clerk quarterly audit (01/01/2017 to 03/31/2017; appended at end of minutes). Merdan second. All in favor. Motion carried. Martini corrected and resubmitted to the IRS a form required for our Bond. Linn moved to authorize Clerk Stephen Saupe to have access to the Township Safety Deposit Box. Merdan second. All in favor. Motion carried.

For the Period : 5/1/2017 To 5/31/2017

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$80,769.48	\$636.21	\$10,773.25	\$70,632.44
Road and Bridge	\$57,779.93	\$75.00	\$8,497.63	\$49,357.30
Road Damage Deposit	\$2,050.00	\$0.00	\$0.00	\$2,050.00
Fire Fund	\$9,673.88	\$0.00	\$34,352.00	(\$24,678.12)
General Capital Projects	\$66,829.88	\$0.00	\$27,275.00	\$39,554.88
Total	\$217,103.17	\$711.21	\$80,897.88	\$136,916.50

Claims & Payroll: Martini presented the June claims (3104 – 3123). May PERA claims were 3102 and 3103. Check #9014 was voided (incorrect amount). Linn moved to approve the payroll and claims. Merdan second. All in favor. Motion carried.

Town Hall Maintenance Report – Presented by Mr. Joseph Koopmeiners:

Koopmeiners removed a black ant nest from the shop. He will soon spray thistles around the Town Hall. Shades are desirable for the northwest door and transom. A representative from the County checked the rain garden; he recommends bringing in a crew to remove weeds. Linn moved to approve a County Crew to weed the rain garden. Merdan second. All in favor. Motion carried. Linn moved to approve the Town Hall Report. Merdan second. All in favor. Motion carried.

Road Report – Presented by Mr. Joseph Koopmeiners:

1. **Monthly Road Work** – included fixing tar on the 186th Ave cul-de-sac; broken branches were cleaned up on Queens Road and 370th; road shoulders were disked; 360th and 370th were graveled and graded; potholes were fixed on Norway, and Peach Drive was graded.
2. **Mowing** – Koopmeiners was authorized to begin mowing roads.
3. **Road Patching** – Linn moved to approve the quotes from Lange Trenching to repair damaged areas of Parkwood Circle for \$19,543.60 and Highland Terrace for \$6,077.20. Merdan second. All in favor. Motion carried. The Town will wait to complete repairs on Kopy Lane.
4. **Crack Filling** – Linn moved to approve the quote of \$1,490 from Midwest Asphalt Maintenance for crack sealing. Merdan second. All in favor. Motion carried.
5. **Tour of Saints** – Mr. Michael Doyle, ride organizer, appeared to request a permit to hold part of the Tour of Saints on Town roads on July 9, 2017. The event will be the same as last year and some of the affected roads within the Township include 355th St., 1st Street, and Norway Road. Mr. Doyle expects over 1000 riders. There will be a rest stop at Avon City Park. Linn moved to approve the application for the Tour of Saints bike ride with the condition that signage be posted on narrow roads. Merdan second. All in favor. Motion carried.

6. **Road Issues** – A resident on Norway Road is currently using two driveways; a letter will be sent alerting them to the Town policy of only driveway per parcel and requesting that after the construction period that they use one and close the other. A resident has installed an electric fence too close to Norway Road; a letter will be sent to request it be moved out of the road right-of-way. A follow-up letter will be sent to a resident on Parkwood Circle to remove landscape edging in the road right-of-way. A resident on 325th moved some, but not all, trees from the road right-of-way; a letter will be sent at the end of the summer after the optimal transplant time has passed. Koopmeiners will spread some gravel on Meadowview Road north of the Wobegon Trail.
7. **Tree Removal** – before authorizing the removal of any additional trees the Supervisors will wait to see how much money is received in the Road & Bridge fund.
8. **Snowplow Operators** – The Town has commitments from drivers for the 2017 – 2018 winter season. No hiring is necessary at this time.
9. **Bridge Inspection** – the County Highway Department inspected the one bridge in the Township (L9439) and reports that no problems were found.
10. **Road Inspection** – Linn moved to approve the minutes from the 2017 Road Inspection. Merdan second. All in favor. Motion carried.

Merdan moved to approve the road report. Linn second. All in favor. Motion carried.

Public Hearings: *None scheduled.*

Scheduled Business:

1. **Attorneys** – Supervisor Bresnahan provided a history of times when the Township as relied on the assistance of attorneys (CAPX2020 power line, landfill, Meadowview Lane). He concluded that the Town must use attorney services in the best way possible.
2. **Bresnahan Resignation** – Supervisor Bresnahan submitted his resignation from the Town Board effectively immediately. He thanked everyone for his or her service and hard work through the years. He then vacated his seat and left the Town Hall. Merdan moved to authorize a recognition plaque for Bresnahan. Linn second. All in favor. Motion carried.
3. **Huston Replacement Supervisor** – In accordance with MN Statute (367.03 subd. 6. Vacancies), a nominating committee (Linn, Merdan, Saupe) was convened to fill Supervisor Bresnahan’s vacancy. Saupe nominated Will Huston as a candidate to fill the vacancy. Linn second. All in favor. Motion carried. Additional nominations were solicited. No others were made. Merdan moved to close nominations for candidates to fill the vacancy. Linn second. All in favor. Motion carried. The nominating committee unanimously voted for Will Huston to fill the seat of Richard Bresnahan until the March 2018 Township election. Huston took the Oath of Office (*original is filed in Elections Notebook*) and was given a “Certificate of Appointment to Fill Town Supervisor Vacancy” (*appended at the end of the minutes; the original is filed in the Elections Notebook*). Merdan nominated Huston to serve as Chair of the Board. Linn second. All in favor. Motion carried. Merdan nominated Huston to serve as the Town Board “Legal” representative. Linn second. All in favor. Motion carried. A replacement for Huston on the Planning Commission will be recruited.

4. **Revenue from Fines** –tabled until the next meeting.
5. **HR Issues / Employee Handbook** – Martini has a copy of a potential handbook/employee policy document that can be examined and adopted as appropriate. Discussion will continue at the next meeting.
6. **Short Courses** – Linn moved to authorize attendance by Town officials at the upcoming Summer Short Course. Merdan second. All in favor. Motion carried.
7. **Weeds** – Koopmeiners will do a weed inspection in the near future. He will work with Bob Dunning from the County.
8. **Web Site** – the Town is having the web site rebuilt. The site will be similar to our previous one.
9. **Former Salt Shed Property** – The County Land Use map program (<https://gis.co.stearns.mn.us/landuse-Restriction/default.aspx#>) shows that the Township still owns one of the parcels occupied by the former salt shed on Char Avenue (PID 42.26218.0012). This may be an error. The Clerk will follow up.
10. **Enterprise** – possible topics for the next column could include a note about staffing changes, the compost site and weeds.
11. **Census** – the State Demographers office estimates that the population of the Township is 2,293 and that there are 798 households (*historical data are appended at the end of the minutes*).

Other/Old Business: logo, bike events on Town roads

Recurring Reports:

1. There was one request for a 911 sign (Stang; 17207 Co Rd 9).
2. Certificates of Real Estate Value were received for Schlough (\$500); Himsl (\$210,000); Netter (\$289,900); Samuelson (\$500); Johnson (\$500); Kalla (\$141,000); and Pierson (\$236,923)
3. Construction Site Permits were applied and/or approved for Stang (17207 Co Rd 9; residence, deck, porch, garage); Larson (35000 Tower Road; house & garage); Wolter (37023 Sara Lane; addition, deck, shed); and Hedeem (37707 Sunnyfield Circle, new home & garage).
4. No County feedlot permits were received.
5. No home-extended business permits were received.
6. Special Assessment Searches were performed for Wolter (37023 Sara Lane); Hokriede (3378 Shorewood Dr.); and Pierson (15678 Parkwood Circle).
7. An upcoming Stearns County Hearing will discuss County Ditch 25 on June 10 @10:05 AM & June 13 @ 6:30 PM.

Announcements & Brief Reports:

1. Knife River Asphalt Plant is running and will continue until about June 13th.
2. An Amended Certificate of Authority to provide services (MPUC Docket No P5615/) was received from Charter Fiberlink.
3. MAT Membership Cards were received and distributed.
4. The draft Environmental Impact State for the Enbridge Pipeline is available on line at the following website: projectmn.gov/commerce/energyfacilities/line3.
5. A voter's registration card for Hayley Jean Anderson was returned to the Township. The cited address (17254 360th St.) doesn't exist nor does anyone know this individual.

- 6. A hearing at Stearns County granted a variance for Mark & Angela Janorschke to construct a residence closer to the side lot than is currently permitted.
- 7. The Avon Area Lakes Association is planning a variety of activities and fundraisers.
- 8. Mr. Greg Ramler inquired about rezoning in the orderly annexation area for a potential business.
- 9. An inventory of Township property is being completed for insurance purposes.

Announcement of Next Regular Supervisor Meeting: The next regular meeting will be held on Wednesday, July 5, 2017 at 7:30 PM.

Announcement of Other Town Meetings: Site inspection – June 28, 2017, 6:30 PM; Smiley Drive, Avon.

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

Respectfully submitted,
Stephen G. Saupe Clerk

Clerk signature: _____ date: _____

Supervisor Approval: _____ date: _____

Richard Bresnahan Mike Linn John Merdan

Clerk/Deputy Clerk First Quarter Audit – 2017

Avon Township		Cash Control Statement		
For the Period :		1/1/2017 To 3/31/2017		
<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>
General Fund	\$105,322.63	\$4,116.99	\$20,729.63	\$88,709.99
Road and Bridge	\$35,876.00	\$39,597.43	\$14,052.41	\$61,421.02
Road Damage Deposit	\$2,050.00	\$0.00	\$0.00	\$2,050.00
Fire	\$8,697.14	\$976.74	\$0.00	\$9,673.88
General Capital Projects	\$66,679.95	\$149.93	\$0.00	\$66,829.88
Total	\$218,625.72	\$44,841.09	\$34,782.04	\$228,684.77

Avon Township
Stearns County, Minnesota
16881 Queens Road, Avon (MN)

**CERTIFICATE OF APPOINTMENT TO FILL
TOWN SUPERVISOR VACANCY**

You are hereby notified that on the 7th day of JUNE, 2017 the appointment committee, acting under Minn. Stat. § 367.03, appointed

William Huston

to the office of Town Supervisor on the Town Board of Avon Township, Stearns County, Minnesota, to fill a vacancy that exists in that position.

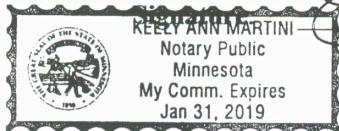
In order to accept the position, you must take the oath of office and file it with the Town Clerk within 10 days of receiving this Certificate. Failure to properly qualify for the office by taking and filing the oath of office within 10 days will be deemed a refusal to serve.

The person appointed to fill the vacancy shall serve until the next annual town election, when a successor shall be elected for the unexpired term, if any, of the position.

Delivered to appointee this 7th day of June, 2017.

by:

Print Name: Stephen Saupe, Clerk
Avon Township



Attest:

Print name & title: Kelly Martini
Signature: [Handwritten Signature]
Date: 6/17

Avon Township Population Estimates

Year	Population estimate	Household Estimate	Source
1940	830	n/a	Comp Plan 1981
1950	792	n/a	Comp Plan 1981
1960	786	n/a	Comp Plan 1981
1970	1157	367	Comp Plan 1981
1980	1737	588	Comp Plan 1981
1993	2045	635	state demographer
1994	2084	648	state demographer
1995	2104	655	state demographer
1996	2131	667	state demographer
1997	2147	675	state demographer
1998	2163	683	state demographer
1999	2172	689	state demographer
2000	2132	716	Wikipedia (US census)
2001	2145	727	state demographer
2002	2151	732	state demographer
2010	2100	n/a	state demographer
2012	2281	797	state demographer
2013	2270	794	state demographer
2014	2277	795	state demographer
2015	2283	794	state demographer
2016	2293	798	state demographer

