



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
MARCH 26, 2012

Supervisor Present: Doebler, Hass, Hewitt, Manthei and Sherper; none absent

Staff Present: Clerk/Treasurer Spencer, Deputy Clerk/Treasurer Olson, Maintenance Coordinator Spencer

The Meeting was called to order at 7:00 p.m. by Chairman Sherper

1.1 Pledge of Allegiance: The assembly recited the Pledge of Allegiance.

Sherper stated prior to the meeting Supervisors Hass and Hewitt took their oaths of Office.

1.2 Approve Regular Meeting Agenda: Doebler requested addition of Item 1.10 for discussion regarding the Mills property. Doebler/Hewitt unanimous to approve Regular Meeting Agenda as amended with addition of Item 1.10 discussion regarding Mills property.

1.3 Elect Chair of the Town Board: Sherper asked for nominations for Board Chair. Moved by Hass, seconded by Hewitt to nominate Don Sherper to serve as Board Chair. There were no other nominations; Sherper declared nominations closed. Hass moved to declare a white ballot, Manthei seconded; motion carried. Sherper expressed appreciation for the Board's confidence in him and stated the upcoming year should be an exciting one.

1.4 Elect Vice Chair of the Town Board: Sherper asked for nominations for Board Vice Chair. Moved by Hass, seconded by Doebler to nominate Dave Hewitt to serve as Board Vice Chair. There were no other nominations; Sherper declared nominations closed. Manthei moved to declare a white ballot, Doebler seconded; motion carried. Hewitt thanked the Board for their support.

1.5 Approve Consent Agenda: Sherper/Hewitt unanimous to approve Consent Agenda as submitted: A) February 27, 2012 Regular Board Minutes; B) February 28, 2012 Special Meeting Minutes; C) Use of Town Hall Facility by County public works.

1.6 Redistricting presentation by Brian Bensen, County Administrator/Resolution establishing voting precincts: Bensen provided overview of redistricting process. As a result of the last census, the County Commissioner District lines are required to be redrawn. The County provided draft of the proposal which will create a new voting precinct in Livonia Township. The new precinct is proposed to be located south/west of County Road 1. The precinct will be part of Commissioner John Riebel's district; the remainder of the Township will remain with Commissioner Rachel Leonard. The County Board however cannot change Commissioner District boundaries without first obtaining approval of the affected governing entity. The third precinct will be contiguous with Precinct 1, both are located on the west side of US Highway 169; the Precinct 1 voting location can be used by both precincts. The County Auditor/Treasurer's Office will send notification of voting precinct location to Livonia residents as well as to all other County residents this year as required. Moved by Manthei, seconded by Doebler to approve Resolution No. 12-06 establishing boundaries of the election precincts in the Township. Roll call: Doebler, Hass, Hewitt, Manthei, Sherper yes. None opposed.

1.7 Sheriff's Report: Sgt Johnson reported there were 139 calls for service in February which included 52 traffic stops and 3 burglaries. Johnson cited 3 people for driving around the barricades on the Girl Scout Road. The barricades are moved aside or broken by those who are not observing the signage. Minnesota Statute 160.2715 which speaks to driving over, through or around any barricade is a moving violation, a misdemeanor. Johnson suggested diamond shaped sign stating "Road Closed" at both east and west ends of the part of the road that is closed.

1.8 Fire Report: Chief Maloney provided February calls for service which included 1 motor vehicle personal injury with extrication, 1 cancelled en route 3 fire alarms, 1 carbon monoxide, 2 good intent, 1 arcing down power line, 4 grass fire, 1 vehicle fire and 1 shed fire. Burning restrictions are in affect; variance from DNR is required for burning.

1.9 Road report – equipment quote; Girl Scout Road/amendment to resolution: Coordinator Spencer reported trees that were down over trail in the Sugarbush Park were removed, backup beepers are being replaced on the equipment, placing cold patch in various areas. Several 112th Street areas were blown out, there are six street signs in the West Hunter Lake area to be replaced, and one stop sign has been replaced. Reported the barricades placed on the Girl Scout road are being moved aside, partially destroyed, more dumping in the camp itself. The Clerk/Treasurer noted language in the resolution passed last month for temporary closure of the road east of the red barn and continuing east to 96th street was not stated correctly. Town Attorney advised correcting the resolution and readopting it at this meeting. Moved by Hass, seconded by Hewitt to correct paragraph 6 of Resolution No. 12-05 replacing ending date of temporary closure to after Labor Day in September of 2012. Roll call: Doebler, Hass, Hewitt, Manthei and Sherper, yes; none opposed. After discussion regarding options for gating of the area, Board authorized placement of large tree across the road at east and west end with road closed signage. Area will be checked and activity logged daily. As follow-up from the February meeting, Spencer provided information and updated quote for purchase of a tractor and mower.



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Manthei/Hewitt unanimous to approve purchase of 5083E John Deere utility tractor and John Deere 265 disk mower from Scharber and Sons with includes the State purchasing discount in the amount of \$48,879.00.

1.10 Mills property – Supervisor Hass talked with Murray Mills and reconfirmed the Mills desire is for their property to be preserved for park purposes. The Mills acknowledged that by their own doing the property is landlocked. There was discussion regarding possible options for access. Hewitt/Doebler unanimous to authorize an appraisal of the Mills property prior to further negotiation; funding for the appraisal to be paid from the Park Fund.

2.1 Request for variance in setback from right of way: Manthei/Hass unanimous to recommend approval of request for a 33 foot variance in setback from right of way of 271st Avenue for a detached garage. In order to move the proposed site outside of the setback a large amount of fill would be needed if the building were to be located farther east on the property, the existing septic system is located on the east side of the property, would request a second access to the building-the Township wants to limit number of accesses, 271st Avenue is a “No Outlet” road that will never be extended as it eventually abuts Stanford Township, one-third of the property is limited for building because of setbacks due to corner lot.

2.2 Engineering – 2013 road projects-112th Street/alternates: Bogart reported preconstruction meetings for the 277th Avenue/183th Street and 245th Avenue projects will be held on Tuesday April 3rd at the Town Hall. Regarding the 112th Street project, Bogart is still unsure if Baldwin Township will proceed with 112th Street in their township. No action taken regarding 112th Street until it is known if Baldwin will proceed. Alternate projects will be looked at when a decision is made regarding 112th Street. Discussed continuing with Lake Fremont restoration project; Bogart will assess the Lake conditions to determine when to move forward.

2.3 Spring road tour: Using the Road Conditions report as a guideline, the Board talked about options, alternatives and cost effectiveness to reworking an entire road or street vs. patching an area or smaller section of the road. Board will inspect Town roads on April 14th starting at 8 a.m.

4.1 Approve payment of claims and transfers: Hewitt/Manthei unanimous to approve payment of claims, including payroll as submitted, for payment of utility and interest bearing bills received after claim deadline and to transfer \$127,000.00 from savings to checking to cover claim numbers 5693-5734 check numbers 14831-14888 and Electronic Fund Transfer (EFT) #000015 (March 941 withholding tax). Hewitt/Doebler unanimous to approve to transfer funds and issue check for exact amount of John Deere tractor with mower from Scharber and Sons as approved with Item 1.9.

4.2 Supervisor reports: Hass received approval from Fire Chief to access through the Substation for Cleanup Day. Manthei researched hoop buildings and options for salt/sand storage. He also attended the County Road 74 informational meeting held by Sherburne County. He will attend the Sherburne County Water Plan Advisory Meeting on March 27th. He noted the quarterly County Association of Township’s meeting will be held on April 18th at Big Lake Township. Hewitt had no report. Doebler reported Park Board members will do cleanup work in the Sugarbush Park. Sherper attended the Minnesota Association of County’s meeting in St Paul, meet with Mayor Earenfight regarding the Park dedication fees, attended the Minnesota Association of Townships Spring Short Course in St Cloud.

5.1 Approve quotes for crack repair: Three quotes were received as follows: ASTECH Corp \$10,840, Allied Blacktop Co \$10,980 and Fahrner Asphalt \$14,189.16. Doebler/Hewitt unanimous to approve quote of \$10,840 from ASTECH Corp.

5.2 Discussion regarding 2012 chip seal project: Deputy Clerk/Treasurer Olson provided information for options to the products used for chip sealing to reduce the amount of rock that is swept up after the process. Options included fog sealing, use of polymerized oil or change to a “trap rock”. Of the options use of polymerized oil with crushed granite is the most cost effective. Doebler/Hewitt unanimous authorization to obtain quotes for 4.25 miles of chip seal using polymerized oil and crushed granite.

5.3 Approve fees/wages Cleanup Day: Hass/Hewitt unanimous to approve fees as follows: Electronics 19 inches and under-\$10.00, over 19 inches \$15; Air conditioners & water softeners \$15; Appliances \$10; Passenger, bicycle and motorcycle tires \$1, Semi truck tires \$10 and 24 and 25 inch tractor tires \$30; Furniture \$10 and no charge for auto batteries and scrap metal. Hourly rate for cleanup day workers is \$12 per hour.

5.4 Prairie Restoration contract: Board declined contract offered by Prairie Restoration. Manthei/Hewitt unanimous to authorized Fire Department to burn prairie area east of the Hall building.

5.5 Discussion – amendment to Employee Manual: After reviewing section referring to training and education, Board found no amendment was needed; no action taken.



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5.6 TOWNSHIP REORGANIZATION Items 5.6a) General Administration-Hewitt and Hass; Road Maintenance-Hewitt and Manthei; Town Park Board-Doebler and Hewitt; Cemetery Board- Doebler, Manthei, Sherper, Olson & Jan Wallin; Intergovernmental-Sherper; Fire Board-Hass and Doebler, alternate Hewitt; Town Planning-Town Board of Supervisors; School Advisory Committee-Sherper and Hewitt; Local Advisory Committee(Highway 169)-Sherper and Spencer. Hewitt/Hass unanimous to approve 5.6a. **5.6b) Conflict of Interest Resolutions/Affidavits of Official Interest in Claim:** Resolutions authorizing contract with interested officer under M.S. 471.88 Sudb 5 were approved for each Supervisor in the event they perform work for the Township during cleanup day. When filing their claim for work performed they also sign an official interest in claim. Resolutions are on file. **5.6c) Supervisor wages/meeting per diem:** \$50.00 per meeting when a quorum is required and \$12.00 per hour when performing duties as a supervisor or when no quorum required-does not include cleanup day or service as election judge. \$50.00 per diem for attendance at the Board of Canvass which follows the Annual Meeting. Hass/Hewitt unanimous to approve 5.6c. **5.6d) Town Hall Office Hours, Board Meeting Dates:** Town Office hours are Monday through Thursday 8:00 a.m.–3:30 p.m., closed on Fridays and major holidays. The Board meets the 4th Monday of the month at 7:00 p.m. located at the Livonia Town Hall unless the 4th Monday is a holiday; the meeting is moved to the 3rd Monday of the month, same time and place. The 2012 Regular Board Meeting dates for April 2012-March 2013 as follows: April 23, May 21, June 25, July 23, August 27, September 24, October 22, November 26, December 17, January 28, February 25 and March 25. Claims for payment, including payroll are due to the Town Office no later than noon the Monday prior to the meeting. Hass/Doebler unanimous to approve 5.6d. **5.6e) Official depository/account signers:** The Bank of Elk River, Zimmerman Branch if the official depository of the Township. Two signatures are required on checks signed by either the Town Board Chair or Vice Chair but not both and the Clerk/Treasurer or Deputy Clerk/Treasurer but not both. The same applies to the redemption of certificate of deposit; currently the Township has only one certificate of deposit which is held at The Bank of Elk River. Authorization by the Town Board is required for transfer of funds and payment claims. Approve Maintenance Coordinator, Maintenance Worker III, Clerk/Treasurer and Deputy Clerk/Treasurer as signers on Menards Account. Hass/Doebler unanimous to approve 5.6e. **5.6f) Purchase policy:** Currently the limit for expenditures without Board approval \$1,000 per item from the Road and Bridge Fund and \$250 from any of the other funds. The Township has use of credit card; spending limits are the same for card use. Hass/Hewitt unanimous to approve 5.6f with amendment to expenditure in the Road and Bridge Fund as follows up to \$1,000 no Board approval required, between \$1,001 to \$2,500 requires approval of the Town Chairman and expenditures over \$2,501 requires Board approval; expenditure from any other fund remains at \$250 without Board approval. **5.6g Petty Cash Fund:** Currently \$250 is maintained in the Petty Cash Fund. Hewitt/Doebler unanimous to approve Petty Cash 5.6g at its current level. **5.6h) Official newspaper/posting location-**the Elk River Star News is the Townships official newspaper for publication of required legal notices. The posting board located on the west side of the Town Hall is the official posting place for all notices. Notices are also posted on the Hall door and the Town’s website; these two locations are optional. Hewitt/Doebler unanimous to approve 5.6h.

5.7 Updates: a) Newsletter- a draft was provided for review by the Board; will be mailed first week in April; b) Refinancing-Bruce Kimmel with Ehlers will attend the April 23rd Board Meeting to present refinancing information; c) Livonia Township’s Local Board of Appeal and Equalization will be held at the Livonia Town Hall April 16, 2012 beginning at 6:30 p.m.; d) Urban Short Course will be held on April 19 at the Rockwood Inn in Otsego. The Hall Office will be closed on that date.


5.8 Approve IUP for mining 10,000 cubic yards or more: This approval was recorded for the official record. Moved by Hewitt, seconded by Doebler to approve Application #47768 Interim Use Permit to dig ponds and remove the excavated black dirt for re-sale (Excavating 10,000 cubic yards or more) as approved by the Sherburne County Board of Commissioners on March 13, 2012. Copy of the approval and conditions of approval are on file in the Sherburne County Zoning Office.

Hass/Doebler unanimous to adjourn meeting at 10:30 p.m.

Approved this 23rd day of April 2012



Chairman or Vice Chairman



Clerk/Treasurer or Deputy Clerk/Treasurer