



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
AUGUST 27, 2012

Supervisors Present: Hass, Hewitt, Manthei and Sherper. Supervisor Doebler absent

Staff Present: Clerk/Treasurer Spencer and Deputy Clerk/Treasurer Olson

Others Present: Terry Van Eyk on behalf of Bogart, Pederson & Assoc.inc, Town Engineer

Chairman Sherper called the Meeting to order at 7:00 p.m.

The assembly recited the Pledge of Allegiance.

1.2 Approve Regular Meeting Agenda: Manthei/Hewitt unanimous to approve Regular Meeting Agenda as submitted.

1.3 Approve Consent Agenda: Hass/Manthei unanimous to approve the Consent Agenda as submitted: Item A) July 23, 2012 Regular Board Minutes.

1.4 Sheriff's Report: As reported by Captain Starry in July there were 195 calls for service in Livonia Township vs.: 176 calls for service during the same time period in 2011. Violations included thefts from residences, theft from motor vehicles, property damage due to a crash, property damage and other various calls.

1.5 Fire Report: Chief Maloney provided July calls for service as follows: 1 medical assist, 3 gas leaks, 1 motor vehicle personal injury w/extrication; 1 cancelled en route, 2 fire alarms and 2 arking/down power lines. Fire fighter interviews were conducted last month; two individuals were selected on a probationary basis for daytime calls. The annual open house 11:00 a.m. to 3:00 p.m. and dance 8:00 p.m. to midnight will be held September 8th at the Fire Hall in Zimmerman. A Livonia resident is donating his house for burn training, received \$2,900 from the State Fire Reimbursement Fund for training and Fire Fighter I and II will be funded 100% by the State as long as the trainee completes the training and receives certification.

1.6 Road Report: There was no report this month.

At 7:15 p.m. bids for the 253rd Avenue project were opened and read aloud as follows: Helmin Construction, Inc.- \$82,138.35; Schendzielos & Son Inc. - \$114,762.17 and West Branch Construction, Inc. - \$106,768.50. All bids were accompanied by bid bonds. Hass/Hewitt unanimous to accept apparent low bid of \$82,138.35 from Helmin Construction, Inc. contingent upon validation of quantities by Bogart, Pederson & Associates, Inc. engineer on behalf of Livonia Township.

2.1 Request for second driveway: Eric Frisch was present to request second driveway to access existing accessory building with proposed location on the south side of the lot between the trees and the property line. From the existing driveway the lot slopes down. Sherper expressed concern with how close the driveway will be from the property line; stating Frisch needs to make sure the driveway is on his property. Manthei/Hewitt unanimous to approve request for second driveway at 24890 143rd Street; Oak Haven Estates Lot 6 Block 2 due to the elevation changes.

2.2 Request for second driveway: Del Overholser, property owner and Brian Humphry were present to request second driveway to access proposed accessory building. There is a large recorded drainage & utility easement located on a large portion of the property. The proposed building and driveway will not encroach into the easement. Hass/Hewitt unanimous to approve request for second driveway at 14061 266th Avenue, Woodlands Second Addn Lot 1 Block 5 to be located on the west side of the lot due to the restriction imposed by the drainage and utility easement.

2.3 Review and approve preliminary plan for 112th Street project: Terry Vander Eyk with Bogart Pederson & Assoc., Inc. provided the preliminary project plan and engineering estimate. The project will start at the intersection of 269th Avenue and County Road 39 and continue north on 112th Street to the Livonia/Baldwin Township line. Board reviewed the proposed plan, Eyk indicated there may be a couple of minor adjustments; temporary easements are able to be limited to a few parcels. Hass/Manthei unanimous to approve the preliminary plan. Hewitt/Hass unanimous to approve the engineering estimate with a 10% contingency. Jon Bogart and Board will meet with residents affected by temporary easements at 6:00 p.m. on Monday September 24, 2012.

2.4 Engineering – 277th/138th Progress; 245th Avenue second lift bituminous: There were no updates available for this meeting.

2.5 Road striping: Hass/Hewitt unanimous to authorize obtaining quotes for centerline striping with no sweeping of approximately 3.56 miles of collector roads and approximately 3/4 mile of neighborhood access roads.



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2.6 Johnson fence 253rd Avenue: Mr. Johnson contacted the Town Hall by deadline of August 27th requesting the fence be replaced vs. monetary compensation. Hass/Hewitt unanimous to expend up to \$2,000 for 550 feet of 4 strand barbed wire fence on 6 foot t posts be placed beginning at the Johnson property line; cost estimate over \$2,000 is at the discretion of Chairman Sherper with a 30 day deadline of October 1, 2012 to respond; after that time a monetary reimbursement of \$1,000.00 will be provided to Mr. Johnson.

2.7 Resolution 12-19 to transfer funds from Whispering Ridge escrow to General Fund: Moved by Hewitt, seconded by Sherper to approve Resolution 12-19 to transfer reimbursed funds from Whispering Ridge Development escrow fund 810-22106 to General Fund 100 to offset a portion of Resolution 11-15. The Town Board by roll call unanimously authorized transfer of \$1,944.39 less \$33.00 legal fees from the Whispering Ridge Development Escrow Fund 810-22106 final compensation to General Fund 100 Comprehensive Land Use planning line item to offset a portion of the original transfer. Hass, Hewitt, Manthei, Sherper-yes; Doebler absent.

2.8 Resolution 12-20 to accept roadway dedicated to the public within the plat of Whispering Ridge: Moved by Hewitt, seconded by Hass to approve Resolution 12-20 accepting as Town Roads those roadways dedicated to the public within the plat of Whispering Ridge. The Town Board by roll call unanimously accepted the roadways dedicated to the public in the plat of Whispering Ridge as Livonia Township Roads is in the interest of the health, safety and welfare of the citizens of Livonia Township. Hass, Hewitt, Manthei, Sherper-yes; Doebler absent

3. Open Forum: There were no requests for open forum.

4.1 Payment of claims and transfer of funds: 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 \$88,000.00 from savings to checking to cover claim numbers 5878-5943 check numbers 15074-15177 and Electronic Fund Transfer # 000021 August 941 withholding tax.

4.2 Supervisor Reports: Hewitt had no report. Hass suggested the next meeting of the Sherburne County Hazard Mitigation Plan group be held here; date/time not available at this time. Manthei informed the Board Deb Walters with Waste Management is retiring; she will be missed by the community. Manthei also went on the road tour hosted by the Sherburne County Soil and Water District; there were about 20 participants. The group viewed rain gardens, green houses, shore land restoration on Lake Fremont, Jon Bogart gave a presentation which included a compliment to Livonia Township for their diligence in using green products in their building projects. Manthei suggested the Board talk with the County Zoning Office regarding identifying secondary building site on lots for accessory buildings in an effort to eliminate second driveways. Sherper reported 32% of Minnesota Association of Township's income is used for their expenses; 50% is recommended. The Annual MATS District 7 Meeting will be held September 13, 2012 at the Anoka/Ramsey Campus in Cambridge beginning at 7:00 p.m.

5.1 Resolution 12-21 extending the closure of a portion of the Girl Scout Road: Moved by Hewitt, seconded by Manthei to approve Resolution No 12-21 extending the time period of the closure for the Girl Scout Road. The Town Board hereby reaffirms the Original Resolution and amends it by extending the period the described portion of the Girl Scout Road will be closed and barricaded until October 1, 2012. Roll call: Hass, Hewitt, Manthei, Sherper, yes; Doebler absent.

5.2 Arbitrage compliance/interest distribution/discussion Fund 304 2010 Certificate of Indebtedness: Ehlers & Associates has offered their arbitrage monitoring service of the refunding bond. Hewitt/Manthei unanimous to not retain Ehlers & Associates to assist in arbitrage monitoring of the refunding bond. Monitoring will be done in house. Hass/Hewitt unanimous to apportion the Managed Savings Account interest first to the Cemetery, Development Escrow and 305 Debt Service Funds proportionate to their individual fund balances and the remaining interest apportioned proportionate to the current levy between the General Fund, Road & Bridge Fund, Fire Fund and Park Fund. Board authorized drafting resolution for the September meeting to zero out the \$11,731.55 negative balance in Fund 304 to close it out; funds to be transferred from General Fund \$1,120.40 from Capital Outlay line item and remaining \$10,611.14 split between Public Safety and Comprehensive Land Use Planning line items.



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5.3 Review park dedication fee/subdivision ordinance information from Town Attorney: Information received and distributed to all Supervisors from Town Attorney with references to proposed increase to the park dedication fee for commercial lots, process required to amend Subdivision Ordinance regarding development escrow fees and a Fee Ordinance. Board discussion included development of fee ordinance, how to update it when needed, look at all the ordinances that contain fees, talked about codification of ordinances, increase of park dedication fees on commercial properties; Clerk/Treasurer will research fees of the surrounding governing entities. Hewitt acknowledged the need for a benefit to increase commercial park dedication fees. Hewitt/Sherper unanimous to authorize Town Attorney to draft a Fee Ordinance, review Subdivision Ordinance for change to 150% escrow in Development Agreements, commercial park dedication fees and make recommendation for other changes for October 2012 meeting.

5.4 Schedule workshop meeting for discussion of land use plan: Town Board will meet with County Zoning office on September 10, 2012 at 7 p.m. at the Town Hall to talk about land use planning on or near the Highway 169 corridor.

5.5 Updates: a) Hunter Lake property - The title work is done for the purchase of Lot 6 Block 6 Hunter Lake Addition and remaining paperwork is being processed at the County and State levels. b) Minnesota Workforce Labor & Industry Grant – The Township was awarded the grant and is in the process of purchasing the items allowed with work details being finished. c) Thoughts on Building Strong Towns; a book by Chuck Mahron, Jr. Board requested copies be ordered for each Supervisor and office.

Hass/Hewitt unanimous to adjourn meeting at 9:20 p.m.

Approved this 24th day of September 2012



Chairman or Vice Chairman



Clerk/Treasurer or Deputy Clerk/Treasurer