



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES DECEMBER 20, 2010

On December 20, 2010 the Livonia Board of Supervisors met in Regular Meeting at the Livonia Town Hall located at 11162 265th Avenue, Livonia Township, Sherburne County, Minnesota. Chairman Sherper called the meeting to order at 7:00 p.m. Supervisors Doebler, Hass, Hewitt, Manthei, Sherper, Clerk/Treasurer Spencer, Deputy Clerk/Treasurer Olson and Jon Bogart, Town Engineer were present. Unless otherwise stated, the meeting was recorded for transcription purposes only.

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

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

1.3 Approve Consent Agenda: Hewitt/Manthei unanimous to approve Consent Agenda as submitted: A) November 22, 2010 Regular Board Minutes; B) November 22, 2010 Public Hearing Minutes; C) IRS standard mileage rate of .51¢ per mile effective for 2011.

1.4 Mike Brubaker, Director Sherburne County History Center: Due to the weather conditions, Mr. Brubaker contacted the Town Office to be excused from tonight's meeting and be placed on the January agenda.

1.5 Sheriff's report: Sgt Novotny reported 122 total incidences in Livonia Township during the month of November. Of that number, 26 were traffic stops.

1.6 Fire Report: Chief Maloney was unable to provide November calls for service due to computer issue; will be provided at next meeting. He thanked all who participated and donated to the Toy Drive Neighbors Helping Neighbors with over 400 children receiving not only toys but winter clothing items. He also noted there were a number of generous monetary donations. He reported the Department received approximately \$90,000 in grants and donations in 2010 to cover fire fighter/hazmat training, hose and hose equipment replacement, two new AED's, etc. Manthei inquired about how firefighter training is paid and Sherper asked about hazmat training. Maloney said firefighter training is paid with grant money and all Zimmerman/Livonia firefighters have received the awareness and operations level of hazmat training as required for fire fighter 2; the technical level requires further training and more equipment. Maloney is looking into county wide disaster training for Townships..

1.7 Road Maintenance Report: No report this month.

2.1 Clerk/Treasurer request for approval of payment of claims and transfer of funds: Hewitt/Doebler unanimous to approve transfer of \$390,000 from savings to checking to cover claims. Manthei requested claim numbers 5138, 5147 and 5153 be pulled for discussion with Item 6.4. Sherper/Hass unanimous to approve claims with amendment to withhold claim numbers 5138, 5147 and 5153 for discussion as requested with Item 6.4, maintenance building updates. Hewitt/Doebler unanimous to approve payment of interest bearing bills and to transfer funds through December 31, 2010.

3.1 Supervisor reports: Hewitt had no report. Doebler reported the December Park Board meeting was cancelled; there were no pressing agenda items this month. Hass reported there is discussion at the State level regarding fire fighter retirement funding. Sherper added Minnesota Association of Townships position is that they oppose any raiding by the State of the fire account to correct budgetary problems. Manthei went throughout the Township with Maintenance Coordinator; he complimented Spencer on his excellent job he is doing with snow removal. Board discussed the Town's snowplow policy; will bring back to January meeting. Manthei met with the electrical inspector regarding electrical remedy in the maintenance building. He inquired about the mandates for sign retro reflectivity; have a policy in place. Hewitt also noted compliments; Hass noted a couple of complaints. Sherper noted dates as listed for some of the 2011 training session dates are misstated in the MATS Newspaper. He noted there are a large number of newcomers to the legislature and educating them on the purpose of Townships will be a huge undertaking.

4.1 Conditional Use Permit for auto body repair shop: Brent Palmer was present to request Town comment for a conditional use permit for an auto body repair shop in a commercial district. Palmer indicated he is intending to place a business sign on the building and at the bottom of the existing 5 x 8 sign. Stated he will be the sole employee of the business at this time; may have other employees in the future. If outside storage is needed will be in back of the building, which Palmer said is not visible from the highway. He intends to have a recycle bin for disposal of smaller scrap parts which will be hauled out as needed. Hewitt/Doebler unanimous to recommend approval of request for CUP for auto body repair shop in a commercial district contingent upon meeting all federal, state and local requirements. The Board recommends the CUP for an auto body facility be carried through to whoever may own the business in the event the business is sold provided all conditions as finally approved remain intact. The Board recognizes Mr. Palmer is not the owner of the property but is leasing space from the property owner

4.2 Engineer's report: 245th Avenue project-Jon Bogart presented the preliminary design for reconstruction of approximately 5,600 feet of roadway beginning at the intersection of 245th Avenue and County Road 19 to area where construction ended last year on 97th Street. Discussion regarding the plan followed. The design was done to make the road safer by straightening some vertical lines, minimize amount of impact on affected property owners in terms of needing to obtain easements and to minimize costs. Bogart explained the plan. Hewitt/Hass unanimous to approve proposal from ITT for borings. Hewitt/Doebler unanimous to authorize Bogart to contact Town Attorney regarding road orders and easements. Board set January 18, 2011 at 7:00 p.m. to hold the public informal meeting of project stake holders who will also be sent letters informing of the project meeting. In additional separate notice will be mailed to other surrounding residents. **2010 aerial imagery:** The County offers 2010 aerial imagery to the Townships at a cost of \$615. As demonstrated by Bogart in developing the 245th project plan, he was able to



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overlay using AutoCAD along with the 2010 imagery of the two sections involved. Hewitt/Hass unanimous to purchase the 2010 imagery of Livonia Township from Sherburne County.

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

6.1 Town comment to County Comprehensive Plan Map: After review, the Board has questions regarding how the County is looking at the Township's planning.. Before commenting, the Board would find it helpful to meet with County Zoning personnel, Chuck Marohn with CGI and Commissioner Leonard to further discuss. Will contact all stakeholders to setup a workshop meeting, after which an individual meeting with Marohn regarding next steps with current planning will be scheduled.

6.2 Township Comprehensive Land Use Plan: Doebler/Manthei unanimous to not approve the Plan at this time. Consideration will be given after the meeting with the County and Marohn.

6.3 Town representative to the Fire Board: The two year term previously held by Roger Wallin and filled in the interim by Gary Doebler is due to expire on December 31, 2010. ,Hass/Hewitt unanimous to appoint Doebler to the two year term as Town Representative on the Fire Board; Doebler accepted the appointment.

6.4 Maintenance building updates: Board talked about items remaining to be completed/resolved in the building as follows: 1) Replacement of the 2 left hand electrical closet doors with a coiling door to meet state electrical code; the coiling door must clear the top of the electrical box. The Town Board authorized replacement of the 2 doors with a coiling door per agreement with Graeme Mahler. 2) Overhead garage doors need to be hooked up; with remotes for the doors. 3) The lights automatically come on upon entering the building, but do not automatically turn off, needs to be remedied. 4) The temperature in the maintenance office is in the 80's even though the thermostat is set at 51°; this needs to be corrected to work properly. The thermostat in the fire office operates properly. 5) Door locking cylinders need to be placed in all the internal doors. 6) An assemblage of the "as built" plan and all the operating manuals. 7) Instruction on reprogramming the service door locking system. 8) Final cleaning in the building. Per the contract final pay requests were received from Alliance Building Corp., Mahler & Associates and Wells Concrete. During the request for approval of claims, Manthei asked that claim numbers 5138, 5147 and 5153 be pulled for further discussion with this item. The following action was taken: Discussion regarding claim number 5153 to Wells Concrete. Hass/Hewitt unanimous to approve claim number 5153 to Wells Concrete, the IC134 forms as required were received, check can be released. Discussion regarding claim number 5138 to Alliance Building Corporation. Hewitt/Hass unanimous to approve claim number 5138 to Alliance Building Corporation contingent upon: 1) all items as outlined in Item 6.4 have been addressed; 2) IC134 Forms have been submitted to the Township; 3) final inspection by Graeme Mahler, Architect has been received; 4) Certificate of Occupancy has been issued by Sherburne County. Installation of the door and above items to be completed by December 30, 2010. The check will not be released until the aforesaid criteria have been met. Discussion regarding claim number 5147 to Mahler & Associates Architecture. Hass/Hewitt unanimous to table approval of this claim until Mahler has made final inspection of the building and Certificate of Occupancy has been received from Sherburne County.

6.5 Budget information workshop date/time: Board received preliminary 2012 budget figures; briefly discussed. Budget workshop is set for February 1 at 7:00 p.m.

6.6 Resolution to transfer funds: Hass/Doebler unanimous by roll call to approve resolution to transfer funds from the General Capital Projects Fund 401 to 2010 FM Bldg COI Fund 304 in the amount of \$261,652.77 for pay down of the public works/fire substation building. Doebler, Hass, Hewitt, Manthei, Sherper, yes; none opposed.

6.7 Updates and other items: a) Whispering Ridge development – Board authorized Clerk/Treasurer to contact Town Attorney regarding status of the plat and assessments. b) Westwood park site, City of Zimmerman – minutes from the City Council Meeting of November 15, 2010 indicates no Township involvement in the planning or user group for the Westwood park site. c) Cemetery report-the Cemetery Board met on December 13th; Jan Wallin will chair the Board and also serve as the cemetery caretaker. Rose Olson will serve as the clerk, treasurer and actuary. Sherper and Doebler will serve as Board of Directors. The Board will meet again to finalize rules and regulations for presentation and approval by the Town Board of Supervisors; no date was set for that meeting. A Cemetery report will be given at the March Annual Meeting. d) Mailboxes-Board discussed replacement of mailboxes that have been taken down during the snowplow season. No decisions were made; policy will be looked at in May. e) Information on who to call when there is an issue with a non township road has been put on the Town's web site as follows: If there is an issue with conditions on Highway 169 contact MnDot at 1-800-657-3951; on a County Road contact Sherburne County at 763 241 7000 on a City of Zimmerman Street 763 856 4666 or on a Livonia Township road contact the Town Hall at 763 856 5640. Livonia Township does not work in, plow or sand in MnDot, County or City rights of way. Asking that you keep the numbers handy to give out if there is question regarding issues in MnDot, County or City rights of way.

Hewitt/Doebler unanimous to adjourn meeting at 10:30 pm.

Dated this 24th day of January 2011

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer