



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
JANUARY 24, 2022

Supervisors present: Hass, Hiller, Kuker, Maloney and Pool

Staff present: Clerk/Treasurer Hammre, Deputy Clerk/Treasurer Fiedler, Maintenance Coordinator Berghuis

Chairman Hass called the meeting to order at 7:00 pm.

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

1.2 Approve Regular Meeting Agenda: Kuker/Pool unanimous to approve the Regular Meeting Agenda as presented.

1.3 Approve Consent Agenda: Hiller/Maloney unanimous to approve Consent Agenda as follows: **Item A)** December 27, 2021 Regular Meeting Minutes; **Item B)** IRS Standard Mileage Rate; **Item C)** Training Sessions for the Year.

1.4 Fire Report: Supervisor Hiller provided the December calls for service in Chief Maloney's absence: 11 medical assist, 4 motor vehicle personal injury accidents, 1 carbon monoxide alarm, 5 fire alarm, 2 person in distress (lift assist), 1 grass fire, 1 commercial building fire, (Elk River), 1 residential house (Livonia).

1.5 Sheriff's Report: Sgt. Wilson provided the Sheriff's report: there were 159 calls for service in Livonia Township including the theft of a dump trailer and a gun stolen from the center console in a pickup truck, 7 motor vehicle accidents, 3 dog complaints, one of those dogs had been reported as being at large several times previously therefore a citation was issued and animal control called, 20 medical, and 35 traffic stops. The rest of the calls for service were for miscellaneous items. During the nightly patrol a suspicious vehicle was found in Livonia Cemetery. Drugs were found in the vehicle. Sgt. Wilson asked if there were any other issues or vehicles parked on the roads interfering with snow plowing. Maintenance Coordinator Berghuis indicated that there have been no additional cars parked on the roads. There were no further issues or concerns for Livonia Township.

1.6 Engineering Update: Engineer Davis was not present however he provided a map and list of roads that are on the suggested plan for repair in the next few years.

1.7 Planning Commission Report: Spencer not present, Hammre read the report as provided. At the January 16, 2022 PAC Meeting, the following were recommended for approval: Request for Interim Use Permit for a 1 MW Solar Farm – Clear Lake Township; Request for Preliminary and Final Simple Plat – Baldwin Township.

1.8 Park Committee: no report. Hiller was asked if there was any news on the property next to North Point Park. Hiller said possible financing options are being explored, but no action has been taken.

2.1 RV and Driveway Concern: Kuker explained that a constituent informed him that there is a lot in the southeast corner of the township on 96th Street that has an RV on it that is violating the Sherburne County General Development Ordinance concerning living in an RV. He asked for this item to be on the agenda for discussion so the Board can reach a consensus on what to do. This RV has been on the property since May 2021. The lot does not have a house. The Sherburne County Ordinance clearly states that an RV can only be placed on a lot for 90 days when there is no primary residence. There are two accessory buildings that have not been permitted. He asked if the Board wants to ask Sherburne County to follow up on it. Hass added that the lot does not have a driveway permit and that also has to be taken care of, he is driving through the ROW. Hass said his opinion is to have the County look into it. Kuker read the portion of the Ordinance, Subdivision 18, Section 1, Subsection B that specifically regulates RVs. Item 3. States "The Recreational Vehicle is for guests or recreational



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
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JANUARY 24, 2022

use only. It may not be occupied on any lot for more than 90 days in the calendar year". At this point one of the Zoom meeting participants made a vulgar suggestive comment followed by more comments and expletives that was heard by all participants in the meeting. After the Zoom participant was muted by staff, Kuker went on to read the portions of the Ordinance that pertained to the issue. Pool/Hiller unanimous to have Sherburne County Zoning look into this matter. Hass also directed Hammre to send the owner a letter with the driveway requirements.

2.2 IUP Yoga Studio: Karen Burnes present via Zoom. Burnes described the property and the Yoga Studio. There is an existing building that she will use for classes. There are three yoga instructors including herself, and classes would be held in the morning or evening. Parking capacity was discussed, Burnes said there is ample room for the expected clients. Discussion about the driveway included that the current driveway is on a private easement over an adjoining property. Burnes is working with the City of Zimmerman to use a different driveway access from the 113th Avenue North/5th Street West spur. Burnes said City of Zimmerman Administrator Piasecki gave a verbal ok to use the spur. Hass asked Burnes to send a copy of the email from Piasecki to Hammre. Also discussed was the ownership of the property. Burnes stated it is owned by her significant other, and he would be willing to attend the next Town Board Meeting. Hass tabled the issue until the February Town Board meeting.

2.3 East Hunter Lake Property Line Issue: The property, PID #30-402-0660, is a small parcel owned by Livonia Township for snow storage and as a future park area. The township received a complaint that the adjacent property owner has been using the township property for personal storage and has been clearing trees and vegetation. Hass stated that this is a liability issue, and the use of the township property has been ongoing. Engineer Davis provided an estimate to survey the property line and stake it so the line is clearly defined. Hass/Pool unanimous to direct Bogart, Pederson to survey the property line and mark it at a cost not to exceed \$1,500.00.

2.4 Canfield West Hunter Lake Property: Eric Canfield, PID #30-404-0116 and PID #30-404-0118, was present to ask the Board if they would consider building a driveway on the public property between his two properties to serve several cooperatively owned lot spaces on his lots. Hass asked what his goal is for the properties. Canfield said his goal is to have someone improve a road access for parking for his property, and beach access. He suggested that the driveway could also be used by the public to access the lake. Kuker asked Canfield if he is asking the Township to pay for the driveway. Canfield replied that he would like the township to contribute. Hiller stated that his previous projects were not approved because he could not meet lake setback requirements. Pool asked if he had talked to Sherburne County yet. Hass said Engineer Davis can look at it and determine if the suggested road/driveway is feasible and report what rough costs to build the driveway would be.

3.0 Open Forum

4.1 Clerk/Treasurer Report: Items of interest during the past month include: the heat pumps have been installed and are operational; we are working on the end of year accounting entries; we are beginning to compile information for the annual audit.

4.2 Approve payment of claims: Kuker/Hiller unanimous to approve payment of claims and payroll totaling \$229,803.39 as submitted from Bremer Bank, to cover check numbers 20631 through 20667, and Electronic Fund Transfers (EFT) #81-87 (January) Federal, State, PERA and SUTA withholding tax.

4.3 Supervisor Reports: Hiller – the new fire station is having some issues with the heating system, there will be a meeting with the contractor this week. Sherburne County has hired an architect for the plans for the Highway



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
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JANUARY 24, 2022

169 overpass at County Road 4. Construction is planned for 2024 if there is funding. Hiller clarified that the as of now no funds for the project will be required from Livonia Township. **Maloney** – the radios for the fire department are getting old and worn out, and he asked if the township could help to purchase new ones with ARPA funds. Hass said that Orrock and Stanford Township need to be kept in the loop for ARPA fund requests. Hiller stated that ARPA funds may not be allowed to be used for the fire department, we will need to look into it.

Pool – the guard rail on 112th Street was hit by a snowplow truck. Hammre contacted the installer, It will be cheaper to repair it if we wait until spring when the ice is out of the ground. **Kuker** – with the numerous snowfalls we have had these past two weeks, he has noticed the plow trucks have been out plowing and sanding and they have done a good job. Hass agreed and thanked Burghuis. **Hass** – we received an email from Sherburne County Assessor Moen asking if the Town Board would like her to come to our next meeting to discuss the increase in home values that will affect property taxes. Hass directed Hammre to invite Assessor Moen to our February meeting.

4.4 Road Report: Berghuis reported the road crew has been busy plowing roads. He also asked if the plow truck radios can be replaced when the fire department radios are replaced, the plow truck radios are still the old analog radios. Berghuis then explained what happened with the guard rail accident. The plow driver was plowing 112th street, going south, between 247th Ave and CR 19. A white Dodge Ram pickup truck, also heading south, passed him in the no passing zone, then cut in front of the plow truck. The plow truck driver had to swerve to the right to avoid striking the truck as it cut in front of him. The plow wing hit the guard rail causing damage to the wing blade assembly and to the guard rail. The wing will have to be replaced and the guard rail repaired. The driver of the Dodge Ram did not stop. The Sheburne County Sheriff's Department responded to the accident and a report was filed.

(The following two items taken out of order)

5.2 Snowplow Policy: Berghuis suggested updating the Snowplow Policy with the following changes: Item 1 - add "Road Maintenance Coordinator"; Item 4 - change the amount of snow to be plowed from 3" to up to 1" on collector roads, 1" for all roads, and 3" for cul-de-sacs; Item 5b – add not responsible for repair and replacement of items in the ROW and reimbursement up to \$50 for damaged mailboxes. This addition reflects policies already in place. Item 5 d) - add not responsible for damage or spillage of any trash waste receptacles that are on the road right of way. Item 7- add "Road Maintenance Coordinator" to authorize use statement. There were also several grammatical corrections. Hass/Hiller unanimous to accept the Snowplow Policy changes as presented.

5.3 Gravel Road Maintenance: Berghuis asked about gravel road grading now that we don't have a grader. He said the contractor that graded for us last year will charge \$800 to do all of township's gravel roads each time. Berghuis was directed to get additional contractor quotes. Hiller suggested that the township should use a contractor this year while equipment prices are very high, and then consider purchasing another grader next year. Some discussion about equipment repair costs per vehicle vs. hours of operation.

5.1 SCAT Meeting April 13 – Livonia Meal: Livonia is responsible for the meal at the April Meeting. Hass asked Hammre to remind them before the meeting.

5.4 Election Resolution 22-01: Resolution Appointing the 2022 Absentee Ballot Board presented and passed by unanimous roll call vote.



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
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JANUARY 24, 2022

5.5 Appreciation Letter to Elk River Landfill: Letter presented for approval to send to Elk River Landfill expressing appreciation for working with the township concerning ditch clean up. Hass/Pool unanimous to approve.

5.6 Appoint Election Judges: Hass/Pool unanimous to appoint any election judge who has a current Election Judge Certificate of Training to serve as an Election Judge at the March 8, 2022 Town Election.

5.7 Board of Audit Information: the Board was asked to fill out the Board of Audit items to audit selection form in preparation to the Board of Audit and Budget Meeting scheduled for February 7th.

5.8 Pay Equity Report: the Pay Equity Report was provided for approval to submit. Hass/Hiller unanimous to approve the submission of the Pay Equity Report.

5.9 Newsletter: the spring newsletter was provided for review and suggested additions or changes. No suggestions or changes suggested

5.10 Clean Up Day: Hammre provided an update, two vendors are secured, and the third has been contacted and will contact us when they begin scheduling.

Hiller shared that Constant Contact is being set up and there will be a landing page on the township website.

Kuker/Hiller unanimous to adjourn the meeting at 8:37 pm.

Approved this 28th day of February 2022.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer