

LIVONIA TOWNSHIP ANNUAL MEETING
MARCH 9, 2010

The 2010 Livonia Township Annual Meeting was held on Tuesday, March 9, 2010 at the Livonia Town Hall located at 11162 265th Avenue, Livonia Township, Sherburne County, State of Minnesota. The meeting was recorded for transcription purposes only.

Clerk/Treasurer Lila Spencer called the meeting to order at 8:01 p.m. The assembly recited the Pledge of Allegiance.

Clerk/Treasurer called for nominations to elect a moderator to conduct the meeting. In keeping with procedure, Clerk/Treasurer asked for nominations three times. Motion by Butch Hass to nominate John Olson to serve as moderator; there were no other nominations; second by Dave Hewitt; motion carried. Motion by Roger Wallin second by Dave Hewitt to cease nominations; motion carried. Motion by Butch Hass to install John Olson as moderator; second by Roger Wallin. Motion carried.

Olson called for motion to approve the 2010 Annual Meeting Agenda. Motion by Dave Hewitt, second by Gary Doebler to approve 2010 Annual Meeting Agenda; motion carried

Olson called for motion to dispense with reading of the 2009 Annual Meeting Minutes. Motion by Roger Wallin, second by Butch Hass to dispense with reading of the 2009 Annual Meeting Minutes, motion carried.

Olson called for motion to approve the 2009 Annual Meeting Minutes as submitted. Motion by Dave Hewitt, second by Butch Hass to approve the 2009 Annual Meeting Minutes; motion carried

Clerk/Treasurer presented the 2009 Board of Audit and Financial Report as follows: The Annual Board of Audit was conducted on February 4, 2010. The Board of Supervisors each selected a minimum of three checks and receipts to be audited for the year ending December 31, 2009. During the Board of Audit each Supervisor examined the invoices and claims for payment, verified the checks written to vendors were for the specific claim. They were verified against the banking records. Each Supervisor examined the receipts and confirmed the receipt was written for the exact dollar amount of the check, transfer or electronic fund transfer. They were compared to deposit stated on the banking statements. The Supervisors confirmed funds received and disbursed were in accordance with their findings. Balances in accounts at the First National Bank of Elk River as of December 31, 2009 are as follows: General Checking - \$109,837.19; Managed Savings - \$1,044,808.26; 13 month Landfill CD #41820 - \$60,000.00; 25 month Landfill CD #45337 \$40,000.00. Olson asked for motion to approve the Board of Audit and Financial Report. Motion by Gary Doebler, second by Harold Gramstad to approve the Board of Audit and Financial Report, there were no questions; motion carried.

Supervisor Roger Wallin presented the 2009 Road report as follows: The Township purchased 551 tons salt/sand - \$23,289; 640 tons recycled concrete - \$6,621, 31 tons hot asphalt repair material - \$1,599 and 3 tons cold patch material - \$467. Road projects completed: second lift of bituminous on 96th Street from 253rd Avenue south to 247th Avenue - \$61,231; reconstruction of 120th Street Phase I - \$73, 127; reclamation and overlay in developments of Pinto Hills and Barthel Acres - \$172,498; 11 miles crack repair - \$36,400; 2.5 miles of chip seal - \$48,900; tractor rent from Scharbers for brushing - \$2,085; weed control/ditch mowing - \$2,725; equipment maintenance - \$11,039. The Board authorized purchase of a 2001 Mack plow truck for \$59,000. The 1987 Ford Plow Truck was sold at auction for \$12,500. In 2009 the Township received \$17,841 gravel tax generated from the Tiller, Toth, Plaisted and Miller Gravel Pits; \$28,753 paid by the County which is generated from State of Minnesota for road allotment and \$14,167 in Landfill Host Fees from Waste Management for demolition and construction debris. Wallin asked if anyone had questions. Nels Anderson stated he lives on a County road, asked why the Township does not start snowplowing until three inches of snow has fallen, would make more sense to remove it sooner so it does not pack down. Wallin responded by saying we try to get at it as soon as we can but can't get to all the areas at the same time, did work to remove it, the season started out with ice. Olson asked for a motion to approve the 2009 Road Report as presented by Supervisor Wallin. Motion by Harold Gramstad, second by Dave Hewitt to approve 2009 Road report as presented; motion carried.

Supervisor Gary Doebler presented the Park report. The Park Board consists of six members; Dave Hewitt, Jody Hammre, Jan Wallin, Sandy Brummer, Ron Larson and Gary Doebler; Doebler is Park Board Chair. Livonia Township has defined parks as a preserve with natural significance vs. the tot-type park that is found in many cities. Park land is acquired from willing land owners only. As an example, a property owner in the Township has indicated they would like

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to see the remainder of the land be preserved for a low impact park. The Township looks at the ability to obtain land for parks and takes advantage of matching grants to minimize acquisition costs. To accomplish our goals we want to work with the School District, City and County to avoid duplication of plans and to plan for trail connections to all the parks. The Sugarbush Preserve Park located in the southwest part of Township is now open, a dedication ceremony was held last fall. Matching grants paid for 50% of the park. A very large donation was received from Waste Management; other donations were received from various corporations as well as private individuals. The trail has a six-foot wide gravel loop and a three-foot wide dirt loop, the inner gravel loop is 3000 feet in length while the outer loop is 3500 feet long for a total of 1.25 miles. The DNR has defined the Park as having a significant rare forest area. Several years ago, the Township recognized the need for additional playing fields; as a result, a ball field is slated to be built on the future high school property. Language has been written into the current Annexation Agreement with the City of Zimmerman to allow for a one-time payment in lieu of park dedication fees that Township would have collected if those properties had not been annexed into the Agreement area. Those funds will be applied to the cost of the playing field. A Joint Powers Agreement between the City of Zimmerman, ISD 728 and Livonia Township regarding operation of the fields is being reviewed by the City and Township attorneys. As part of the reconstruction plan for 120th Street on the west side of Lake Fremont a six-foot walking path is being allowed for. The trail will link the minimum maintenance road on the north with the Grams Park on the south. As soon as the Township Comprehensive Plan is completed, the Township Park and Trial Plan will be revised to reflect slowing of current growth conditions and how to deal with reduced revenues. Doebler asked for questions. Scott Tretbar asked who would determine how the playing fields are scheduled. Doebler said those concerns are being addressed in the Joint Powers Agreement. Tretbar suggested when the field is being built close attention should be paid to product used and how the fields are constructed. Doebler said currently there no plans for the fields and does not look for them to be built this year. Karen Pensinger asked if there was language in the Joint Powers Agreement regarding the length of the Agreement. Doebler said that issue is being reviewed and considered by the entities involved. Doebler reiterated the Township is not actively looking for land to create more parks and is aware that not everyone agrees with parks. As part of the process in developing a comprehensive plan for the Township, the Community Group is looking at what the Township might look like in the future. In an effort to preserve open space the Township looks at opportunities for acquisition of properties from willing owners. Olson asked for motion to approve the 2009 Park Report as presented. Motion by Dave Hewitt, second by Butch Hass to approve the 2009 Park Report as presented, no discussion. Motion carried.

Supervisor Butch Hass presented the 2009 fire report. He referred to the Fire District budget, which consists of wages & salaries, training & subscriptions, supplies & repairs, utilities, gas & oil, relief association, building leases, equipment – trucks and gear, insurance and auditing, accounting & legal expenses. The building lease cost may fluctuate next year due to the substation that is being built. There were 190 fire calls last year resulting in a 1.3 million dollar loss, which is down from the previous year. Fire costs are broken out between the City of Zimmerman and the Townships who participate in the District. Ryan Maloney, District Fire Chief, actively pursues grant opportunities from FEMA, DNR, Center Point Energy, the Eddy Foundation and others. Grant monies are used for fire fighter training, education and equipment. Hass asked if anyone had questions. Harold Gramstad asked if the fire substation would be located in the area of the County Public Safety building in Zimmerman. Hass said the building is a combination Township Maintenance Building and Fire Substation to be located on the Town Hall site on the west side of the parking lot, he referred to the drawing of the building. It will be funded in part by the County Legacy Grant for use of recycled product. Bob Lundgren said it costs more to use green product and, questioned whether the Board is looking at the cost of using green vs. use of non-green product. Hass replied the Township is working with an Architect, is aware of green material costs and will evaluate products proposed to be used to make sure it is cost effective. Scott Tretbar asked if two fire trucks will be located here and if new equipment will be purchased. Hass replied; no new fire equipment is being purchased for the building located here. A pumper and tanker that will be housed at this station is coming from the City station as well as will turn out gear, no additional personnel will be hired. The firefighters who live on the east side of Highway 169 will have the ability to respond to situations on the east side of the Highway faster. Karen Pensinger asked if the building is still part of the Zimmerman/Livonia Fire District. Hass said it is and is shared with Township Maintenance. Olson asked

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for further discussion, there being none asked for a motion to approve the 2009 Fire Report as presented by Butch Hass. Motion by Roger Wallin, second by Harold Gramstad to approve the 2009 Fire Report. Motion carried.

Supervisor Don Sherper who serves on the Intergovernmental Committee was unable to attend. He prepared a written report for presentation at the meeting and requested the Clerk/Treasurer read it at the meeting. Sherper received information from Randy Anderson, Elk River School District. The Elk River School District is the eighth largest district in Minnesota. At the State level, a bill regarding school funding is being considered. The bill is House File 2728 sponsored by Representatives Abeler, Peppin, and Kiffmeyer and companion bill Senate File 2331 sponsored by Senators Fobbe, Koch, Limmer and Junbauer. The Legislative committee is receptive to this proposal, which would provide some funding for the District. As part of the orderly annexation agreement with the City of Zimmerman the City Attorney is reviewing a Joint Powers Agreement (JPA) between the City, School District and the Township for playing fields on the newly purchased school site. The School is questioning language regarding the length of the term in the agreement. The City of Zimmerman, as part of the annexation agreement is paying the Township for lost park dedication fee revenues; those funds will be used to pay field costs. The JPA has to be finalized and signed by all parties before the fields can be started. News from around the County: last year Orrock Township voted to a five-person Town Board. As a result two additional supervisors will be elected this year. Baldwin Township is discussing and planning their future including a comprehensive plan paid partially with a grant from the Initiative Foundation. Jeff Hold, Chair of Baldwin Township is also Chair of the Sherburne County Officers Association. An interesting tidbit includes Townships in order of having the most population to the least in the State of Minnesota: 1. White Bear Lake in Ramsey County; 2. Big Lake in Sherburne County; 3. Baldwin Township in Sherburne County; 4. Livonia Township in Sherburne County; 5. Linwood Township in Anoka County and 10. Becker Township in Sherburne County. Minnesota Association of Township Legislative issues: 1. a bill was signed by the Governor that allows towns to switch back to March elections if they had previously moved their elections to November. It also authorizes an option for six-year terms of office for November Town election to prevent a majority turnover at one election. 2. A bill supported by the DNR and may be included in the omnibus bill to provide for a beaver damage control program. 3. The Office of Legislative Auditor completed a study of Payment In Lieu of Taxes (PILT). The PILT is reimbursement in lieu of taxes to local governments for State land. Currently the payment is 75 cents per acre and not considered adequate. 4. Regarding annexations, the Coalition of Greater Minnesota Cities (CGMC) is proposing restrictions on reimbursements from cities to towns in orderly annexations. The position of Minnesota Association of Township's (MAT's) is there should be no restriction as both sides mutually agree on compensation and neither side has to accept an offer. Compromise options include: a) capping reimbursements for lost taxes at 25 years; b) use multiplier of tax rate times fixed number of years, as an example two times the tax rate for 12 years; c) disagreement over reimbursement decided by an Administrative Law Judge and d) combination of some of the options. It is doubtful that any annexation bill will get a hearing because of first reading deadlines. The State budget deficit is another issue legislators are concerned with as well. Olson asked for discussion; there being none, he asked for a motion to approve the 2009 Intergovernmental Report as provided by Supervisor Sherper read by Clerk/Treasurer Spencer. Motion by Dave Hewitt, second by Butch Hass to approve 2009 Intergovernmental Report. Motion carried.

Supervisors Dave Hewitt presented he proposed 2011 property tax levy as follows:

General Fund	\$ 175,779.00
Road and Bridge Fund	701,081.00
Fire Fund	167,462.00
Parks and Recreation Fund	18,992.00
Cemetery Fund	1,161.00
Building General Obligation	85,000.00
TOTAL	\$1,149,475.00

The General Fund consists of wages/salaries, legal services, elections, planning-zoning, building maintenance, public safety, animal control, etc. The Township has a Capital Improvement Plan, which consists of an inventory and condition of roads. The Plan allows the Board to look ahead in a proactive way for maintenance of the Town roads to prolong the life of our roads. There are 75 miles of road in the Township. In the fall, the Supervisors do a road tour to determine road conditions. A report is presented, the Engineer provides a cost estimate, the budget model is set up and

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construction projects are projected out for a five-year period. A pavement life cycle has been set up which allows for periodic crack repair followed by chip seal, reconstruction or overlay. Planned projects for 2011 include second lift of bituminous on 1/3 mile of 96th Street between 237th and 249th Avenues; second lift of bituminous (.75 mile) on 120th Street east side of Lake Fremont, reclamation/overlay (1.1 mile) of 245th Ave between 104th and 96th Streets, 3-4 miles crack repair, 3.5 miles chip seal, roadside mowing, tree brushing and road striping and any emergency repairs. The Board is trying to hold levy down; cost associated with road improvement and maintenance is increasing. It is important to keep the roads maintained to prevent huge future increases. Hewitt provided levy comparisons between 2010 certified and 2011. The Park & Recreation Fund increased slightly while the Fire Fund decreased slightly. The Building Fund levy was based on estimates and projections after several meetings with the architect. Bob Lundgren asked why the Park & Recreation Fund went up 90%. Board allowed for possible purchase of a piece of property that Doebler talked about earlier, landfill host fees from Waste Management for the construction debris site have decreased as well as *decrease in development and park dedication fees. There were no further questions.*

Olson asked for other business from the floor. Jan Wallin asked if they (the Electors) would have an opportunity to vote on the gopher bounty as they do every year. Clerk/Treasurer responded. At the February 22nd Town Board Meeting the Supervisors passed a resolution increasing pocket gopher bounty to \$2.00 per pair of pocket gopher feet. Olson asked if there was any other business. Motion by Dave Hewitt to disallow charitable contributions for the 2011 levy year. Olson asked for discussion, there being none, second by Butch Hass; motion carried. Butch Hass clarified the reason the Town Board increased the gopher bounty was because surrounding townships also increased gopher bounty to \$2.00. Nels Anderson asked how the Township taxes would be affected by the change to the Green Acre Tax; he was directed to contact the County Assessor's Office. He also asked how the Township will be affected by the Elk River Landfill closing; was directed to contact the County Zoning Office. The portion of the landfill in Livonia Township is for construction debris; municipal solid waste is taken to the part of the landfill located in Elk River. Olson asked if there was any other business from the floor; there being none, he asked for a motion to approve the 2011 proposed levy. Motion by Hewitt, second by Doebler to approve 2011 proposed levy; Motion carried, with one nay.

Olson asked for a motion to set date, time and place for the 2011 Annual Election and Annual Meeting. Motioned by Butch Hass second by Roger Wallin to set the second Tuesday in March 2011 for the Annual Election and Annual Meeting to be held at the Livonia Town Hall. Election polls open at 10:00 a.m. and close at 8:00 p.m., Annual Meeting commences at 8:01 p.m. Motion carried.

Election Judges Patty Buswell and Jody Hammre announced unofficial election results

Supervisor A: Matt Diederich 4 votes, Chris Ecklund 37 votes; Rick Lestina 4 votes; Roger Wallin 128 votes and 2 write-in votes.

Supervisor D: Thomas Butz 45 votes; Gary Doebler 113 votes; Peter Andrew Hiltner 15 votes; 0 write in votes

Olson announced the Board of Canvass consisting of the Township Supervisors will convene after this Meeting to certify the results of the 2010 election.

Announcements: Township Cleanup Day is Saturday April 24, 2010 from 8:00 a.m. to 12:00 noon. More information will be provided in the Livonia Newsletter and the Elk River Star News as cleanup day nears.

Olson called for a motion to adjourn or continue the Annual Meeting to a specified date, time and place for the purpose of certifying the levy to the County Auditor prior to the September 2010 deadline. Motion by Jan Wallin, second by Dave Hewitt to continue the 2010 Annual Meeting to August 23, 2010 6:00 p.m. at the Livonia Town Hall for the purpose of certifying the 2011 levy. Motion carried. Meeting was recessed.

LIVONIA TOWNSHIP ANNUAL MEETING CONTINUED
AUGUST 23, 2010

The continuation of the 2010 Livonia Township Annual Meeting was held on Monday, August 23, 2010 at the Livonia Town Hall located at 11162 265th Avenue, Livonia Township, Sherburne County, State of Minnesota. The meeting was recorded for transcription purposes only.

Clerk/Treasurer Lila Spencer called the meeting to order at 6:00 p.m.

Clerk/Treasurer called for nominations to elect a moderator to conduct the meeting. Motion by Dave Hewitt to nominate Jody Hammre; there were no other nominations, motion was seconded by Don Sherper. Motion carried unanimously. Motion by Butch Hass to install Jody Hammre to serve as moderator was seconded by Don Sherper. Motion carried unanimously.

Hammre stated the purpose of the continuation of the 2010 Annual Meeting was to certify the 2011 levy and adjourn the 2010 Annual Town Meeting.

Hammre called for a motion to certify the 2011 levy at \$1,149,475 as approved by the Electors at the March 9, 2010 Annual Meeting. A motion was made by Dave Hewitt to certify the 2011 levy at \$1,149,475. There was no discussion. Don Sherper seconded the motion. Motion carried unanimously.

Hammre called for a motion to adjourn the 2010 Annual Meeting. Motion by Don Sherper, seconded by Dave Hewitt to adjourn the 2010 Annual Meeting at 6:10 p.m. Motion carried unanimously.



Lila Spencer, Clerk/Treasurer