

LIVONIA TOWNSHIP
REGULAR BOARD MEETING MINUTES
JANUARY 25, 2010

On Monday January 25, 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. Those present: Supervisors Doebler, Hewitt, Sherper, Wallin; Clerk/Treasurer Spencer, and Jon Bogart, Town Engineer; Supervisor Hass absent. Unless stated, the meeting was recorded for transcription purposes only.

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

1.2 Approve proposed Regular Meeting Agenda: Sherper asked for approval of the Regular Agenda. Hewitt/Doebler unanimous to approve Regular Agenda with addition of Items 3.2 2009 audit; Item 202 claim from District 728 Community Education and Item 5.6 consideration for potential ordinance amendment.

Item 1.3 Approve Consent Agenda: Doebler asked that Item 6.2 in the December 28, 2009 Meeting minutes be amended to strike "and connection to the Sugarbush Park". Sherper/Hewitt unanimous to approve Consent Agenda as amended: Item A – Approve December 23, 2009 Special Meeting Minutes; Item B - Approve December 28, 2009 Regular Board Minutes with amendment to Item 6.2; Item C– Approve January 11, 2010 Special Meeting Minutes; Item D-Approve election judges to serve at the March 9, 2010 Annual Town Election; Item E – Approve 2010 mileage rate of .50¢ as allowed by IRS

1.4 Sheriff's Report: Sgt Novotny reported Dec was slower than usual with 134 incidents and 17 traffic citations. January activity has increased.

1.5 Fire Report: Chief Maloney reported on December calls for service, received \$4,000 training grant for new firefighters to get them through Firefighter I, finished all the FEMA, driver, arson investigation and Firefighter II training, working on a CAD system with Sherburne County for the fire vehicles and working with an arson investigation team for investigation of fires. In 2009 received 190 calls for service vs. 165 in 2008, fire loss of 1.3 million dollars in this fire district in 2009 which is down from 2008.

1.6 Road Maintenance Report: Maintenance Coordinator commended the snow plow drivers for their dedication to plowing snow during the holidays and the past ice storm over the weekend. Reported on condition of plow trucks, cut tree on 112th Street near Whitney Craig cemetery that was ready to fall onto the road, the Livonia Cemetery was plowed, placed 40 MPH speed signs on temporary posts, permanent posts will be placed during summer. The Board agreed a letter should be sent to the plow drivers expressing the Board's appreciation, recognizing their efforts.

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

3.1 Clerk/Treasurer report of account balances/review & approve payment of claims and transfers: Balances as of December 31, 2009 First National Bank of Elk River Zimmerman Branch, bank statement and Banyon reconciliation were reviewed, signed and dated by Supervisor Hewitt. 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. Pledged securities in the amount of \$1,230,556.93 as of December 30, 2009, are on file in the Town Hall Office. Hewitt/Doebler unanimous to approve Treasurers report, payment of claims including payroll, payment of utility and interest bearing bills received after claim deadline, if any, and to transfer \$35,500.00 from Managed Savings account to Checking account to cover claim numbers 4636-4661 and check numbers 13484-13526

3.2 2009 Audit: Schlenner Wenner & Co, audit Township financials sent a letter to each Supervisor explaining the audit process, their responsibility under the generally accept auditing standards, etc. They are scheduled to arrive at the Township the first part of March.

3.3 Claim from District 728 Community Recreation: Claim for January – August 2009 was received in the amount of \$12,000 for programming. The joint powers agreement was dissolved effective May 12, 2009. Hewitt/Doebler unanimous to authorize payment of claim in February stating payment of the claim ends any further obligation for community recreation programs effective May 12, 2009 and forward.

LIVONIA TOWNSHIP
REGULAR BOARD MEETING MINUTES
JANUARY 25, 2010

3.4 Resolution to transfer funds from fund 210 to fund 401: Sherper/Doebler unanimous to approve resolution to transfer funds from Road and Bridge Fund 210 to General Capital Projects Fund 401. Doebler, Hass, Hewitt, Sherper Wallin, yes; none opposed.

4.1 Supervisor reports: Hewitt and Wallin had no reports. Doebler reported on future connection between the Great Northern Rail Trail and Sugarbush, an Eagle Scout candidate has expressed interest in volunteering time in the Sugarbush Park. Connexus Energy was contacted regarding placement of a light at the Trail entrance, should be kept as far west as possible so as not to encroach on neighboring properties. Sherper talked about legislative changes to dog ordinances which speaks to allowing those who have been determined to have a dangerous dog the right to a hearing. Livonia Township's animal control ordinance falls within the limits of M.S. 347.541.

5.1 Review cell tower lease/public meeting date: In December Steve Stulz with Sprint PCS Wireless approached the Board to ask for consideration to locate a cell tower on the town property. Upon further investigation, it was found the placement of cell tower in the general rural platted area having 24 or more residents within ¼ mile is prohibited by County Zoning Ordinance 16.5. Hewitt/Wallin unanimous to remove the Township site as a possible location for a cell tower based on County Zoning Ordinance 16.5.

5.2 Engineering updates: Bogart had no further information to offer on Phase I Lake Fremont shoreline restoration. He is working on the 96th Street Project.

5.3 Updates to and approval of Phase II 120th Street/269th Avenue reconstruction plan. Bogart made minor changes to the plan and provided schedule of preliminary costs. There will be an excess of 2100 yards of material that could be used on the minimum maintenance road or the proposed building site. A meeting with residents is scheduled for February 8th beginning at 7:00 p.m. notices via certified mail will be sent to affected residents. Bogart will process paper work necessary to obtain wetland permits and let bids for opening March meeting. Sherper/Doebler unanimous to approve 120th Street plan, meeting notices and plan fee of \$75 for paper plan and \$10 for electronic pdf plan. Sherper/Hewitt unanimous to authorize Bogart to contact architect with regards to the excess materials.

5.4 Authorize Town Engineer to let bids for final lift of bituminous in Barthel Acres/Pinto Hills: Bogart provided estimate of costs. Hewitt/Doebler unanimous to authorize Bogart to obtain quote for project; engineer estimate is under \$100,000. Project to be awarded at the February meeting.

5.5 Discuss establishment of a digital documentation policy: Supervisor Hewitt suggested a policy be put in place that would speak to documenting projects with digital imagery before the start of and after a project has been completed. Board agreed; will work on for future meeting.

5.6 Consideration for potential ordinance amendment: The County Zoning office was approached by Livonia citizen who is proposing to locate a collection site for leaves and grass in Livonia Township. This would be a new permitted use and require amendment of the County ordinances. The County asked for Town input whether this use may be a possibility. Discussion followed, the Board concluded an amendment would not be necessary, they do not favor a business of this type in the Township, there is a County public compost site in Zimmerman that accepts leaves, grass, etc.

6.1 Approve resolution for reimbursement: Sherper/Hewitt unanimous by roll call to approve Resolution 10-01 declaring the official intent of the Town of Livonia to reimburse certain expenditures from the proceeds of bonds to be issued by the Town. Doebler, Hewitt, Sherper, Wallin yes, none opposed, Hass absent.

6.2 Request for consideration to join the Regional Park and Trail Board: Information was received regarding a group of citizens and elected officials from the Townships of Baldwin, Greenbush, Princeton and Wyanett and the City of Princeton who are working together to form a Regional Park and Trail Board. They extended the invitation to Livonia Township and City of Zimmerman. The purpose of the group is for the enhanced coordination of the regional trail that is being planned from Elk River to the Princeton area. Doebler/Hewitt unanimous for Livonia Township to become part of the Rum River Recreation and Resources Board.

LIVONIA TOWNSHIP
REGULAR BOARD MEETING MINUTES
JANUARY 25, 2010

6.3 Review/approve revised Facility Use Joint Powers Agreement: Board reviewed changes to the agreement as suggested by Town Attorney for use of the proposed playing field. Clerk/Treasurer will revise to include Board amendments and forward to Town Attorney.

6.4 Approve cleanup day vendors/fee schedule: Wallin/Hewitt unanimous to approve Allied Waste, First State Tire and JR's Advanced Recyclers as vendors for cleanup day with rates same as last year except for scrap metal and batteries which will not have a charge this year. Detailed information will be published in the April Town newsletter and in the Star News closer to April 24th.

6.5 Approve pay equity implementation report: As required by Minnesota Management & Budget the Township is required to comply with the 1984 Local Government Pay Equity Act; M.S. 471.991-4741.999 and Minnesota Rules Chapter 3920. Hewitt/Doebler unanimous to approve the pay implementation report as submitted.

6.6 Set time/date for 2011 budget meeting and board of audit: Board will hold a workshop meeting on Thursday February 4th at 6:30 p.m. for the purpose of preparing the 2011 budget followed by a special meeting for the purpose of conducting the annual board of audit.

6.7 Discuss/approve compensation for moderating the annual meeting. The Board discussed and decided to take no action regarding compensation for monitoring the annual meeting.

6.8 Other and Updates: Newsletter, violation issues, legislative update to animal control ordinance, Whispering Ridge: Board made suggestions for amends to the newsletter. Certified letter to Perl Sod Farm was returned; no further information regarding the Donovan property. Sherper talked earlier about legislative changes to the animal control ordinance. A list of items remaining to be done in the Whispering Ridge development was forwarded to the Faegre & Benson attorneys for Lakeland Construction. An email was received from Tom Dumont, MnDot District 3, informing MnDot secured funding to install several miles of median cable guardrail on Highway 169 south of County Road 74. Installation will begin later in the summer. A free water testing clinic for nitrates will be held on Thursday March 25th from 11 a.m. to 6:30 p.m. at the Sherburne County Public Safety Building in Zimmerman. Call 763 241 1170 ext 3 for more information. Sherburne History Center announced Kurt Kragness; Executive Director is resigning his position from the History Center. Estimate of \$2300-\$2900 were received for repair to the geothermal system. Baldwin Township passed a resolution increasing gopher bounty to \$2.00 per pair. Board asked Clerk/Treasurer to prepare a resolution for February meeting for consideration to increase gopher bounty to \$2.00 per pair.

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

Dated this 22nd day of February 2010



Chairman or Vice Chairman



Clerk/Treasurer or Deputy Clerk/Treasurer