



PUBLIC HEARING
 VACATION OF A PORTION OF THE DRAINAGE EASEMENTS IN
 PLAT OF WHISPERING RIDGE ON
 LOT 1 BLOCK 9
 LIVONIA TOWNSHIP, MINNESOTA
 JULY 2, 2012

Don Sherper, Chairman of the Town Board, called the Public Hearing Meeting to order at 7:00 p.m. on July 2, 2012

Supervisors present: Butch Hass, Dave Hewitt, Doug Manthei and Don Sherper; Supervisor Gary Doebler absent

Staff present: Lila Spencer, Clerk/Treasurer

Jon Bogart, PE with Bogart Pederson & Assoc., Inc. was present on behalf of the Township.

Chairman Sherper stated the purpose of the Public Hearing is for the Town Board to receive public input and take action on the vacation of a portion of the drainage easement on Lot 1 Block 9 in the plat of Whispering Ridge, Livonia Township, and Sherburne County, Minnesota. The Hearing is recorded for the official record. Discussions will be limited to the stated purpose of the hearing. Anyone wishing to comment or ask questions will be allowed to do so. No speaker will be permitted to speak more than twice except to answer a question from the Board. Each speaker will be limited to a total of 3 minutes. No interruptions are permitted. Each person wishing to speak is asked to step up to the Board in order to have their comments properly understood and recorded for the official record. All comments must be directed to the chair. Each speaker must state his or her name, address and the group he or she represents, if any, before speaking. The Board may ask questions of the speakers.

Sherper opened the Public Hearing at 7:03 p.m. He asked if anyone in attendance would like to make comment.

Joe Glenn, 14375 244th Avenue NW, Zimmerman, Mn 55398 stated he is here in support of the partial vacation of the easements to allow for installation of the pool. We have done a perk test and various things which show the soil is suitable for what we are trying to do. Nothing that we plan to do appears that it will affect any neighboring land owners. This looks like a viable project. Basically as it was laid out we had a yard we could do nothing with, it comes up to the back of our house we are merely trying to use part of it so we can tuck the pool in the back yard and still allow for proper drainage.

Sherper again asked for comment from the public; there was none.

Sherper closed the Public Hearing at 7:06 p.m.

Board discussion followed: Sherper noted the County is requiring wetland delineation. Who the Glenn's choose to do the delineation is up to the Glenn's; however that person is required to be licensed to do the delineation. They may also choose to have Bill Bronder with SWCD. If they choose someone other than Bronder, the Township will require Bronder review the report on behalf of the Township and provide recommendation to the Township as to whether or not there is an affected wetland.

Sherper asked for a recess to July 23, 2012 to 6:30 p.m. to allow for time to have the delineation done. Moved by Hewitt to recess to July 23, 2012 at 6:30 p.m., seconded by Manthei with discussion. Manthei commented that the delineation is simple can be done and approved before July 23rd so the Glenn's do not have to wait. Sherper called for vote: Hass, Hewitt, Manthei Sherper, no; motion failed. Moved by Manthei, seconded by Hewitt to approve Resolution No. 12-18 approving the vacation of a portion of the drainage easements on Lot 1 Block 9 in the plat of Whispering Ridge, Livonia Township, Sherburne County, Minnesota contingent upon receiving a favorable report on status of wetland, if any, on Lot 1 Block 9 Whispering Ridge from Bill Bronder, Sherburne County Soil and Water Conservation District. Roll call: Hass, Hewitt, Manthei, Sherper yes, Doebler absent, none opposed. Motion carried.

Hewitt/Hass unanimous to close Public Hearing Meeting at 7:25 p.m.

Don Sherper
 Chairman or Vice Chairman

Lila Spencer
 Clerk/Treasurer or Deputy Clerk/Treasurer