



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES  
HELD AT THE LIVONIA TOWNSHIP HALL  
JANUARY 23, 2012

Supervisors Present: Doebler, Hass, Hewitt, Manthei and Sherper.

Staff Present: Clerk/Treasurer Spencer and Deputy Clerk/Treasurer Olson

Jon Bogart, P.E. was present on behalf of the Township

Chairman Sherper called the Meeting to order at 7:00 p.m.

The assembly recited the Pledge of Allegiance.

**1.2 Approve Regular Meeting Agenda:** Manthei/Doebler unanimous to approve Regular Meeting Agenda submitted.

**1.3 Approve Consent Agenda:** Hewitt/Doebler unanimous to approve the Consent agenda as submitted: Item A) December 19, 2011 Regular Board Minutes

**1.4 Sheriff's Report:** There was no report this month.

**1.5 Fire Report:** Chief Maloney provided December calls for service as follows: 3 medical assists, 2 cancelled en route, 2 fire alarm, 2 grass fire, 1 haz mat spill, 1 water/ice rescue, 1 vehicle fire and 1 residential house fire. Maloney presented the Township with a check from the Zimmerman/Livonia Fire Department Relief Association Gambling Board for \$1,300 for the purchase of a defibrillator. Doebler/Hass unanimous to accept the donation from the Zimmerman/Livonia Fire Department Relief Association Gambling Board. On behalf of Livonia Township Sherper expressed appreciation for the donation.

**1.6 Road report:** Coordinator Spencer reported repairs to the roof on the cold storage, small shop and hall buildings were done. He commented the lack of snow compared to other years. Supervisor Doebler reported on a tree top that is down in the Sugarbush Park; Doebler will remove it.

**2.1 Request for Board input to locate business on Highway 169:** Hass/Hewitt unanimous to table request; will bring back at end of meeting.

**2.2 IUP request to mine black dirt:** At 7:20 Manthei stepped down from Board due to potential for conflict of interest. Karl Bekius and Merlin Valerius were present to request to dig ponds and remove the excavated black dirt for resale; excavating 10,000 CYs or more on property located in section 28 of Livonia Township. The scope of the plan is to excavate 3 ponds to a depth of 6 feet; a gravel approach will be put in to avoid debris on the County Road. Board discussion included whether or not there was a fee similar to the gravel tax fee. Clerk/Treasurer will investigate for future considerations. Motion by Hewitt, second by Hass to recommend approval; motion carried. At 7:25 Manthei resumed his position on the Board.

**2.3 Variance request for setback from Lake Fremont OHWL:** Randy and Geri Halgrimson were present to request a 25' variance in setback from the OHWL of Lake Fremont for a septic holding tank. Required setback from a general development lake is 75'. Holding tank will be 50' from the OHWL. The tank will meet side lot lines requirements of 10 feet. The agreement for tank maintenance has been signed. Manthei/Doebler unanimous to recommend approval of the request for setback from the OHWL.

**2.4 Engineering: a) 277<sup>th</sup> Avenue/138<sup>th</sup> Street Project** – Bogart reported the plan is ready to go for the meeting with affected residents on January 30, 2012. He met with the Baldwin Town Board to obtain their approval for placement of a culvert under the Lake Diann Road; Baldwin Board gave approval for the culvert and asked the property owner also provide his consent for the same. Board reviewed language in the project manual; one minor change will be made on page 5 referencing number of days.

**2.5 Authorize engineer to let bid for the final lift of bituminous on 245<sup>th</sup> Avenue:** Hewitt/Manthei unanimous to authorize Bogart to let bid for second lift of bituminous on 245<sup>th</sup> Avenue. Letters will be sent to affected residence prior to start of project.



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**3. Open Forum:** There was no one present for open forum

**4.1 Payment of claims and transfer of funds:** Hewitt/Manthei unanimous to approve payment of claims, including payroll as submitted, for payment of utility and interest bearing bills received after claim deadline and to transfer \$95,000.00 from savings to checking to cover claim numbers 5636-5660 check numbers 14748-14785 and Electronic Fund Transfer (EFT) # 000013 (January 941 withholding tax). Between December 19 -31 as approved in December by the Town Board, claim #5625-5634 and Check number 14738-14747 were processed Transfer was made from savings to checking in the amount of \$18,841.12, the exact amount of claim numbers 14738-14747.

**4.2 Resolution to transfer funds and extinguish Fund 811-22160:** Moved by Hewitt seconded by Doebler to approve resolution to transfer funds from general fund 100 to Sohre License/Vacation escrow Fund 811-22160 and then to extinguish Fund 811-22160. Roll call: Doebler, Hass, Hewitt, Manthei, Sherper Yes; none opposed.

**4.3 Resolution to transfer funds to offset Lakeland Construction reimbursement:** Moved by Hewitt seconded by Hass to transfer reimbursed funds from Whispering Ridge Development escrow fund 810 22106 to General Fund 100 to offset a portion of Resolution 11-15. Roll call: Doebler, Hass, Hewitt, Manthei, Sherper Yes; none opposed.

**4.4 Supervisor Reports:** Hass attended the Fire Board meeting on January 10; he approved the FD to use the maintenance side in the building for training purposes. He requested fire chief job descriptions be obtained from similar size departments in the area. Manthei provided information on hoop buildings. Hass stated the City of Zimmerman may want to partner with the Township for salt/sand; it is unknown how much product the City uses. There was question about the insurability of hoop buildings; Clerk/Treasurer will investigate. Manthei & Hewitt lead Board discussion regarding road construction procedures. Hewitt had no other report. Doebler reported the Park Board met prior to the Board meeting. Talked about park board members volunteering to do minor clean up in the Sugarbush Park. There was question on insurance coverage for them as volunteers. Clerk/Treasurer will look into. Sherper attended the MATS Board meeting. To save costs and because of the election year the National Convention in DC will be a 1 day event this year vs. the full convention. State legislative session opens on January 24<sup>th</sup>; there are some issues affecting Townships such as funding for mandatory retro reflectivity signage, gas tax administration and taxes in general. Township Lobby Day will be held February 23, 2012; Sherper will attend.

**5.1 Review initial draft of the Girl Scout trail easement:** Attorney Gilchrist provided draft of Girl Scout trail easement for comment. The Board provided favorable review with one amendment to include language to cover a vehicle turn around area. Gilchrist, Doebler and Clerk/Treasurer will meet with Girls Scout representatives on February 1<sup>st</sup>.

**5.2 Resolution establishing Absentee Balloting Board for 2012 Town Elections:** Moved by Hewitt seconded by Hass to approve resolution appointing the 2012 Absentee Ballot Board. Roll call: Doebler, Hass, Hewitt, Manthei, Sherper Yes; none opposed.

**5.3 Appoint election judges to serve at the March 13, 2012 Town Election:** Hewitt/Doebler unanimous to appoint any election judge that has a current election judge certificate of training to serve as an election judge at the March 13, 2012 Township election.

**5.4 Approve Town Representative to the Fire Board:** Hewitt/Doebler unanimous to appoint Supervisor Hass to represent Livonia Township on the Zimmerman/Livonia Fire Board.

**5.5 Amendment to the Orderly Annexation Agreement:** Board took no action; the amendment was not available from the City at the time of this meeting.



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**5.6 Approve quote for atrium doors:** Two quotes were requested, one was received. Board asked for new quote for doors to match those entering the meeting hall. Clerk/Treasurer will obtain new quotes.

**5.7 Amendment to the Developers Agreement:** Prior to reviewing the amendment to the Developers Agreement, Attorney Gilchrist is asking if Board would want him to review the document in its entirety. Doebler/Hewitt unanimous to authorize Attorney Gilchrist to review the document in its entirety.

**5.8 Set date/time for Local Board of Appeal and Equalization:** To insure requirement for a quorum of supervisors be at the LBAE, the Board determined either April 9 or 16 at 6:30 p.m. would work. Clerk/Treasurer will verify those dates/times with County Assessor for either date at 6:30 p.m.

**5.9 Retirement party for County Assessor – approve closing the hall early:** Hewitt/Doebler unanimous to close hall at 2 p.m. on Tuesday January 31 to attend retirement party at the County Government Center.

**5.10 Updates:** a) Saddlebrook Plat Vacation: The Plat of Saddlebrook was vacated, the vacation order has been recorded with the Sherburne County Recorder's Office. Per the order, escrow money and park dedication fees are being refunded to the Laakers. The Letter of Credit is being returned to the Bank of Elk River. b) 2012 IRS mileage rates: There has been no change to the IRS mileage rate. It is currently at .55 per mile. c) Cleanup Day: Clean up day is set for April 21<sup>st</sup> 8 a.m. to noon. The same vendors as last year: First State Tire, JR's Appliance and Allied Waste (technically known as Republic Services). d) Board of audit; budget workshop: Prior to the meeting each of the Board members was given a range of receipt and check numbers for the year ending December 31, 2011 to audit during the Board of Audit. They were provided with budget worksheets for the budget workshop. e) Certificate principal payment: Last month the Board asked if an additional payment can be made to pay down the Certificate of Indebtedness on the building. An additional principal payment is allowed only if it is the principal in full paid on a schedule payment date. The Board expressed interest in exploring refinancing of the Certificate; Clerk/Treasurer will research. f) Repair to roofs: The tin on the roof of the large pole building has been replaced along with the gable trim on the small shop and the gutter/downspout on the hall. The difference between the actual cost to repair and the allowed amount by insurance is being refunded to MATIT.

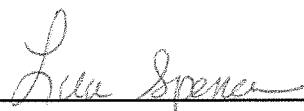
Moved by Hass seconded by Hewitt to bring Item 2.1 back to the table; motion carried. No action was taken as the requestor was not present to answer questions

**5.11 Approve final plat of Goldy Refuge (Recorded for the official record):** Hewitt/Doebler unanimous to approve final plat of Goldy Refuge as approved by the Sherburne County Board of Commissioners on January 3, 2012. Copy of the approval and conditions are on file in the Sherburne County Zoning Office

Hewitt/Doebler unanimous to adjourn meeting at 9:45 p.m.

Approved this 27th day of February 2012

  
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Chairman or Vice Chairman

  
\_\_\_\_\_  
Clerk/Treasurer or Deputy Clerk/Treasurer