



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
MAY 20, 2013

Supervisor present: Doebler, Hass, Hewitt, Manthei and Sherper

Staff present: Deputy Clerk/Treasurer Olson

Others present: Jon Bogart, P.E. Town Engineer with Bogart, Pederson & Assoc., Inc.

Chairman Hewitt called the meeting to order at 7:00 p.m.

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

1.2 Approve Regular Meeting Agenda: Manthei/Hass unanimous to approve Regular Meeting Agenda.

1.3 Approve Consent Agenda: Manthei/Doebler unanimous to approve Consent Agenda as follows: A) April 22, 2013 Regular Board Minutes. B) Use of the Town Hall Facility by resident

1.4 Sheriff's Report: Sgt Wilson reported there were 181 calls for service in April. 72 of them being traffic related due to the late snow falls. They have been seeing an increase in property damage including spray painting of signs and roads. Continued patrol of North Lake Fremont road.

1.5 Fire Report: Chief Maloney provided April calls for service which included 1 medical assist, 1 gas leak, 3 motor vehicle personal injury accidents, 2 motor vehicle w/o injury, 1 fire alarm, 1 good intent, 1 arcing/down power line, 2 grass fires, 2 residential fires, and 1 standby mutual aid. There will be a training burn in City of Zimmerman on June 4th.

1.6 Road report: Coordinator Spencer was not able to attend the meeting; Hewitt reported Rochester plow truck is ready to be picked up and the 2 others were in the build process. Spencer would like some of the gravel road areas to be discussed at the next meeting.

2.1 Request for amendment to CUP for automotive repair and sales business: Dave Pederson with J&T Auto Sales was present. He provided a mapped area that showed parking for 50 9' x 18' vehicles. He stated the parking lot is mostly gravel at this time and would not be able to stripe the gravel. Hass/Doebler unanimous to approve amended CUP. The business is advantageous to the Township, they would like to encourage more business growth.

2.2 Request for donation to defray cost of workshop for land use impacts on water resources: Sherper/Hewitt unanimous to deny request for donation based on the residents request at the Annual Town Meeting not to allow donations.

2.3 Spring road tour/Traffic Counter Reports: Board authorized Bogart and Spencer to do a preliminary road tour and bring back findings to Road Committee. Some areas of concern included Woodlands drainage areas, Hunter Lake drainage. The County had provided the ADT's on 112th St, 239th Ave, 273rd Ave, Fox Hollow and Oak Haven entrances off CR's. These areas will also be looked at during road tour.

2.4 Engineering- Lake Fremont shoreline restoration: Bogart reported they will be going out for quotes on the project soon. **112th Street Project:** The silt fence has been staked, utility work to begin soon along with tree removal.

2.5 Authorize quotes for chip seal: 3 ½ miles of roads have been identified as needing aggregate chip sealant. Hass/Sherper unanimous to authorize obtaining quotes for the repair. Olson reminded the Board they wanted to try Fog Sealant on 253rd Ave this year. Hass/Sherper unanimous to authorize Bogart to obtain quotes for Fog Sealant on 253rd Ave. Board asked that pictures are taken of the test area before and every 30 days after for record.

2.6 Review and approve Crack Repair quotes: 3 quotes were sent out, 2 obtained for 9 miles of crack repair as follows: Allied Blacktop Company \$21,550, Astech Corp \$37,950. Hass/Doebler unanimous to approve low quote to Allied Blacktop.

2.7 Consider amendment to option 1 pertaining to review of drainage and grading of Commercial/Industrial properties: Hass/Sherper unanimous to amend option 1 to include a \$2000 escrow deposit to cover any and all costs associated with the review by the town engineer.

2.8 245th Ave guardrail repair: The repair to the 245th Ave guardrail has been completed for \$1850. Discussion was held regarding whether to pursue filing a claim on the insured to cover cost of repair. Hass/Hewitt unanimous to authorize attorney to pursue claim.

2.9 Resolution rescinding temporary weight restriction on 245th Ave: Sherper/Manthei unanimous by roll call to rescind the temporary weight restrictions placed on 245th Ave during road construction.



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3 Open Forum. Dan Berning with Ziegler Custom Homes was present to request a reduction in the Letter of Credit held on the Woods at Lake Fremont Second development prior to the wear course being placed. They feel that part of the LOC should no longer be in place due to the years in place. Olson stated that the recorded Developers Agreement Contract would need to be amended if there are to be any changes. The first lift of bituminous was placed in 2007 and Bogart stated their does not seem to be any issues regarding the site grading, drainage, erosion control or turf establishment or with the storm sewers and road culverts; they have been in place for 6 plus years. The only concern was for the cracks that are starting to show in the bituminous. Recommends crack repair work done before wear course is placed. Olson to get quote from Allied Blacktop Company for crack repair and have approved by Berning/Ziegler to be paid out of Development Escrow. Hass/Manthei unanimous to amend the Developers Agreement with attorney's approval to allow for the partial reduction in the LOC for the drainage and culverts in place for the past 6 years, the LOC could then be reduced again after the wear course was completed with a final reduction after the first warranty year; amendment costs to be paid out of Development Escrow.

4.1 Approve payment of claims and transfers: Hewitt/Sherper 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 \$96,000.00 from savings to checking to cover claim numbers 6253-6296 check numbers 15589-15642 and Electronic Fund Transfers (EFT) #000039-41 for May Federal, State withholding tax and PERA

4.2 Supervisor reports: Hewitt attended Park Board meeting earlier and stated they recommended the HKGI for updating the Park and Trail Plan, also stated City of Zimmerman has started working on installing lighting.

5.1 Review/Approve proposals for the Park and Trail Plan: 2 quotes were received: HKGI \$7500 plus reimbursable costs and Sanders Wacker Bergly \$9650 with \$300 reimbursable costs. Hass/Doebler to approve the HKGI low quote. Board has had prior experience with HKGI.

5.2 Audit Proposal: Olson stated that staff would like to continue working with Schlenner Wenner & Co if possible. They are knowledgeable in Banyon and with what the township is doing. Sherper/Doebler unanimous to authorize 3 year audit contract with Schlenner Wenner & Co.

5.3 Approve list of tax forfeited land approved for sale by the Sherburne County Board: Discussion was held regarding some of the lots that were listed on the County report. Board was concerned that one of the developments will be listed as tax forfeiture. Board authorized discussion with attorney to address options available and bring back to next meeting.

5.4 Signage on maintenance building service doors: Sherper/Doebler unanimous to approve the purchase of new signage for the service doors as presented.

5.5 Agreement for Use and Improvement of City Park: Hass/Sherper unanimous to approve Agreement as presented.

5.6 Updates: a) **DNR workshop-Mt Simon Aquifer Recharge Area:** Board is invited to May 22nd meeting at Cabela's in Rogers from 9am to 12pm. b) **cleanup day:** Board did not feel that a 2nd date would be necessary, residents are able to utilize other vendors within the area c) **Subdivision Ordinance:** County is reviewing ordinance d) **Summer Short Course:** MATs flyer was attached e) **meeting session for support of healthy water in Sherburne County:** Board asked to be reminded closer to the October date

5.7 Approve amendment to Sherburne County Zoning Ordinance ORD 202 – Recorded for the official record: Sherper/Hass unanimous to approve Amendment to The Sherburne County Zoning Ordinance ORD 202 as approved by the County Board of Commissioners on April 2, 2013.

Doebler/Sherper unanimous to adjourn meeting at 9:15 p.m.

Approved this 24th day of June 2013

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer