



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES  
HELD AT THE LIVONIA TOWNSHIP HALL  
OCTOBER 22, 2018

Supervisors present: Doeblar, Hass, Hiller, Maloney and Pool.

Staff present: Clerk/Treasurer Hammre, Deputy Clerk/Treasurer Fiedler, Maintenance Coordinator Berghuis

Others Present: Nick Anderson, PE Bogart, Pederson & Associates.

**Chairman Hass called the meeting to order at 7:00 pm.**

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

**1.2 Approve Regular Meeting Agenda:** Hiller/Doeblar unanimous to approve the Regular Meeting Agenda with the following changes: add Item 1.8 Turn Lane Requirements for Developments; 2.3a Dirt in ROW.

**1.3 Approve Consent Agenda:** Doeblar/Maloney unanimous to approve Consent Agenda as: **Item A)** September 24, 2018 Regular Meeting Minutes.

**1.4 Sheriff's Report:** Sgt. Wilson reported there were 208 calls for service in September; the calls included 66 traffic stops, and there were no other concerns for Livonia Township. Wilson asked about the status of our animal control impound site, Hammre gave an update on the progress made. Hass asked for increased patrol on the Lake Fremont minimum maintenance road, specifically near the park, as the dock will be pulled out of the water soon. Also discussed was the recent cutting of the locks on the gates on the Girl Scout Camp road.

**1.5 Fire Report:** Fire Chief Maloney provided September calls for service: 5 medical assists, 3 motor vehicle personal injury accident, 1 carbon monoxide, 4 fire alarm, 1 commercial building fire - minor (Livonia), 2 residential house fire (1 Livonia, 1 Zimmerman) and 1 fire other. Maloney also reported that Fire Prevention Week will be ending tomorrow. About 1600 students from preschool to 5<sup>th</sup> grade and several Day Care facilities participated; the fire hoses were tested - one failed due to age, 45 years old, though it passed the performance test. It will be replaced.

**1.5a Fire Alarm System in Maintenance/Fire Building:** Staff has researched some of the options available and contacted our insurance provider. The issue will continue to be researched for the next Board Meeting.

**1.6 Engineering Updates: 239<sup>th</sup> Ave** – discussed curb and gutter option to preserve some of the mature trees on the back slope of the ROW. Anderson will want to walk the road again with Supervisors when it is closer to the start of the project; **Trail/Boardwalk Research** – Anderson reviewed the cost of Boardwalk at Grams Park. He also discussed the various methods of construction of Boardwalk and the need for borings to determine what construction method would be needed. Options for trail locations were discussed with the cost and desirability of the options considered as well as current grant opportunities. Hass will call a meeting at the beginning of 2019 to further discuss options before the road project starts.

**1.7 Planning Commission Report** – Spencer present to give the PAC report as follows: The Sherburne County Advisory Planning Commission met on October 18th, 2018. The following items were recommended for approval at the next regularly scheduled Commissioners Meeting: Request for Preliminary and Final Residential Simple Plat approval Abrahamson Acres – Santiago Township; Request for Preliminary and Final Residential Simple Plat approval of Hugh E Craig Estates Simple Plat – Orrock Township; Request for IUP for a Home Business in an Accessory Building – Dog/Cat Grooming – Livonia Township; Request for an IUP for Rural Tourism – Baldwin Township; Request for Preliminary Residential Standard Plat approval of Misty Hollow – Baldwin Township.

**1.8 Turn Lane Requirements for Developments** – discussion about turn lanes off of existing Township roads to accommodate new development traffic. Included in the discussion was who would be responsible for the cost, the Township or the developer, and how to determine and define the parameters of the decision. The Board decided that the issue would be added to the Development Checklist for review for each development on a case by case basis.

**2.1 Request for IUP:** Steve Gracik present to request an IUP for Small Contractor's Yard. Gracik provided background on his business, Elk River Exteriors, and his recent move to his present location in Livonia Township. Gracik explained that



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he was unaware that he needed an IUP for his business when he moved into Livonia Township, and is now taking the necessary steps to comply with the requirement. The property that he recently moved to is 5 acres and already had a large pole building on it. This building is being used to store supplies and for parking of trailers and/or vehicles. He also explained that no semi-truck/trailers are traveling to and from his property. Materials for a job are delivered directly to the job site. The Board asked if the Small Contractor's Yard limit of 4 vehicles is sufficient. Gracik said he will comply with the requirements, but the ability to have up to six vehicles would be better for his business. Hass/Hiller unanimous to approve the request for an IUP for a Small Contractor's Yard with the following comments:

Livonia Township is supportive of home based businesses and wants this business to remain in the Township; the business has been kept neat and orderly and they should continue to keep it this way; the Board would recommend that Gracik is allowed up to 6 business vehicles on site; all vehicles must have current licenses.

**2.2 WH Cates Pondsides Estates 2<sup>nd</sup> Addition:** Scott Dahlke, Engineer for WH Cates Pondsides 2<sup>nd</sup> Addition reviewed the development progression. He stated that he is here to present the Preliminary Plat for Board approval, then it will go on to Sherburne County for preliminary approval. Discussion followed about the 400' extension of road that ends in a temporary cul-de-sac. The road extension would service the two parcels created from an outlot of the 1<sup>st</sup> Addition of this development. The dedication of the road ROW to Livonia Township was clarified as well as the establishment of a recorded temporary easement to provide access on private property to remove the cul-de-sac in the future if the road is extended into a neighboring development. Also discussed was the origin of the 2 ponds on the property and the construction of the shared driveway that would service both lots south of the 2 ponds. This shared driveway would pass between the 2 ponds on a current narrow strip of land with an equalizing culvert running below the surface of the water. Dahlke stated that these two ponds were created with the mining of material by a former land owner in the 1970's. Hiller expressed concern over the responsibility of the construction of the shared driveway as it is not in the ROW of the road and therefore not under Township jurisdiction. Hiller suggested that the developer must be required to make the improvements to the existing strip of land and culvert to support the usage as a driveway to two future homes and the construction vehicles that would need access to the property. He further suggested the requirement that Livonia Engineer Anderson is on site while the driveway is constructed to verify that it is constructed correctly for that use and that the wetland is protected. Discussion then went to the discovery right before this meeting that the development roads for the WH Cates Pondsides Estates (first addition) were already under construction. The Developer has not yet fulfilled the requirements and agreements needed to legally start construction of the development roads including a signed Developer's Agreement, necessary Letter of Credit, fees and escrow, preconstruction meeting, or the purchase of wetland mitigation credits. Additionally, silt fence observed did not appear to be adequate to protect the wetland that was being altered. The work was ordered stopped until all requirements were met. Hiller stated that he was not in favor of the additional 400' of road that creates a dead end road 400' over the maximum length allowed of 1400', the configuration of the right angle turn in the 400' road addition, or the access to the two additional lots over the strip of land between two ponds. Maloney also expressed concern over the access to the two additional lots, specifically about the potential failure of the crossing in the future. Pool was not concerned about the 400' road extension and stated that he felt the driveway is out of the hands of the Livonia Board. Doeblner also expressed concern over the shared driveway and wants the driveway to be widened to a 16' driving lane. Hass stated that he does not like the cul-de-sac but he does feel that the temporary easements that will be in place for eventual removal is good. Hass also stated that he and the Board are concerned about the first part of this development having been started prematurely.

Hass made a motion to approve the preliminary plat for WH Cates Pondsides Estates 2<sup>nd</sup> Addition with the following stipulations: the wetland impact requirements are successfully completed; Livonia Engineer Anderson is involved in the construction of the shared driveway through the wetland impact area with site visits and input as needed; that the Developer follows all requirements agreed upon in the Developer's Agreement including a preconstruction meeting with Township Engineer and Town Board Representation as outlined in the Developer's Agreement. The motion was passed with 4 in favor (Hass, Doeblner, Maloney, Pool) and 1 opposed (Hiller). At this point the Development representation left



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the meeting. Hammre relayed a question the Developer had previously asked. The Developer would like the Board to consider reducing the required escrow money due to the fact that the WH Cates Pondsides Estates 2<sup>nd</sup> Addition has just two lots. The Board discussed the request and decided to deny the request based on the increased involvement of the Township Engineer to over-see the construction of the shared driveway. The full \$4500 escrow will be required, the portion not used will be refunded after the project is complete and all claims for payment have been presented.

**2.3 Highland Meadows Third Addition:** (Maloney stepped down from the Board table for this item) Maloney reviewed the progress on the Highland Meadows Third Addition Development. He stated that it has gone through the Sherburne County Preliminary Plat Approval process. The requested trail easement dedicated to the Township will be added on to the Developer's Agreement. Maloney requested that he would like to be able to install the 4 driveways that will access 112<sup>th</sup> Street this fall so that he has the ability to sell those lots when the plat is recorded but before the development road is built. The four lots in question would not be serviced by the development road. Hass/Hiller unanimous to allow Maloney to install 4 driveways from Highland Meadows Third Addition onto 112<sup>th</sup> Street with one driveway permit and one inspection done for all four driveways. There was also discussion about the possibility of a turn lane on 112<sup>th</sup> Street for south bound traffic on 112<sup>th</sup> Street entering into the development. The Board agreed that a turn lane would not be necessary due to the limited traffic turning into the development from the north at this time. Hass provided an update on the cul-de-sac removal to be done in Harrison Hills. The property owners were contacted and they were agreeable to having the cul-de-sacs removed and restoration done within their properties. A temporary construction easement will be provided before the work is done. As previously agreed, the Township will share cost with Maloney.

**2.3 a) 112<sup>th</sup> St Dirt in ROW** – item not discussed, no action.

**2.4 Filing of Ditch on 239<sup>th</sup> Ave:** discussion about the additional fill placed in the ditch at 13000 239<sup>th</sup> Ave NW, Sod Farms Inc. by the property owner. The Board agreed that no action would be taken at this time. The ditch will be restored during the 239<sup>th</sup> Ave Road Project in 2019.

**2.5 Sherburne County Public Works HSIP Update:** Hammre presented the documents that were created and sent to Sherburne County Public works with the details of the roads that the Township would like to have striped with the HSIP grant project.

**3. Open Forum:** No one was present for Open Forum

**4.4 Road Report** (this item was taken out of order): Maintenance Coordinator Berghuis reported that the snow plow trucks are all ready for the winter season; hot patch will soon be done for the year; the locks on the Girl Scout Camp road gates were all cut – they have now been replaced; the maintenance team spent a total of 22 hours working in Township parks this month, mostly at North Point Park; Burghuis purchased an under- carriage washer for \$150; the dock will be pulled out of the water at North Point Park this week; and the team has been working on installing signs.

**4.1 Clerk Treasurers Report:** Hammre reported items of interest during the past month include: we have been busy preparing for the General Election; the newsletters are being prepared for mailing.

**4.2 Approve payment of claims and transfer funds:** Hass/Hiller unanimous to approve payment of claims, including payroll, as submitted and to transfer \$35,000.00 from savings to checking to cover claim numbers 8594–8616, check numbers 18525-18555 and Electronic Fund Transfers (EFT) #254-257 (October) Federal, State, PERA and SUTA withholding tax.

**4.3 Supervisor Reports:** Hiller –no report; Maloney –no report; Pool – no report; Doebler – no report; Hass - SCAT Meeting Report: Hass distributed maps of the Broadband Grant that the County secured for several areas in the County. At the SCAT Meeting Hass expressed his disappointment that the northeast side of the County was not included and that most of the Livonia Township area does not have Broadband/high speed internet available. The reason given at the SCAT Meeting was that Windstream, the local phone/internet provider, was not interested in participating with the Grant opportunity. Livonia staff directed to draft letters to our local representation and Sherburne County about the need for Broadband/high-speed internet in our area.



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**5.1 Maintenance/Fire Building Alarm Repair-** Hammre presented the upgrade needed and the estimate for the necessary work to bring the system to current code. Maloney/Hass unanimous to approve the repair and upgrade needed to the Maintenance/Fire Building alarm system.

**5.2 Impound Facility Progress Report –** Hammre provided an update on the progress of an impound facility for stray dogs. Staff is working with Princeton Vet Clinic and the Princeton Sheriff's Department. Hass/Doebler unanimous to allow Hammre to pursue a resolution for the issue.

Doebler/Hiller unanimous to adjourn the meeting at 9:30 pm

Approved this 26<sup>th</sup> day of November 2018.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer