



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
OCTOBER 24, 2016

Supervisors present: Doebler, Hass, Maloney & Pool.

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

Others Present: Jon Bogart, 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. Hass moved to change agenda item 5.4 to item 1.9. Doebler/Maloney unanimous to approve the Regular Meeting Agenda with the change to move item 5.4 to item 1.9.

1.3 Approve Consent Agenda: Hass/Maloney unanimous to approve Consent Agenda as follows: **Item A)** September 26, 2016 Regular Board Meeting Minutes; **Item B)** October 13, 2016 Road Meeting Minutes.

1.4 Sheriff's Report: the Sheriff's report was presented - there were 171 calls for service in September; the calls included 2 theft, 12 traffic complaint, 9 suspicious vehicle, and 45 traffic stops, the remainder of the calls were for various reasons. There were no other concerns for Livonia Township.

1.5 Fire Report: Chief Maloney provided September calls for service: 1 gas leak, 4 motor vehicle personal injury accident, 2 fire alarm, 1 carbon monoxide, 1 lightning strike, 2 vehicle fire, 1 residential garage fire (Baldwin). Chief Maloney also reported: Fire Prevention Week was just completed with fire prevention programs at the Zimmerman schools and day care facilities; the annual Elementary School Walk-a-thon was held with students walking from the school to the Fire Department. The Walk-a-thon is a school fund raiser, students are sponsored by family and friends; Chief Maloney and two of the Captains will attend the Minnesota State Fire Chiefs Association Annual Conference at the end of October; the Fire Department finished with the EMR Training (First Responder Training); the Fire Department is working with the American Red Cross and the Smoke Detector Program, a program that provides and installs smoke detectors for those who don't have working smoke detectors. When the details are worked out Chief Maloney will get the information to the Township.

1.6 Engineering Updates: 112th St Phase 2 – construction is complete, the contractor is working on warranty work now. 239th Ave – the on-site road meeting was conducted earlier this month. 112th St Phase 3 – Bogart asked to schedule a residents meeting for those residents who reside on the portion of the road that will be under construction and to obtain Temporary Construction Easements for those properties where they are needed. The Board agreed to set the 112th Street Phase 3 Residents meeting for 6:00 pm, November 28th at the Livonia Town Hall and to re-schedule the Park Board Meeting that is scheduled for that time to 6:00 pm December 19.

1.7 Road Report – Maintenance Coordinator Berghuis reported: the ditches have all been mowed; hot patch is complete for the year; the plow trucks are all ready for the winter plowing season; about half of the street signs in The Woodlands of Livonia Development have been replaced. Hass directed Berghuis to research ditch mower cost for possible future purchase. Pool inquired about a depression on 98th St. Berghuis explained that this is an area that requires minor periodic patching. Pool requested that the area be marked by Gopher State to determine if there are any utilities that may have caused the defect.

1.8 Planning Commission Report – Spencer: The PAC met on October 20, 2016. SEV MN 1 LLC withdrew their application for amendment to existing IUP #54271 Document #820029 to construct and operate a solar farm by amending the construction phase locations for the solar project by moving phase 1 from the north end to the south end of the property – Big Lake Township. The PAC recommended the following items for approval by the County Board of Commissioners: Request for conditional use permit for a seasonal storage business – Palmer Township; Request for residential preliminary and final re-plat of Hidden Pond Second Addition to alter property lines – Orrock Township.

1.9 Planning Advisory Commission Appointment Recommendation: Hass remarked that Spencer, the current appointee to the Sherburne County Planning Advisory Commission, has a good track record as the Township PAC representative.



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Discussion followed about the timing of the PAC Agenda and the Town Board Meeting, and the possibility of the Town Board reviewing the agenda items before the PAC Meeting. Spencer explained that issues that directly affect the Township are presented to the Town Board prior to the PAC meeting, and issues may be tabled if necessary to allow the Town Board time to review issues that pertain to or are a concern of the Township. She also said that a representative from Sherburne County Zoning can be requested to explain issues to the Town Board at a Town Board Meeting. Hass/Maloney unanimous to recommend Lila Spencer as the Livonia Township Appointee to the Planning Advisory Commission for a 3 year term to begin on January 1st, 2017. Hass/Doebler unanimous to recommend Supervisor Maloney as the Alternate Appointee to the Planning Advisory Commission for a 3 year term to begin on January 1st, 2017.

2.1 Block in ROW Woods @ Lake Fremont 2nd: Maintenance Coordinator Berghuis noticed a landscaping structure and 2 large rocks in the ROW in the Woods @ Lake Fremont Development that are a potential plowing hazard and safety hazard. Hammre to send out the appropriate letter to the homeowner with the MN Statute that prohibits structures in the ROW. Berghuis directed to take photos of other similar situations around the Township, Hammre to send letters to these addresses as well.

2.2 Second Driveway Request – Craig Olson, 11023 262nd Ave, present to request a second driveway to access his accessory building. Olson explained that the building sits well behind his residence, and a second driveway off of 110th street, which borders his property, would be shorter and a logical option. The building has been there for many years and is used for storage of several recreational vehicles. Olson was questioned as to where he would locate a second driveway in relation to County Road 4. Olson replied that he was open to suggestions, but he would like it about 250 feet from CR4. Doebler/Maloney unanimous to approve a second driveway on 110th Street located about 250 feet north of the intersection of CR4.

2.3 Driveway Permit 13-20: Hammre reported that Driveway Permit #13-20, issued October 16, 2013, has not been completed despite repeated conversations with Majestic Builders, the contractor who pulled the permit. The driveway and culvert were not completed as per the Driveway Permit requirements. The permit states that the permit must be renewed one year from the issuance date if needed. If the permit has not been renewed and the work is not complete, the construction deposit will be forfeited. This permit was not renewed and Majestic Builders has made no attempt to complete the driveway and culvert to Livonia Township standards as agreed upon in the Driveway Permit Application. Hass/Doebler unanimous to move the Construction Deposit for Driveway Permit 13-20 into the Road and Bridge Account and have Township Maintenance complete the culvert.

2.4 Driveway Permit 15-13: Hammre reported that Driveway Permit #15-13, issued July 22, 2015, has not been completed to Township standards despite repeated attempts to contact SW Wold, the Contractor who pulled the permit. SW Wold was initially informed that the driveway required a culvert. Jon Bogart, PE Engineer determined that a culvert is needed based on the road and surrounding property drainage. The Driveway has been installed and an impervious surface applied without a culvert. Additionally, the original field approach was not removed and is situated next to the driveway thereby exceeding the allowed width of the driveway. It is apparent that the driveway with no culvert is disrupting drainage and negatively impacting the neighboring property with the mis-directed water. Doebler/Maloney unanimous to direct Hammre to consult with Legal Counsel to take the proper steps to bring this driveway to Township standards and to bill the homeowner for any costs incurred over the amount of the Construction Deposit. Bogart commented that the \$500 construction deposit that is required is not enough to compel some contractors to construct a driveway to the current standard, and the Township may want to consider increasing the construction deposit. Hass stated that the Board should consider raising the deposit when the fee schedule is reviewed and updated in the spring.

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

4.1 Clerk Treasurers Report: Hammre reported items of interest during the past month include: preparation for the General Election is continuing, DJ's Heating found electrical damage to the HVAC system that was causing the unit to malfunction. It has been repaired.



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4.2 Approve payment of claims and transfer funds: Maloney/Doebler unanimous to approve payment of claims, including payroll, as submitted and to transfer \$179,000.00 from savings to checking to cover claim numbers 7817–7850, check numbers 17493-17535 (check #17533 voided) and Electronic Fund Transfers (EFT) #174-177 (October) Federal, State, PERA and third quarter SUTA withholding tax.

4.3 Supervisor Reports: Pool – no report; **Maloney** – no report; **Doebler** –no report; **Hass** – discussed a potential land donation to the City of Zimmerman for a fire station site or community center site that is being considered; discussion about funding for a new fire station in the City of Zimmerman; ISD 728 is looking at the property owned by Christ Our Light Church located south of the Zimmerman Elementary School for future parking and/or other purposes. There will be a meeting November 15th at Westwood Elementary at 6:30 pm concerning this issue. Hass/Maloney unanimous to direct Hammre to draft and send a letter to ISD 728 School Board in support of the purchase of the 7 acre church property for future school parking or other projects to enhance the school district.

5.1 The Woods @ Lake Fremont 2nd Update: Snowplowing records were compiled and sent to Township Attorney Gilchrist along with the Developer’s Agreement. Currently waiting for a draft resolution and direction from Gilchrist.

5.2 Draft Newsletter: available for review by the Board.

5.3 Bank Account Signatures: new signatures needed on Bank Accounts with the change in Chair and Vice-Chair positions.

5.4 Planning Advisory Commission Appointment Recommendation – item moved to 1.9

5.5 Broadband Discussion: Doebler led discussion on the Broadband article and map in the MAT Township Insider publication. Discussion about the lack of Broadband in most of Livonia Township and Sherburne County. Suggestions on how the Township can take the lead in the County in pursuing Broadband access for all of Livonia Township residents that are not served or underserved at this time. Several ideas were presented to meet with other Townships, Commissioners, and Representatives to find solutions to the problem.

5.6. Final Approval of CUP for a Personal Storage Structure RECORDED FOR THE OFFICIAL RECORD – Pool/Maloney unanimous to approve CUP for a Personal Storage Structure as approved by the Sherburne County Board of Commissioners on September 6th, 2016 and recorded as document #827129. The CUP and conditions of approval are on file in the Sherburne County Zoning Office.

Doebler/Pool unanimous to adjourn the meeting at 8:35 pm.

Approved this 28th day of November 2016.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer