



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
OCTOBER 25, 2021

Supervisors present: Hass, Hiller, Maloney. Pool and Kuker absent.

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

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/Maloney unanimous to approve the Regular Meeting Agenda as presented.

1.3 Approve Consent Agenda: Hass/Maloney unanimous to approve Consent Agenda as follows: **Item A)** September 27, 2021 Regular Meeting Minutes; **Item B)** October 14, 2021 Workshop Meeting Minutes.

1.4 Fire Report: Chief Maloney absent, Hiller provided September calls for service: 10 medical assist, 3 gas leak, 4 motor vehicle personal injury accident, 4 fire alarm, 1 grass fire, 2 vehicle fire, 2 residential house fire (Elk River, Livonia).

1.5 Sheriff's Report: Sgt. Wilson provided the Sheriff's report: there were 215 calls for service in September in Livonia Township including 3 thefts, 7 motor vehicle accidents, 14 medical, 60 traffic stops and 20 security checks. The rest of the calls for service were for miscellaneous items. There were no items of concern for Livonia Township. Hass asked if the thefts were seasonal, Sgt. Wilson said one was a boat motor, recently discovered but likely had happened earlier. Berghuis informed Sgt. Wilson that the North Point Park portable toilet had been tipped over.

1.6 Engineering Update: Engineer Davis unable to attend, Engineer Esser was present. Esser briefed the Board on the crack seal project, the contract job window of time expired before the job was started. He also stated the contractor has not always followed the specs on other jobs in area townships that Bogart, Pederson represented. The job will be re-quoted next spring. Discussion about the extension of the bituminous on 120th Street to the minimum maintenance road gate. The extension can be done next year with the 2022 road project. Hass instructed Esser to proceed with preparing the plans and bid packet for the overlays suggested.

1.7 Planning Commission Report: Spencer provided report: October 21, 2021 PAC Meeting, recommended approval of the following: Request for personal storage structure – Livonia Township; Request for Preliminary & Final Simple Plat – Palmer Township; Request for Preliminary & Final Simple Plat – Clear Lake Township; Request to rezone from industrial to commercial property – Big Lake Township; Request for an Interim Use Permit for a business to sell vehicles/auto repair – Big Lake Township. Recommended negative declaration for 2 Environment Impact Statements as follows: Knife River Corp – North Central – Haven Township; Tiller Corporation – Livonia Township.

1.8 Park Committee: no report.

2.1 IUP Request – Tiller: Michael Caron and Christina Morrison presented the request for Mining Interim Use Permit Sand and Gravel Mining Operation. Caron and Morrison updated the Board on the project and request and answered questions from the Board. Tiller is asking for a negative declaration on an EIS. The amount of material that that is forecast to be mined is around 20 million cubic yards; the total area is 190 acres, of which about 155 acres will be mined. Mining will not take place next to the Great Northern Trail, mining will progress from south to north and is expected to take 30 to 40 years. There will be a berm and natural screening (trees) around the perimeter of the pit, at the end of the mining the area will be reclaimed or have another use. Mining will begin in 3-5 years, when the mining is complete on the Elk River Landfill site. After mining, there will be a possible 30-40 acre pond where gravel was mined below the water table. Hours of operation will be 24 hours



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per day with decibel regulations monitored. Berm slopes will be 2.5 to 1. There will be no gravel trucks on 239th Ave, they will use the current Elk River Landfill access to HWY 169. Maloney/Hiller unanimous to recommend approval for the Tiller Corp request for an IUP for Mining with the following comments: No gravel trucks are to use 239th Ave, access to HWY 169 will be through the Elk River Landfill access; noise levels must comply with the decibel levels set for daytime work and nighttime work; the perimeter berm must be sloped at no steeper than 2.5 to 1; the remaining pond after the pit is complete must not be larger than 40 acres; the setback from the road and highway is a minimum of 40 feet; vegetative screening of trees along HWY 169 must be kept intact;

2.2 Hunter Lake Parcel – Foster: Foster not in attendance. No action taken.

2.3 Driveway – Dickenson: Ryan Dickenson, 13870 249th Ave NW, Zimmerman, present to request permission to have a driveway that exceeds the maximum width of a Livonia Township driveway on a township road. Dickenson provided photos of the driveway with the headwalls removed, they now are compliant with safety regulations. Mr. Dickenson explained that he owns and drives a semi-truck. He parks it on his property and needs a driveway that is wide enough to accommodate the turn radius of the truck and trailer. He said the driveway is 31'8" wide, which gives him an extra 3' on each side for turning. Hiller/Maloney unanimous to allow Mr. Dickenson to have the wider driveway, up to a 32' width with a driveway permit.

2.4 Keller Vacation Request: Zachary Keller, 10817 262nd Ave NW, Zimmerman, PID #30-471-0430, was unable to attend the meeting. Mr. Keller inquired about Livonia Township vacating the 33' strip of land adjoining his eastern property line. This strip of land appears to be what would have been half of a 66' wide road to CR 4 when the eastern parcel was developed and the other 33' would be provided. The adjoining development placed the road adjoining CR 4 at a different location leaving the 33' unused. Discussion followed about the process to vacate a road and the complexity of adjoining lot lines. Mr. Keller will be advised to look into the possibilities and restrictions with Sherburne County Zoning and a legal advisor. No action taken, item tabled.

2.5 Pine Crest Estates Warranty Inspection. No quorum present with Maloney unable to vote as an interested Board member. No action taken.

2.6 Red Barn Flooring IUP for a Flooring Business – Showroom and Warehouse: Kevin Olson, owner, present to make request. Olson explained the building will be modeled after an Amish barn and it will house a small showroom and warehouse space for flooring storage. He also explained that most flooring will be delivered directly to the client's home for installation from the distributor without coming into the warehouse. Any deliveries to the warehouse will be made with a sprinter type van rather than a semi-truck. The building is proposed to be 50' X 100'. He would also like to build a 1500 square foot house on the property – there was discussion about the appropriateness of having a house on the property. The amount of impervious surface was discussed. Olson stated he would like the lot to be part tar and part gravel. Hours of operation are stated as 9:00 am to 6:00 pm. The Board suggested extending morning and evening hours to accommodate employees. Hass/Hiller unanimous to approve the request for IUP for Highway PUD for a Flooring Business-Showroom and Warehouse with the following comments: the building plan is attractive and a good addition to the area; there will not be a lot of traffic in and out of the building; there will be no semi-truck traffic causing undue wear on the road; the hours should be similar to the storage units to the south, suggested 7:00 am to 7:00 pm.

3.0 Open Forum: Karen Sherper-Rohs present to ask the Board about the possibility of merging with the City of Zimmerman. Maloney and Hiller answered her questions and explained that the township is exploring the best course of action for the residents of Livonia Township at this time and no decisions have been made. Some of the concerns they have are keeping taxes the same for township residents, dividing the area into Wards for representation, protecting township staff jobs, and preserving land use options. Also discussed was the plan to



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have a future meeting to provide information to the residents when the Township Supervisors have more answers.

4.1 Clerk/Treasurer Report: Items of interest during the past month include: the office has received several complaints about the 120th Street overlay, the callers accused the Township of “taking land” when the shouldering material was applied to the edge of the bituminous; Livonia Cemetery activity included a burial, and installation of several markers and monuments; the Bank of Elk River accounts were closed, no outstanding checks remain to clear the accounts.

4.2 Approve payment of claims: Hass/Hiller unanimous to approve payment of claims and payroll totaling \$105,531.81 as submitted from Bremer Bank, to cover check numbers 20507 through 20541, and Electronic Fund Transfers (EFT) #63-66 (October) Federal, State, PERA and SUTA withholding tax.

4.3 Supervisor Reports: Hiller – Larry Thoreson provided Hiller with land value comparisons for the property adjoining North Point Park. Based on the comparables, he would like to sell the property for \$256,000.00. The property is 13 acres. Hiller also reported that he and Maloney were present at a meeting with The City of Elk River and Waste Management where the landfill runoff was discussed, including the test wells that measure contamination, especially from the older section of the landfill that has an older and less effective liner.

Maloney – no report; **Hass** – the Townhall heat pump is failing and will need to be replaced. Hammre to request quotes to replace. Maloney/Hiller unanimous to instruct Hammre to request quotes to replace the unit(s), Hass and Hiller can then approve the preferred quote.

4.4 Road Report: Berghuis reported that the hot patch is done, plow trucks are ready for winter, tree trimming is complete, Truck #43 had a broken spring and bent radius arm, likely due to using the belly blade for grading. Berghuis requested permission to search for a replacement grader, Maloney suggested that before that Berghuis should find out the rate to have a private contractor do our grading. The Board agreed that Mark will seek quotes to contract township road grading.

5.1 ARPA/Broadband Update: Hass reported on the meeting with Midco and Dan Weber concerning bringing Midco into the area of the township that is unserved or underserved with Broadband. The installation cost would be paid 90% by Midco, the remaining by Livonia Township and Sherburne County using ARPA funds. Hass/Hiller unanimous to enter into an agreement with Midco to install the infrastructure for Broadband.

5.2 Zoning Letter: Lynn Waytashek, Planning and Zoning Administrator, requesting to arrange a time to attend a Livonia Board Meeting for updates and to meet staff. The Board was agreeable to that for whenever it works for Zoning staff.

Hiller/Maloney unanimous to adjourn the meeting at 8:47 pm.

Approved this 22nd day of November 2021.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer