



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
NOVEMBER 26, 2018

Supervisors present: Doebler, 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: Maloney/Pool unanimous to approve the Regular Meeting Agenda.

1.3 Approve Consent Agenda: Doebler/Hiller unanimous to approve Consent Agenda as follows: **Item A)** October 22nd, 2018 Regular Meeting Minutes; **Item B)** Office Checklist for Development; **Item C)** Designate Location – Town Hall for absentee voting for the March 2019 Election.

1.4 Sherriff's Report: Sgt. Wilson reported there were 200 calls for service in October; the calls included 56 traffic stops and 21 security checks. There were no other concerns for Livonia Township. Hass asked Wilson about a resident complaint concerning a neighboring property owner parking multiple vehicle on her property. Wilson recommended that the property owner contact him for enforcement.

1.5 Fire Report: Fire Chief Maloney provided October calls for service: 6 medical assist, 3 gas leak, 1 fire alarm, 1 grass fire, 2 vehicle fire and 1 fire mutual aid. Maloney also reported that 10 fire fighters are starting their EMT course training, the Sherburne County Mutual Aid Agreement is in the process of being updated; the Zimmerman Elementary School walk-a-thon raised \$37,000. Maloney asked Hammre to decide on a Dictionary Project date with Westwood Elementary School and he will make sure to have fire department representation there.

1.6 LeRoy's Legacy Presentation – Mike Brubaker, Executive Director of the Sherburne County History Center presented the 2018 LeRoy's Legacy Award to this year's recipient. The purpose of Leroy's Legacy Award is to recognize Livonia Township individuals who contribute significantly to the community outside of their daily job or occupation. The Award went to Dee and Pat Doherty for their many years of service as teachers in the school system, as 4-H leaders, and for their field trip farm tours for the local elementary school. The Dohertys were presented with a plaque honoring their service. The Town Board and the audience thanked the Dohertys for their commitment to the community.

1.7 Engineering Updates: 239th Ave – Anderson requested a walking meeting on 239th Ave for the purpose of reviewing the road profile and the trees along the roadway. The Meeting will take place on Friday, November 30 at 1:00 pm, meeting at the Sugarbush North parking lot.

1.8 Planning Commission Report – Spencer unable to attend, Hammre gave Spencer's PAC report as follows: The Sherburne County Advisory Planning Commission met on November 15th, 2018. The following items were recommended for approval at the next regularly scheduled Commissioners Meeting: Request for an amendment to the Sherburne County Zoning map to rezone property from an agricultural district to a commercial district – Big Lake Township; Request for a conditional use permit to allow single family housing in a commercial district – Big Lake Township; Request for a residential simple replat – Baldwin Township; Request for a conditional use permit by amending the legal description and acreage of the existing CUP document #497380, permit #29727 for a home business in an accessory building – Baldwin Township; Request for an interim use permit for a small contractors yard – Livonia Township; A negative declaration was recommended for an EIS (environmental impact statement) on the residential standard preliminary plat. The EAW was sufficient - Becker Township; Request for a residential standard preliminary plat – Big Lake Township. Amendment to the Sherburne County Zoning Ordinance Section 18 subdivision 3 relating to the Board of Adjustment and Variances. The proposed amendments include cleanup language, increasing the Board of Adjustment membership from five to seven members, removing the definition of Hardship and adding language on variance criteria and findings of fact and adding and modifying language relating to application requirements. A copy of the proposed changes is available in the Sherburne County Zoning Office.



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2.1 Request for Variance: Brad Thomas present to request a 20' variance in setback from the right-of-way of 256th Ave for the construction of a 1,500 square foot detached garage. Thomas stated that the house was built in 2016. He also stated that the Developer gave him incorrect information about the setback requirements. He was told the setback was 67 feet from the centerline of the road, however the setback is 100 feet from the centerline of the road which is also 67 feet from the right of way. The road and right of way is 66 feet. The Board questioned Thomas about the garage door on the north side of the building. Thomas was told that he would not be granted a second driveway access for a driveway to the north garage door. Thomas stated that he plans to access the garage by the two main garage doors from the existing driveway on the east side of the building, and that the smaller garage door on the north side is for access for lawn care machinery only. Discussion followed about the difficulty in building the garage in any other location due to the terrain of the lot and the location of the well and septic system. Thomas also stated that the garage would have siding and roofing that would match the house.

Hass/Pool unanimous to recommend approval with the following comments: there is practical difficulty in locating the garage in another location due to the septic and well location as well as the topography of the lot; the garage will match the house in siding and roofing; no second driveway will be allowed now or in the future regardless of where garage doors are located; the garage will be of conventional framing, not a pole barn; the Board prefers that items are stored in a building rather than outside in view of neighbors.

2.2 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. The plat is at the final approval stage. Discussion about the proposed trail easement on the north side of the development, Maloney stated that he will also include a trail easement along the west side of the development and the south side along lot lines to 112th street for potential future trail if the Board agrees. Discussion followed about the potential future need for a trail as a safe pedestrian option to Lake Fremont, North Point Park and Grams Park. Maloney requested that the easement would be given in exchange for Park Dedication Fees on all lots affected. Park fees will be collected on lots #3 & #4 only. The Board agreed to this proposal. Maloney was asked if the encroaching building and concrete from a neighboring property had been removed. Maloney stated that it has been and the County requirement was satisfied. The location and installation of the four driveways that will be on 112th Street were discussed. The driveways will be installed at one time with one driveway fee as previously agreed upon. Engineer Anderson will discuss the trail easement addition to the plat with Maloney's engineer.

Hiller/Doebler unanimous to approve the Highland Meadows Third Addition Final Plat. with the addition of the trail easements proposed by Maloney and accepted by the Livonia Town Board and the understanding that Township Park Dedication Fees will be waived for all lots that include a trail easement. Lots #3 and #4 will be the only lots that will not have a trail easement located on them.

2.3 Oak Hills Plat Lot Split Opinion Request – Polly and Jon Smith, 26890 107th St Zimmerman present to request an opinion on their property in Oak Hills development. The Smiths are exploring the idea of splitting their 9.31 acre parcel to allow for a family member to build a home. The Smiths explained their request and gave the history of the parcel and their ownership of it. Discussion followed about the proposed split meeting requirements set by Sherburne County Zoning and Livonia Township with road frontage, where driveway placement could be to satisfy requirements and traffic safety, the drainage and utility easement constraints on building and the setback requirements and if this could be accomplished with the narrow lot that is proposed. The Smiths have consulted with Marc Schneider, Sherburne County Planner. Engineer Anderson will consult with Schneider before the Board gives an opinion.

2.4 Neutgens Dirt in ROW 112th St – there is again a load of black dirt that has been dumped off the side of 112th St into the ROW at the same location that two loads of black dirt were dumped in August 2018. At that time a letter was sent to the property owner explaining that dumping material in the ROW is a violation of MS. 160.2715 (1)(7), and there was some damage to the bituminous on 112th St at the dump site from the trucks backing off the road. It was further explained that material in a ditch can be a hazard to the traveling public, and that the road and road ROW belongs to the residents of the Township and is not part of a lot in a development. Neutgens was directed to remove the dirt and that



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any damage to the ditch area would need to be repaired to prevent erosion. It was also explained in the letter that the damage would be monitored, and if the road deteriorated due to the damage, the owner may be held responsible for the repair. The original two piles of dirt were spread into the ditch and yard by Neutgens. Hass stated that he would contact Neutgen's son and to keep the item on the agenda for the December Meeting for further action.

4.5 Road Report (this item was taken out of order): Maintenance Coordinator Berghuis reported that in the last month the maintenance team hauled 15 loads of salt sand to prepare for the snow season, removed several deer carcasses from the ditches, had the tar machine serviced and roughed in the North Point Park trail.

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

4.1 Clerk/Treasurer Report – Items of interest during the past month include: the General Election was administered successfully. A report was provided to the Board including the statistics of registered voters (existing and new) and percentage of registered voters voting for each of Livonia Township's three precincts; the office computers had an operating system upgrade as the old system would no longer be supported. The two office computers also were upgraded as the old computers could not run the upgraded operating system.

4.2 Fund Balances: Hammre presented the Board with the October year-to-date Fund Balances. No action needed.

4.3 Approve payment of claims and transfer funds: Maloney/Hass unanimous to approve payment of claims, including payroll, as submitted and to transfer \$141,000.00 from savings to checking to cover claim numbers 8619–8640, check numbers 18556-18589 and 18591 – 18609 and Electronic Fund Transfers (EFT) #258-260 (November) Federal, State and PERA withholding tax.

4.4 Supervisor Reports: Doebler – Park Board report included Shane Dordal was present to talk about the Sherburne County Parks and Trail property adjacent to his property, a tentative date for the Luminary Event is February 16 with February 23 as an alternate date, Doebler and Hammre marked a trail on the Sugarbush North property. **Hass** – reported that he will investigate a side by side purchase, Fire Board report – the City will have 2 new Fire District Representatives; **Hiller** – passed out a set-back form example he received from a neighboring County; **Pool** -no report; **Maloney** –no report.

5.1. Livonia/Orrock Plowing Agreement: Hass/Doebler unanimous to adopt the Road Maintenance Agreement By and Between Livonia Township and Orrock Township.

5.2 LBAE Training: Reminder to the Board that the LBAE training is open online, all Livonia Supervisors are current on training except Pool.

5.3 Dictionary Project Update: Hammre will coordinate a time with Westwood Elementary, Maloney will provide firefighters to distribute.

5.4 Employee Compensation – discussion about when employee compensation changes will take effect in the new year. Hass/Hiller unanimous to designate the first payroll period of a new year for compensation changes for employees. Hiller/Doebler unanimous to give a \$100 Christmas bonus to Livonia staff (Berghuis, Fiedler, Hammre and Kelly). Hammre thanked the Board on behalf of the staff for the bonus. Hass thanked the staff on behalf of the Board for the great job they do.

Hass/Maloney unanimous to adjourn the meeting at 8:35 pm

Approved this 17th day of December 2018.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer