



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
OCTOBER 24, 2011

Supervisors Present: Doebler, Hewitt, Manthei and Sherper. Supervisor(s) absent: Hass

Staff Present: Clerk/Treasurer Spencer, Deputy Clerk/Treasurer Olson

Jon Bogart, P.E. were also present on behalf of the Township

Chairman Sherper called the Meeting to order at 7:00 p.m.

The assembly recited the Pledge of Allegiance.

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

1.3 Approve Consent Agenda: Manthei/Doebler unanimous to approve the Consent agenda as submitted: Item A) September 26, 2011 Regular Board Minutes.

1.4 Sheriff's Report: Sgt Johnson reported there were 154 calls for service in Livonia Township in September which included 39 traffic stops and other various calls. In response to Supervisor Manthei's inquiry regarding parking on/in Township right of way during occasions such as at graduation time, the Township would need to have a parking ordinance in place that speaks to parking on/in Township right of way. The Board concluded Town roads have to remain open to allow for passage of all emergency vehicles; parking on/in Town right of way is an individual risk.

1.5 Fire Report: Chief Maloney provided September calls for service as follows: 4 medical assists; 4 MV personal injury accidents w/ extrication, 1 cancelled en route; 3 fire alarms, 1 carbon monoxide, and 1 grass fire. The Department gave away 100 smoke detectors, donated by the Civic Club during Crazy Days. Over 1,200 K-5th grade students took part in Fire Prevention Week; the entire Kindergarten class visited the station. Maloney thanked fire fighter Jeff Plude for his assistance. There is a toy drive program at all the Zimmerman Schools through Neighbors Helping Neighbors. He and one of the Fire Captains attended the Minnesota State Fire Chiefs Conference. All the LDH Hose purchased with grant money has been loaded on the trucks.

1.6 Road report: Maintenance Coordinator Spencer reported truck 35 power issues were remedied. He and Maintenance Worker Timiniski attended Fall Maintenance Expo. The brushing/mowing was done at the end of September, the gravel roads have been graded, pot hole patching completed and plow equipment is ready. He obtained three quotes for liner to be put in the salt/sand spreader- Palmer Collision-\$665.62 Rhino Liner product, \$1,310.00 from Line-X for Line-X XS 100 product and Crysteel \$755.61 for a Con Slip/Ag protective product. Manthei/Doebler unanimous to approve quote from Crysteel for application of the Con/Slip product. Manthei reported Connexus trimmed the overhanging trees on 112th Street; maintenance will follow-up to make sure brush, etc was removed.

2.1 Request for second driveway Cory Howard was not able to attend; prior to this meeting he asked that the request not be acted on tonight. Board took no action on his request for second driveway.

2.2 Request for Grams Road improvement- Norman Scott, Orrock resident: Mr. Scott was present for request to the Board for Livonia Township to tar 142nd Street/233rd Avenue aka the Grams Road. His complaint is that the road is wash boardy and stated it is time to tar it. Sherper said the road serves one Livonia resident, previously discussions were held with Orrock Township, to build the road to Township standard is cost prohibitive. A couple of years ago soil samples were taken, it was found excessive amounts of peat need to be removed, easements need to be obtained and was estimated to be very costly; more than quarter of million dollars. The Township has a Capital Improvement Plan; this road is not currently in the plan for improvement. No further action taken.

2.3 Engineering: Bogart was present for engineering: a) 112th Street Project – surveying is complete. should know in a couple of weeks whether or not Baldwin Township will move forward with their part of 112th Street. b) 277th Avenue/138th Street – ¾ of the road is surveyed and the remainder will be completed shortly. c) 245th Avenue driveway – Jim and Deb Carlson were present. Last month the Board authorized Bogart to move forward with the work provided quotes came in at \$1,000 or less; the quotes exceeded \$1,000. Moved by Manthei seconded by Hewitt to approve low quote provided by Twin Pines Earthworks which includes removing tar, adding 25 CY of class 5, leveling and packing. Manthei stated, because the driveway is on a steep slope he is concerned about removing the tar out now because the class 5 that is placed could wash out



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with rains. Should that occur the Carlson's understand they are responsible for replacing the class 5, leveling and grading prior to bituminous being replaced next year. The Carlson's acknowledged acceptance of the agreed fix to the driveway whether is it worse or better than it is prior to the fix. This fix is what the Carlson's agree to; the Township is not going to continue to "fix" the driveway. The Township is supplying 25 CY of class 5 anything above that is at the Carlson's cost. Bogart will be on site when work is done. The Carlson's will be notified one month in advance of the tar being replaced. Motion carried.

3. Open Forum: There was no one present for open forum

4.1 Payment of claims and transfer of funds: Hewitt/Doebler 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 \$30,000.00 from savings to checking to cover claim numbers 5525-5557 check numbers 14610-14653 and Electronic Fund Transfer (EFT) # 000010 for October 941 withholding tax.

4.2 Supervisor reports: Manthei attended the quarterly Association of Townships meeting on October 19th. One of the topics talked about was commercial/industrial taxes. The July 2012 meeting will be held at Livonia Township. Doebler met with County, City of Elk River and Waste Management officials to talk about participation in the connection of the Sugarbush trail to Great Northern RR trail. The meeting was positive and they expressed interest in participating. There will be an opportunity to apply for a legacy grant next year. The Livonia Park Board determined in order to proceed with the Sugarbush Trail connection, there needs to be contact with affected property owners to obtain easements, legal descriptions for easements need to be drafted as well as the easement documents. Copy of the feasibility study will be sent to the Town Engineer to obtain quote for drafting easement descriptions. Doebler talked about removing some of the trees that fell and were cut in the Park when ground is frozen. The Park Board will begin meeting during the odd months due to lack of development; next Park Board meeting will be January 23, 2012 at 6:00 p.m. Sherper informed us of a driveway scam involving prepayment for repairs; work is never done, contractor nowhere to be found. He also talked about elimination of the Market Value Credit from property taxes.

5.1 Organized garbage collection update: Sherper informed Board he met with representatives from the City of Zimmerman and Elk River. There was discussion regarding the challenges to implement a plan for organized collection. Sherper received copy of the current City of Elk River contracts; Board was given copy also for reference.

5.2 Discussion for amendment to the park credit provision in the OAA/playing fields. The Board authorized a workshop meeting with the City of Zimmerman to talk about verbiage in the OAA pertaining to the park credit. This is a separate issue from the recent request for additional playing fields. Clerk/Treasurer will contact City of Zimmerman, set up meeting during November.

Items 5.3 through 5.7 were recorded for the official record

5.3 Amendment to existing IUP for a yard waste composting operation: Supervisor Manthei stepped down from the Board for this item. Sherper/Hewitt unanimous to approve Order of Approval of Application#46391 amendment to existing IUP #45436 for a yard waste compost operation as approved by the Sherburne County Board of Commissioners on October 4, 2011. Copy of the approval and conditions of approval are on file in the Sherburne County Zoning Office.

Supervisor Manthei returned to the Board

5.4 Amendment to Sherburne County Zoning ORD-188 Section 13 Flood Plain District: Hewitt/Doebler unanimous to approve Amendment to Sherburne County Zoning ORD-188 approved by the Sherburne County Board of Commissioners on October 4, 2011. Copy of the approval and conditions of approval are on file in the Sherburne County Zoning Office.

5.5 Amendment to Sherburne County Zoning ORD-189 Section 16 Conditional Uses Sub 2 Item 37 Wind power Management: Manthei/Doebler unanimous to approve Amendment to Sherburne County Zoning ORD-189 approved by the Sherburne County Board of Commissioners on October 4, 2011. Copy of the approval and conditions of approval are on file in the Sherburne County Zoning Office.



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5.6 Amendment to Sherburne County Zoning ORD-190 Section 17 Subd 13 Compliance with Wetland Conservation Act Regulations: Doeblor/Hewitt unanimous to approve Amendment to Sherburne County Zoning ORD-190 approved by the Sherburne County Board of Commissioners on October 4, 2011. Copy of the approval and conditions of approval are on file in the Sherburne County Zoning Office.

5.7 Amendment to Sherburne County Zoning ORD-191 Section 11 Subd 6 Compliance with Wetland Conservation Act Regulations: Doeblor/Hewitt unanimous to approve Amendment to Sherburne County Zoning ORD-191 approved by the Sherburne County Board of Commissioners on October 4, 2011. Copy of the approval and conditions of approval are on file in the Sherburne County Zoning Office.


5.8 Updates: **a) repair to buildings:** Quotes were obtained from three companies. Latcham Lind Lumber \$8,068.77; Structural Steel \$17,723.83 and Fischbach Construction \$16,170.00. Latcham Lind will do repairs. **b) Negotiations regarding the Girl Scout Road:** Attorney Gilchrist forwarded options to the Girl Scouts; their legal Counsel is reviewing them. The Girl Scout people will meet with area affected residents in early November. **c) Vacation of Saddlebrook Plat:** As soon as all the signatures are obtained the documents will be recorded; Township will be notified. **d) Whispering Ridge Plat:** The vacant lots in the Plat of Whispering Ridge forfeited to the State of Minnesota on September 20, 2011 for non-payment of property tax including the two lots the septic systems are located on. At issue is the shared septic system and who is responsible for taking ownership of it; being the two lots forfeited, the State owns the two lots now; the County is investigating further.

Hewitt/Doeblor unanimous to adjourn meeting at 9:15 p.m.

Approved this 28th day of November 2011



Chairman or Vice Chairman



Clerk/Treasurer or Deputy Clerk/Treasurer