



## LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES

HELD AT THE LIVONIA TOWNSHIP HALL

February 23, 2015

Supervisors present: Doebler, Hass, Hewitt, Manthei and Spencer.

Staff present: Clerk/Treasurer Hammre, Maintenance Coordinator Berghuis

Others Present: Jon Bogart, PE Town Engineer with Bogart Pederson & Associates, Inc.

Chairman Hewitt 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 requested the addition of item 2.4 Steinbrecher – letter of recommendation request. Spencer/Doebler unanimous to approve meeting agenda with requested addition.

**1.3 Approve Consent Agenda:** Spencer/Hass unanimous to approve Consent Agenda as follows: **Item A)** January 26, 2015 Regular Board Minutes; **Item B)** February 2, 2015 Workshop Meeting Minutes; **Item C)** February 2, 2015 Special Meeting Minutes.

**1.4 Sheriff's Report:** Sherburne County Sheriff Joel Brott presented the 2014 Annual Sheriff's Report as it pertains to Livonia Township; 1914 law enforcement contacts overall, including calls for service. This was a decrease from 2013 and a slight increase from 2012. Serious criminal activity, including burglaries and narcotics numbers, were down and homicides have been at zero for the last three years. DUI contacts have remained constant. Brott also reported: Sherburne County has an active drug task force with four officers assigned to narcotics violations, which keeps the narcotics activity down; the Sheriff's Department participates in the Tri-County Regional Forensics Lab, a one-of-a-kind lab that enables quicker turn-around times on evidence submitted; three staff members recently graduated from NW University for Public Safety; the Emergency Response Unit (ERU) won the Top Gun Team award at the Camp Ripley Competition.

**1.5 Fire Report:** Chief Maloney provided January calls for service: 5 medical assists, 1 gas leak, 4 motor vehicle personal injury accidents, 1 cancelled en-route, 1 carbon monoxide, 1 commercial building, and 1 residential house fire. Maloney also reported on the recent ISO rating of 9, which will be upgraded to a 6 or 7 by moving the larger tanker to the Livonia Fire Station from the Zimmerman Fire Station, along with a few other minor changes. Maloney also reported that many of the Fire Fighters will be attending former Fire Fighter and Civic Leader Mike Johnson's Funeral Service.

**1.6 Road report:** Maintenance Coordinator Berghuis – Rochester Township has quoted Livonia Township a price of \$65,000 for the plow truck Livonia Township is interested in purchasing; the unused plows are at Hiller's Auction for auction; Plow Truck #32 will also be up for auction; tree trimming in the road right of ways has been progressing; the culvert on 239<sup>th</sup> Ave at the County drainage ditch is open, photos were taken; salt/sand has been restocked for the next snow event.

**1.7 Planning Commission Report:** Spencer reported the following actions were taken at the February 19, 2015 Planning Advisory Meeting: the public hearing for request for IUP for gravel mining in Palmer Township was recessed to the March PAC meeting; the request for an IUP for a portable asphalt plant in Palmer Township was tabled to the March PAC meeting; the request for a CUP for a Communications Tower in Big Lake Township was recommended for approval; the request for Residential Preliminary & Final Plat approval for Soperfect Crystal Pines in Santiago was recommended for approval; the request for approval of Residential Preliminary Standard Plat of Shasta Meadows in Orrock Township was recommended for approval; the request for 2 year extension of Preliminary Plat of River Crest Farms in Big Lake Township was recommended for approval.

**2.1 Request for IUP – Gruis:** Mickey and Doris Gruis present to request an IUP for A Home Business in an Accessory Building - Continuation of Existing Business for Jag's Pro Truck Shop, Inc. Gruis explained they are planning to move the business to a local commercial area where they can construct a larger building to accommodate their growing business and add additional employees. They are requesting the extension to the existing IUP to allow them to operate their business at the current location until such time that they can break



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ground on and move into a new facility. Gruis is also requesting that the IUP continuation would include the provision for 4 employees (there are 2 presently, including Gruis), necessary for the operation of the business. Manthei/Doebler unanimous to recommend approval for the IUP Request for a Home Business in and Accessory Building. Comments include: There have been no negative issues with the business; the business will remain in the local area which is economically desirable, moving to the new location as soon as possible; 2 additional employees for a total of 4 employees is reasonable and should be allowed.

**2.2 Solar Energy Systems Draft Ordinance** – Discussion regarding the proposed Sherburne County Solar Energy Systems Draft Ordinance. Board discussion included: Solar Energy Systems companies would potentially be approaching land owners in the Township, it is necessary to have an Ordinance concerning Solar Energy Systems in place to ensure that systems are placed in areas that would not adversely affect Township residents and reflect the best use for the land. Solar Energy Systems could be a gravel pit end-use strategy. The Board also discussed the importance of the regulating authority on Solar Energy Systems and if size of the system impacts who the regulating authority would be. There was also discussion about the lack of energy infrastructure in Livonia Township that may impact the attractiveness of the Township for such a system. Livonia Town Board would like a moratorium on the Solar Energy Systems Ordinance pending further information on the Regulating Authority on such systems, possible size limits on systems that would be under consideration, placement of systems and the impact of the placement to residents, impact of the Ordinance on residents who desire a small Solar Energy System for personal use.

**2.3. Engineering:** a) **239<sup>th</sup> Ave** – the contractor has begun marking and grubbing; b) **112<sup>th</sup> St** –some temporary easements have been obtained; **273<sup>rd</sup> Ave** – second lift of bituminous scheduled for 2015. Spencer/Manthei unanimous to allow Bogart to move forward with the bidding process when the easements are obtained on 112th St and for the second lift of bituminous on 273<sup>rd</sup> Ave; c) **Lake Fremont Road tree removal update** –the trees can be cut now that permits have been obtained, Berghuis to proceed; d) **CIP update** –will be ready in about 1 week; Woods @ Lake Fremont roads will need to be inspected for cracks in the spring, and the second lift can be applied after needed repairs are completed; Hammre to have plat maps available at our next meeting to look at platted roads within the development.

**2.4 Steinbrecher** – requesting a letter of recommendation to Sherburne County Zoning to grant an IUP for a contractor's yard for Steinbrecher Companies, Inc. on a property in Livonia Township that he is considering purchasing. Discussion followed concerning the procedure for obtaining an IUP and the importance having the recommendations of the County available when the Board reviews and evaluates a request. Steinbrecher agreed to follow the procedure and return when the paperwork has been submitted.

**3.0 OPEN FORUM** – Ed Treska was present for open Forum, discussing water being discharged onto his property from a neighboring property. The water is pooling and freezing on and near his septic drain field, which he feels could negatively impact his septic system. Treska questioned if this would fall under the Livonia Township Nuisance Ordinance #900. Discussion followed about the options Treska has in remedying the situation in a timely manner and possible contacts in determining the source of the water.

**4.1 Clerk Treasurers Report:** Hammre reported items of interest during December include: Field Audit is scheduled for Wednesday, February 25<sup>th</sup>; all vendors and STS crew are confirmed for Clean-Up Day, April 25; the Livonia Township Newsletter will be mailed this week.

**4.2 Approve payment of claims and transfer funds:** Hewitt/Hass unanimous to approve payment of claims, including payroll, as submitted and to transfer \$38,500.00 from savings to checking to cover claim numbers 7082, 7115 - 7144 (gap in claim numbers reflects Banyon correction of claims in wrong month), check numbers 16632-16673 and Electronic Fund Transfers (EFT) #110-112 (February) Fed & State withholding tax & PERA.



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**4.3 Supervisor Reports: Hass**—discussed the ISO fire rating that Chief Maloney spoke about, explained the desire for a lower rating to decrease resident's homeowner insurance rates and how moving the tanker truck with a larger water capacity to the Livonia Station would achieve this goal; **Manthei** – reported on the community project meeting held at Zimmerman High School; discussed Clean-up Day vendors and refreshments for workers; Hass/Spencer unanimous to have Livonia Township provide hot drinks and donuts for workers rather than pizza. **Spencer** – provided Hammre with the Legislative and Research (L&R) subcommittee minutes for Livonia Township records. **Doebler** – no report. **Hewitt** – Sugarbush 2<sup>nd</sup> Annual Walk/Ski/Snowshoe Event Report- successful event with a good turn-out and many positive comments. Some discussion and ideas for next year's event.

**5.1 Approve Annual Meeting Agenda** – Hass/Doebler unanimous to approve the March 10, 2015 Annual Meeting Agenda as presented.

**5.2 Approve proposed 2016 Levy for presentation at the Annual Meeting** – Spencer/Hass unanimous to approve the 2016 Levy of \$1,234,868 for presentation at the 2015 Annual Meeting.

**5.3 Township Election** – Review of information regarding the pros and cons and the procedure to move the election. Discussion on the merits of moving the Township Election to the November Election. The Board directed Hammre to contact MATS for information on how many Minnesota Townships have moved their election to November, and how many have moved them back and why for the April meeting.

**5.4 Joint Community Project Legal Process** – Discussion on the information Livonia Township Attorney Gilchrist provided concerning options and procedures if the Community Project goes forward.

**5.5 Right of Way Encroachment Process** – moved to March meeting

**5.6 MAT's Spring Short Course** – Reminder if anyone would like to attend the Spring Short Course to be held at the Holiday Inn in St. Cloud on Tuesday, March 24<sup>th</sup>; no pre-registration is necessary.

**5.7 MAT's Legal Short Course** – Reminder if anyone would like to attend the Legal Short Course to be held at the Rockwoods Conference Center in Otsego on April 23<sup>rd</sup>. Pre-registration deadline is April 9, on-site registration is available.

**5.8 Final Approval of CUP for Church (Religious Purposes, Including Ceremonies and Festival: Second Phase is for the Construction of a Temple Building) RECORDED FOR THE OFFICIAL RECORD** - Hass/Spencer unanimous by roll call to approve CUP for Church (Religious Purposes, Including Ceremonies and Festival: Second Phase is for the Construction of a Temple Building), as approved January 6, 2015 by the Sherburne County board of Commissioners. The CUP and conditions of approval are on file in the Sherburne County Zoning Office.

Hass/Doebler unanimous to adjourn meeting at 8:50 pm.

Approved this 23<sup>th</sup> day of March 2015.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer

