



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

Supervisors present: Hass, Doebler, Hiller, Maloney & Pool.

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/Doebler unanimous to approve the Regular Meeting Agenda with the following change: move item 1.8 to item 1.5. There will be no engineering report at this meeting.

1.3 Approve Consent Agenda: Doebler/Maloney unanimous to approve Consent Agenda as follows: **Item A)** January 22, 2018 Regular Board Meeting Minutes; **Item B)** January 21, 2018 Workshop Meeting Minutes.

1.4 Fire Report: Fire Chief Maloney provided January calls for service: 7 medical assist, 2 gas leak, 5 motor vehicle personal injury accident, 1 carbon monoxide, 2 fire alarm, 2 vehicle fire, 3 residential house fire (1 dishwasher, 1 furnace issue, 1 smoke in the area), 1 fire mutual aid (ER commercial building). Maloney also reported that 4 new recruits have completed F1 and F2 training, and will now start their EMR training. There is extensive training required to become a fire fighter. These particular recruits began their training in September, and will finish around Memorial Day weekend. The required training consists of attendance at training 2 nights/week, 4 hours per night for about 8.5 months of training.

1.5 Sherriff's Annual Report Sherburne County Sheriff Brott presented the 2017 Annual Sheriff's Report as it pertains to Livonia Township. There were 2,679 law enforcement contacts overall in the Township, including calls for service. This was an increase of a few hundred contacts from last year. Sheriff Brott ran a report to see what made up the increase in contacts. The increase included 24 medical situations, 48 additional traffic stops, and 292 additional security checks. Security checks are for homes that are temporarily unoccupied because the residents are out of town, etc., and business and commercial building checks. Security checks have been an emphasis in the past year. There is no concern to the Township over the increase in contacts based on the reasons for the additional contacts. Serious Criminal Activity, which is activity that negatively impacts the quality of life for Livonia Township residents, included 1 Assault, 11 Burglaries, 6 Narcotics, 5 DUI, 2 CSC, 63 Theft, 20 CDP and 0 Homicide. Comparing 2017 numbers to 2015 and 2016, criminal activity remains low. During the 3 year period, there were just 5 assaults. Burglaries went up from 8 in 2015, 9 in 2016 to 10 in 2017. Narcotic activity has been consistent the last few years and DUI's have decreased steadily to just 5 in 2017. Criminal sexual conduct was down in 2017 at 2. And again, thankfully, there have been 0 homicides. Sheriff Brott pointed out that theft has again increased to 63 for 2017, however criminal damage to property has decreased to 20. Sherriff Brott asked if there were any questions. Supervisor Hiller asked about the difference between a theft and a burglary. Sheriff Brott explained that a theft would be stealing from someone's car, utility shed, etc. and a burglary would be stealing from a residence, attached garage, or a commercial building or business. Agency updates include: in 2017 there were 4 new deputies hired; the jail achieved ACA Accreditation - one of only two jails in the state of Minnesota to have ever received ACA Accreditation. ACA includes 433 standards that must be met, and took the department 2 years to achieve. The Dispatch Center is working on a similar accreditation, the CALEA Accreditation. Sheriff Brott also described the Substance Use Prevention (SUP) Coalition, a community organization comprised of youth, parents, county staff, school leaders, law enforcement, and community groups that work together to reduce drug use by the youth in Sherburne County, primarily through education and programs. The Sherriff's office has a social media presence, both Facebook and Twitter. All press releases are put out on Facebook. Chairman Hass brought up the concern about the ambulance presence and response times in the Livonia area. Brott explained that all responses are documented and the information is available. Hass thanked Sheriff Brott for his report.

1.6 Road Report: Maintenance Coordinator Berghuis reported: the maintenance team has been very busy plowing this past month; Berghuis built a cage for the bucket of the payloader; Berghuis painted the skid loader trailer; request for the Board to look at the entrance road to the Woodlands development - it is again breaking up; a plow truck is going to be up for sale in May that looks like a good replacement for our plow truck #34. Hass/Pool unanimous to direct Hammre



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to send a letter of intent to purchase. Berghuis also mentioned that plow truck #34 should be sold this year as it will be replaced. Hass/Pool unanimous to allow Berghuis to sell the truck.

1.7 Planning Commission Report: Lila Spencer present to give the PAC report: the PAC met on December 21, 2017. The PAC recommended the following items for approval or denial by the County Board of Commissioners at their next scheduled meeting. Recommended approval of request for a conditional use permit for personal storage structure - Orrock Township. A Public Hearing was held for a decision on the mandatory EAW for Sleepy Oaks plat in Palmer Township. The commission made a negative declaration on the need for an EIS. Adequate information was presented on the EAW for the proposed subdivision. The January 18, 2018 scheduled PAC Public Hearing was canceled. The PAC met on February 15, 2018. The PAC recommended the following items for approval or denial by the County Board of Commissioners at their next scheduled meeting: election of 2018 Planning Commission Officers - Brian Lawrence, chair; Jeff Schlingmann, vice chair and Judy Weber, secretary. Recommended approval of request for Residential preliminary and final simple plat of Prom Addition in Haven Township. Recommended approval of request to amend existing IUP #56040 for a recreational athletic field for use by ISD 727- Big Lake Township.

1.8 Sheriff's Annual Report: Item moved to item 1.5.

2.1 Request Work in D&U Easement: John Koski, 14578 265th Ave NW Zimmerman and Jan Blount, Custom Pools, Inc., 8960 Excelsior Blvd, Hopkins, present to request permission to work in the Drainage and Utility (D&U) Easement on the Koski property. The project would involve plugging the inlet and restoring the Ordinary High Water Level (OHWL) to the natural level. The property had, by a previous owner, been altered to create a pond, thus changing the OHWL boundary to an un-natural location. The Koskis were originally seeking a variance to the setback to the OHWL to install an in-ground pool, when inspection by Sherburne County Zoning discovered the alteration. With the alteration, the majority of the back yard is now below the OHWL. MN DNR has provided a plan to restore the OHWL to the natural and historic location. When the restoration is complete, the variance request will proceed. Blount asked the Board if they could make a determination on the future variance at this meeting so the project could proceed in a shorter time frame. Township engineer Anderson, upon review of the restoration plan, recommended that the work in the D&U be allowed. Hass/Hiller unanimous to allow restoration in the D&U Easement to achieve the restoration of the natural OHWL as per Nick Anderson, Township Engineer's recommendation.

Hass/Doebler unanimous to approve the motion to allow Hammre to proceed with the recommendation for approval of the requested variance pending positive feedback from MN DNR and Sherburne County regarding the restoration of the OHWL on the property. If there are any concerns or change, Koski and Blount will need to return to the Livonia Board for the variance request.

2.2 Request to Vacate a Portion of the Fremont Drive ROW: Alice (Kathryn) Waurio not able to attend, request sent by letter: request to initiate the vacation of a portion of the road ROW between Waurio's house and Fremont Drive. The vacation would be the portion of ROW between the 33' from center line, the Township ROW requirement and the current easterly limit of the ROW that was the HWY 169 ROW limit when Fremont Drive was HWY 169. Waurio supplied a petition to the Livonia Town Board asking for the vacation and a signed escrow agreement along with the necessary funds. Hass/Hiller unanimous to direct Hammre to initiate proceedings to vacate that portion of the ROW of Fremont Drive from 33 feet east of the center line of Fremont Drive to the current easterly limit of Fremont Drive where it adjoins the Waurio property as described in the petition to vacate with the final description produced by Bogart, Pederson and Associated, Inc.

2.3 Request to Amend IUP: Burgoyne Investments did not attend the meeting. No action taken.

2.4 Discuss Changes to Driveway Permit Contract: the Board discussed potential changes and requirements to driveway permits. Changes to include: clearer language for ditch restoration and erosion control; site map requirements with locations clearly marked; the requirement to renew the contract if the driveway is not complete within one year or the construction deposit is forfeited; a separate signature line acknowledging the one driveway per lot limit. Hammre was directed to draft a revised Driveway Permit Contract for approval at the March 26th Board Meeting.



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2.5 Road Maintenance – Crack Seal and Chip Seal: Hass/Maloney unanimous to authorize up to 8 miles of road to be crack sealed. Hammre to prepare maps and send out for quotes. The Board authorized Township Engineer Nick Anderson to determine which roads need chip seal when the roads are in a condition to evaluate them.

3. Open Forum: Samuel Stetler present on behalf of his father, Fred Stetler (W. H. Cates Pondsides Estates) to inform the Board that his father will be pursuing the completion of this development. Samuel presented the Board with the sketch plan to divide the out lot into 2 lots with a shared driveway for the Board's information. The Board indicated that the proposed split was not objectionable given the information, but no action was taken. The Board and Stetler discussed the process including that they would need to work with Sherburne County Zoning and MN DNR due to the proximity of wetlands before any action may be taken.

4.1 Clerk Treasurers Report: Hammre reported items of interest during the past month include: end of year accounting is in progress; the Township annual audit prep is in progress; stop sign damage from car accident claim has been submitted; we have been busy with the Township Annual Election prep.

4.2 Approve payment of claims and transfer funds: Hass/Hillier unanimous to approve payment of claims, including payroll, as submitted, and to transfer \$32,000.00 from savings to checking to cover claim numbers 8346–8369, check numbers 18169-18204 and Electronic Fund Transfers (EFT) #228-230 (February) Federal, State, & PERA withholding tax.

4.3 Supervisor Reports: Hiller – commented that the Livonia Township Facebook page looks good, complimented Supervisor Doeblor on maintaining the site. Maloney – no report. Pool – no report; Doeblor - reported that the Facebook page has successfully spread the word about the upcoming Sugarbush Luminary Event. Hass – asked Fiedler to research facilities for Sugarbush Preserve, asked Doeblor to request Sugarbush Preserve pavilion ideas from the Park Board and Town Board for consideration.

5.1 Resolution to set Public Hearing for the vacation of a portion of the Fremont Drive ROW- Hartfiel: Resolution #18-2 Setting Public Hearing for Vacation of a Portion of the ROW of Fremont Drive Located in Livonia Township Sherburne County, Minnesota was passed unanimously by roll call. The Public Hearing is set for April 23rd, 2018 at 7:30 pm.

5.2 Resolution to set Public Hearing for the vacation of a portion of the Fremont Drive ROW- Waurio: Resolution #18-3 Setting Public Hearing for Vacation of a Portion of the ROW of Fremont Drive Located in Livonia Township Sherburne County, Minnesota was passed unanimously by roll call. The Public Hearing is set for April 23rd, 2018 at 7:30 pm.

5.3 Approve Annual Meeting Agenda: Hiller/Doeblor unanimous to approve the Agenda for the Annual Meeting as presented.

5.4 Discuss Wage Changes for Budget: Hass tabled the item to allow time for further research and consideration.

5.5 Approve Proposed 2019 Levy for Presentation at Annual Meeting: Hass/Doeblor unanimous to approve the proposed 2019 Levy for presentation at the Annual Meeting.

5.6 Gopher Bounty: Hass/Hillier unanimous to approve submission of gopher bounty reimbursement claim.

5.7 MAT Spring Short Course: March 27, 2018. Same day registration.

5.8 MAT Town Law Review: April 19, 2018 in Burnsville.

Doeblor/Hillier unanimous to adjourn the meeting at 8:25 pm

Approved this 26th day of March 2018.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer