



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
MARCH 25, 2019

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

Staff present: Clerk/Treasurer Hammre, Deputy Clerk/Treasurer Fiedler, Maintenance Coordinator Berghuis, Township Engineer Anderson.

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: Hass/Hiller unanimous to approve the Regular Meeting Agenda with the following amendment: move 1.7 Fire Report to 4.3 Supervisors Report for Hass to present in Chief Maloney's absence.

1.3 Oath of Office: all newly elected Supervisors took their Oath of Office prior to this meeting.

1.4 Elect Chair of the Town Board: Maloney nominated Hass to serve as Board Chair, no other nominations were submitted. Maloney/Hiller unanimous to approve.

1.5 Elect Vice Chair of the Town Board: Maloney nominated Pool to serve as Board Vice Chair, no other nominations were submitted. Maloney/Kuker unanimous to approve.

1.6 Approve Consent Agenda: Maloney/Hiller unanimous to approve Consent Agenda as follows: **Item A)** February 25, 2019 Regular Meeting Minutes; **Item B)** Sherburne History Center – Membership Renewal at Patron Level.

1.7 Fire Report: this report was moved to 4.3 Supervisor Reports (see above)

1.8 Engineering Updates: Engineer Anderson – 239th Ave) one of the three temporary easements requested for the 239th Ave reconstruction project has been obtained and one is in process. The last one needed, from Perl Sod Farm, has had no response. Bid Opening is scheduled at 7:30 during this meeting; Crack Seal, Chip Seal, Road Tour) a date for the road tour was set for Wednesday, May 1, 2019 at 9:00 am. Future road projects will be considered during the road tour. Crack seal was also discussed as something to determine during the road tour. Hammre pointed out that crack seal should be done early in the season while cracks are wide open and the road tour may be too late to get quotes and have the work done at the optimal time. The last few years Berghuis and Hammre have determined the roads that need crack sealing and presented the list to the Board for approval. Hass and Pool will go out sometime in the next 2 weeks to determine which roads should be crack sealed.

1.9 Road Report: Maintenance Coordinator Berghuis reported that Hass and Pool looked at 96th St which is one of the roads that is continuing to deteriorate; there is a frost boil on 257th Ave (AKA Memorial Road) – he will put some recycled tar over the frost boil to help to stabilize the road surface; Grams Road looks good; the team has used about 2 tons of cold patch to fill pot holes; Berghuis graded Grams Road and 104th St south of CR 45. Berghuis also presented a quote to trade in the 2016 Chevy 3500. Berghuis explained that he would like to rotate replacement of the three 1-ton trucks with the oldest at 6 years being traded for new. This would be an every-third year trade in. Berghuis went on to explain he would like to replace the Dodge, but there are not funds available in the vehicle budget this year to purchase a new truck without a substantial trade-in value for the Dodge. Berghuis explained that the trucks are fine, but he would like to stay ahead. Hass responded that he would like to take the proposal under consideration and said he would prefer a little longer cycle. Further discussion about the trade-in value, if the plow is included, the purchase price, maintenance, brand, and fuel. The proposal will be revisited at a future meeting; Burghuis also reported that Plow Truck #43 had a rear-end replacement.

1.10 Planning Commission Report: Spencer reported that during the March 21, 2019 Planning Advisory Commission Meeting Carrie Winter was appointed to serve a Secretary to the Planning Commission to replace Judy Weber who is retiring. The following items were recommended for approval by the County Board of Commissioners at their next scheduled meeting: request for Residential Final Standard Plat of Baldwin Estates – Baldwin Township; request for Residential Final Standard Plat of WH Cates Pondsides Estates Second – Livonia Township; Request for Residential



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Preliminary and Final Simple Plat of Gail Addition – Big Lake Township; request for a Conditional Use Permit (C.U.P.) for a Personal Storage Structure – Big Lake Township; Amendment to Section 15 Mississippi and Rum Scenic and Recreational River Ordinance; Amendment to Section 5, Subd 2 Definitions; Amendment to Section 5, Subd 2 Definitions; Amendment to Section 17, General Development.

1.11 Sheriff's Report: Sgt. Wilson reported there were 187 calls for service in March, the calls included 12 security checks, 37 traffic stops, 18 medicals and 13 motor accidents. Wilson also addressed a resident's concern about excessive speed on 245th Ave and the danger to pedestrians. The Sheriff's office will work with Livonia Maintenance to install the speed radar unit to monitor the speed of drivers in the area of the concern. Hiller, who spoke to the concerned resident, suggested installing stop signs at the intersection of 245th Ave and 104th Street to make the intersection a 4-way stop intersection. Hass suggested that he and Pool would contact Sherburne County Engineer Witter to discuss the possibility. Sgt. Wilson will have result statistics from the speed radar unit for the Board at a future meeting. There were no other issues for Livonia Township.

3.0 Open Forum (taken out of Agenda order): Eileen Bohn, 26386 112th Street NW (AKA CR 39) present to discuss the CR 39 Reconstruction Project that will take place in 2020. Bohn explained that her house is located very close to the road already, and the ROW increase due to the construction project would result in her house being 17 feet from the road ROW. She had concerns about traffic speed and safety. Bohn was advised that it may be possible for Sherburne County to work with a landowner under these circumstances and to contact Sherburne County Engineer Witter to inquire if it there is a solution. Bohn thanked the Board for their advice.

7:30 Open Bids for 239th Ave Reconstruction Project: Hass announced the bids received would be opened. As each bid is opened the bidder's name, bid amount and whether a bid bond and responsible contractor form was received. After all the bids are opened the apparent low bid and dollar amount will be announced.

The following bids were received by the 11:00 am deadline on March 25, 2019:

Astech Corp	\$789,261.05	Bid Bond – yes
Helmin Construction, Inc.	\$708,413.08	Bid Bond – yes
Hardrives, Inc	\$774,961.19	Bid Bond – yes
Knife River	\$693,709.75	Bid Bond – yes
Omann Contracting Companies, Inc.	\$677,745.74	Bid Bond - yes

Hass announced the apparent low bid was submitted by Omann Brothers Paving, Inc. in the amount of \$677,745.74. Kuker/Hiller unanimous to award the apparent low bid of \$677,745.74 to Omann Contracting Companies, Inc. contingent upon validation of quantities and amount by Nick Anderson, Bogart, Pederson & Assoc., Inc.

2.1 Highland Meadows: (Maloney excused himself from the Board): Maloney stated that the last items needed to complete the requirements are the Letter of Credit and the required escrow and fees. He also stated that he has the Mylars ready for signing. Hammre reported that the LOC had been reviewed by the Township Attorney, who stated that it has an expiration date of March 12, 2020. This date is acceptable if all requirements by the developer are satisfied. Hass/Hiller unanimous (Maloney abstained) to accept the LOC and remaining requirements for Highland Meadows Third Addition.

3. Open Forum (continued): Kristin Schrader, 23135 128th Street NW, present to address the Board by reading and discussing a letter she had prepared citing concerns over election campaign issues.

Karen Sherper-Rohs, 12275 239th Ave NW, also present to address the Board by reading and discussing a letter she had prepared concerning election campaign issues and the historical role of Townships and grass-roots government.

(the above-mentioned letters were submitted and are on file at the Town Hall)

4.1 Clerk/Treasurer Report – Items of interest during the past month include: The Township election process went well - all necessary reports and documents have been finalized and submitted as required; there are several training



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opportunities coming up for Supervisors and staff. These are important for keeping up to date on Township leadership expectations and law changes; Supervisor packets/ipad preference requested.

4.2 Approve payment of claims and transfer funds: Maloney/Hiller unanimous to approve payment of claims, including payroll, as submitted and to transfer \$166,000.00 from savings to checking to cover claim numbers 8757–8785, check numbers 18753–18803, and Electronic Fund Transfers (EFT) #273-275 (March) Federal, State and PERA withholding tax.

4.3 Supervisor Reports: Hiller – Park Board report: The Park Board discussed consistent name signage for all Township Parks and Trails for continuity, the future picnic shelter and potentially exploring building participation with a local shop class or other group, and Doeblner will work on verbiage for park/trail rules signs. Hiller also presented a request for a letter of support from Sherburne County Public Works for a Local Trail Connection Grant application from the DNR. Hiller/Maloney unanimous to approve a letter of support as requested. **Pool** – asked about vacating the Girl Scout Camp road to avoid liability and clean up costs. Spencer commented that several years ago a number of residents were concerned about vacating the road as they use it for horseback riding, hiking and running. Hass asked Berghuis how much time is put into the road. Berghuis replied about 1 hour every two weeks when there is no snow, about 15 hours per year. Hass commented that when a road is vacated it is permanent. He also said entertainment and recreation has value. Kuker said two people use it a lot, identified by their vehicles. Hammre asked Chairman Hass to speak to this issue and was given permission. Hammre explained that she lives near the main entrance to the Girl Scout camp and sees multiple users going to the trail and on the trail, including walkers, runners and horseback riders. The trail is well used by a many people who appreciate the trail and love having it available to them. Hammre also said there is no longer garbage dumping on the road. Berghuis asked if the Township is responsible for upkeep of the road where the Girl Scout Camp has upgraded to a new building. Hass replied that upkeep is the responsibility of the Girl Scout Camp in the agreement made with them. Hammre reported that the Girl Scout Camp has recently applied gravel to that portion.

Hass – Fire Board Report (Chief Maloney unable to attend): for the month of February there were 8 medical assists, 1 gas leak, 7 motor vehicle personal injury accidents, 3 carbon monoxide, 5 fire alarms, 1 residential garage (Livonia), 3 fire mutual aid (2 Elk River, 1 Big Lake). Hass also reported that the Fire Board met on March 13, 2019 and looked at rough draft possibilities for a new fire station building in Zimmerman located at the corner of 136th Street and CR 4. The draft included a large dividable room that could be rented for events. There is also a potential wing for DNR use, and a possible Heli-pad. The cost will depend on several factors including if the DNR will be involved with a rental contract and other design options. Audience member Spencer asked that the process continue to be shared with the residents to keep everyone up to date and have the process be transparent. Hass agreed on the importance of a transparent process.

5.1 Township Reorganization: a) Committees & Boards: General Administration – Hass and Hiller, Pool/Maloney unanimous to approve; Road Maintenance – Hass, Hiller/Maloney unanimous to approve, and Pool, Hass/Maloney unanimous to approve; Town Park Board – Hiller and Kuker. Discussion about concerns of Kuker being on the Park Board with Doeblner serving as a Park Board resident member given recent circumstances. Hiller requested that another Supervisor take that position instead. Kuker disagreed. Hass stated that the residents expect the Board to be civil, and that the Supervisors need to rise to that expectation. Maloney/Pool unanimous to approve; Cemetery Board – Hiller and Maloney, Hass/Pool unanimous to approve; Intergovernmental – Maloney and Hiller, Hass/Pool unanimous to approve; Fire Board – Hass and Hiller, Kuker as alternate, Hass/Hiller unanimous to approve.

b) Supervisor Wages & Meeting per Diem: \$100 per meeting when a quorum is required and \$50.00 per additional meeting per day when a quorum is required, with a cap of two meeting paid per day. \$24.00 per hour when performing duties as a supervisor or when no quorum is required; does not include cleanup day or service as an election judge. Hass commented that some time is spent behind the scenes. Hammre reminded the Board that they can claim all of their time and mileage. **c) Conflict of Interest Resolutions/Affidavits of Official Interest in Claim:** Resolutions authorizing contract with interested officer under M.S. 471.88 Subd 5 were approved for each Supervisor in the event they perform work for the Township during cleanup day. When filing their claim for work performed, they also sign an official interest in claim. Resolutions, as approved for each supervisor, are on file. **d) Town Hall Office Hours/Regular Town Board Meeting Dates:** Town Office hours are Monday 8 am to 6 pm, Tuesday through Thursday 8 am to 4 pm, Friday 8 am to 12 pm. The Board meets the 4th Monday of the month at 7 pm located at the Livonia Town Hall unless the 4th Monday is a holiday: the meeting is then moved to the 3rd Monday of the month, same time and place. Maloney requested a



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workshop meeting to discuss hours and the website. The proposed Board Meeting dates for April 2019 – March 2020 are as follows: April 22, May 20, June 24, July 22, August 26, September 23, October 28, November 25, December 23, January 27, February 24 and March 23. Claims for payment are due to the Town Office no later than noon the Tuesday prior to the meeting. Payroll claims are due to the Town Office no later than 9:00 am the Monday prior to the meeting. Maloney/Kuker unanimous to approve 5.1d. **e) Official Depository/Account Signers:** The Bank of Elk River, Zimmerman Branch is the official depository of the Township. Two signatures are required on checks signed by either the Town Board Chair or Vice Chair but not both and the Clerk/Treasurer or Deputy Clerk/Treasurer but not both. The same applies to the redemption of certificate of deposit: currently the Township has one certificate of deposit which is held at the Bank of Elk River, Zimmerman Branch. Authorization by the Town Board is required for transfer of funds and payment of claims. Hass/Kuker unanimous to approve 5.1e. **f) Purchase Policy:** Currently the limit for expenditures without Board approval \$1,000 per item from the Road and Bridge Fund and \$250 from any of the other funds. The Township has use of credit card: spending limits should be the same for card use. Maintenance Coordinator, Maintenance Worker, Clerk/Treasurer and Deputy Clerk/Treasurer are signers on the Menards account. Hass/Kuker unanimous to approve 5.1f. **g) Petty Cash Fund:** Hass/Kuker unanimous to approve \$250 to be maintained in the petty cash fund. **h) Official Newspaper/Posting Location:** The Elk River Star News is the Townships official newspaper for publication of required legal notices. The posting board located on the west side of the Town Hall is the official posting place for all notices. Notices are also posted on the Hall door and the Town's website; these two locations are optional location for official posting. Hass/Kuker unanimous to approve item 5.1h. **5.1i Delegate EFT Officers:** Hammre designated as EFT Officer. Hass/Kuker unanimous to approve item 5.1i. **5.1j Website Advisor** Maloney/Hiller (no action taken).

5.2 Training: MAT Spring Short Course tomorrow, Hammre and Fiedler are attending, no Supervisors have signed up yet. Kuker is advised to go for New Supervisor Training. The Town Law Review is scheduled for April 18, 2019 at Rockwoods Conference Center in Otsego. Couri and Ruppe legal seminar will be in June.

5.3 LBAE reminder – April 22 at 6:00 pm.

5.4 SCAT Meeting April 17 at the Sherburne History Center.

Date for Workshop: April 5th, 2019 at 9:00 am.

Hass/Hiller unanimous to adjourn the meeting at 8:50 pm

Meeting reopened at 8:51 pm:

Hass read a letter from Jan Wallin to the Board (on file at the Town Hall): in the letter Wallin gave a brief history of the Township Supervisors and her involvement as well as her late husband Roger's 30 years of service as a Supervisor. She also gave a history of the purchase of the Sugarbush Preserve parcels and the grant money and donations received to purchase the properties. In the letter Wallin stated that the attack on Supervisor Doebler was mean spirited and out of bounds and the disrespect directed at the work of past and present Supervisors was offensive and insulting. When Wallin presented this letter, she also resigned from her long-held post as a Park Board representative.

Karen Sherper/Rohs volunteered to serve on the Park Board.

Meeting adjourned at 8:58 pm.

Approved this 22nd day of April 2019.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer