



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

Supervisors present: Hass, Doebler, Hiller & Maloney.

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: Hiller/Doebler unanimous to approve the Regular Meeting Agenda with the following additions: add Consent Agenda Item D) Employee Compensation; add Agenda Item 2.6 Pine Crest Estates.

1.3 Supervisor Oath of Office: Kevin Hiller and Butch Hass took the Oath of Office for Supervisor Positions C (Hiller) and E (Hass).

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

1.5 Elect Vice-Chairman to the Town Board: Hass nominated Doebler to serve as Town Board Vice-Chair, no other nominations were submitted. Hass/Maloney unanimous to approve.

1.6 Approve Consent Agenda: Hass/Doebler unanimous to approve Consent Agenda as follows: **Item A)** February 26, 2018 Regular Board Meeting Minutes; **Item B)** March 5, 2018 Workshop Meeting Minutes; **Item C)** Sherburne History Center – membership at Patron Level; **Item D)** Employee Compensation.

1.7 Sheriff's Report: Sgt. Wilson reported there were 236 calls for service in February; the calls included 106 traffic stops, the remainder of the calls were for various reasons. There were no issues or concerns for Livonia Township.

1.8 Fire Report: Chief Maloney was unable to attend, Firefighter Todd Maloney provided February update: the new recruits finished their haz-mat training; the fire department conducted a controlled burn on a house in the Township.

1.9 Engineering Updates: Township Engineer Anderson reported that the road bid for 112th Street second lift of bituminous on the Sherburne County Road Construction Contract came in at 17% under the estimated cost. The project dates are between May 18 2018 and June 11 2018. There has been no action on the 239th Ave project. Doebler reported on progress with securing an off road trail easement along a portion of 239th Ave.

1.10 Road Report: Maintenance Coordinator Berghuis reported: "STAY BACK 100 FEET" warning stickers were installed on the backs of all plow trucks; the grader will need replacement tires soon, an estimate from Billings was obtained and additional estimates and options will be explored; the plow truck that is scheduled to be replaced did not sell at auction. It will now go to a dealer or another auction later in the year; the Sterling had cylinders replaced; Erickson Asphalt provided a quote to repair the entrance road to The Woodlands of Livonia, more quotes will be sought before a contract is signed.

1.11 Planning Commission Report: Spencer was unable to attend the meeting, Hammre gave the report in her absence: The Planning Advisory Commission (PAC) met on March 15, 2018. The PAC recommended the following items for approval by the County Board of Commissioners at their next scheduled meeting: request for CUP to construct and operate a church – Baldwin Township; request for an IUP to operate and auto repair and body shop due to change in ownership of an existing IUP – Baldwin Township; 2 requests for preliminary and final residential simple plat – Baldwin Township. There were 4 requests for new IUPs to construct and operated solar farms due to a change in ownership as follows: 1 in Haven Township, 2 in Clear Lake Township, and 1 in Big Lake Township.

2.1 Approve Changes to Driveway Permit Contract: Hammre provided the draft Driveway Permit Contract which included several changes to clarify expectations of restoration of the affected road and ROW when a driveway is installed, a clear statement of the Township restriction of only one access per lot, and several other minor changes in wording and layout of the document. Also discussed was the plan to have headwall restrictions and construction specs included in the permit process. The Board directed Hammre to send the document to the Township Attorney for review.



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2.2 112th Street Guard Rail Damage: the guard rail located on 112th St south of CR 19 was damaged on March 17, 2018 by a car fleeing an officer. Also damaged was the swing-away mailbox post and 911 sign/post at 24462 112th Street. Damages can be claimed for restitution through the Sherburne County Sheriff's Department. Engineer Anderson said that he can get a repair estimate.

2.3 IUP Amendment: Matthew Burgoyne, Burgoyne Investment Holding, LLC, was present for the request to amend existing IUP #51722 Doc # 793717 to allow more vehicles for sale on his property at 12197 253rd Ave NW Zimmerman. Burgoyne explained that he rents his property to an individual who operates a used car business at the location. Burgoyne is asking for the IUP to allow 6 additional vehicles to be displayed at the front of the building where they are visible from HWY 169. He explained that the location would not encroach on the setback. Discussion followed about the surface that the additional cars would be parked on. Burgoyne said that they would be on gravel/grass. He thought that installing an asphalt parking pad would be prohibitively expensive. Also discussed were alternatives to asphalt such as recycled tar, rock/crushed granite, or maintained gravel. Additional concerns addressed were the overall appearance of a used car lot and the need to keep it looking neat and organized with vehicles that are well maintained and lighting in the lot. Board comments include: recommend approval with the following conditions - the lot that the 6 cars are parked on must meet Sherburne County standards, the lot surface is to be maintained, preferably made of asphalt or, as an alternative, recycled tar, crushed granite, etc. Also the Board would like the IUP to have a provision to require the cars to be well maintained, drivable and presented in a neat and organized way on a maintained surface.

2.4 112th Street Bid: Hass/Maloney unanimous to participate in the County Road Project and to accept the apparent low bid.

2.5 Zoning Ordinance Amendment Request: Sherburne County Zoning requested input from Livonia Township concerning a request from a Baldwin Township resident to amend Sherburne County Zoning Ordinance to establish IUP Permit for Rural Retail Tourism. The Livonia Town Board comments included: several concerns should be addressed for this amendment depending on the type of Rural Retail Tourism desired. These considerations include the following: acreage requirements needed to facilitate the activity; input from neighbors particularly regarding noise and traffic; adequate buffer from neighboring properties for noise and visual disturbance; traffic, parking and road access; noise expectations and control; and hours of operation. The concerns should be detailed in the Ordinance with parameters depending on the type of tourism desired. The Town Board indicated that the concept is good, but there are a lot of considerations to address to avoid future issues.

2.6 Pine Crest Estates: Maloney distributed the revised drainage maps. Discussion followed about the one driveway access per lot Township rule and the possibility of indicating the allowed driveway access on a plat map. Hiller offered to contact Sherburne County for further information. Hass/Doebler unanimous, Maloney abstained, to approve Preliminary Plat with recommendations as presented.

3. Open Forum: No one present for Open Forum

4.1 Clerk Treasurers Report: Hammre reported items of interest during the past month include: we have been busy with the following items – the Sugarbush Luminary Event, meeting about a trail easement along 239th Ave, the Annual Meeting and Township Election, and finishing the audit preparation work.

4.2 Approve payment of claims and transfer funds: Hass/Doebler unanimous to approve payment of claims, including payroll, as submitted and to transfer \$33,000.00 from savings to checking to cover claim numbers 8371–8397, check numbers 18205-18248 and Electronic Fund Transfers (EFT) #231-233 (March) Federal, State & PERA withholding tax.

4.3 Supervisor Reports: Doebler – Park Board report; Hiller –Tails and Trails business owner brought up the restrictions to the size of sign he is allowed and asked if he can have a bigger sign. Hiller will look into options with Sherburne County Zoning; Maloney – no report; Hass– mentioned a blade that may be coming up for sale in a neighboring Township



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5.1 Township Reorganization: a) Committees & Boards: General Administration – Hass and Doebler; Road Maintenance – Hass and Pool; Town Park Board – Doebler and Hiller; Cemetery Board – Maloney and Pool; Intergovernmental – Maloney and Pool; Fire Board – Hass and Doebler, Hiller as alternate; Town Planning – Town Board of Supervisors. Hass/Hiller unanimous to approve 5.1a. **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 required; does not include cleanup day or service as an election judge. Hiller/Maloney unanimous to approve 5.1b. **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. The proposed dates for April 2018 – March 2019 are as follows: April 23, May 21, June 25, July 23, August 27, September 24, October 22, November 26, December 17, January 28, February 25 and March 25. 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. Hass/Doebler 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 claims. Hiller/Maloney unanimous to approve 5.1e. **f) Purchase Policy:** Currently the limit for expenditures without Board approval \$1000 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/Doebler unanimous to approve 5.1f. **g) Petty Cash Fund:** Hass/Hilller 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. Hiller/Doebler unanimous to approve item 5.1h.

5.2 Reminder for Couri & Ruppe Legal Seminar: Thursday, June 8th, 2017 at the Albertville City Hall, MAT Spring Short Course and LBAE April 24th.

5.3 MAT Legal Short Course: Attendance reminder

Doebler/Hiller unanimous to adjourn the meeting at 8:46pm

Approved this 23rd day of April 2018.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer