



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES  
HELD AT THE LIVONIA TOWN HALL  
MARCH 28, 2022

Supervisors present: Hass, Hiller and Pool.

Staff present: Clerk/Treasurer Hammre, Deputy Clerk/Treasurer Fiedler, Maintenance Coordinator Berghuis

Others Present: Township Engineer Wes Davis

**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/Pool unanimous to approve the Agenda with the addition of Item 5.7 Grant Application.

**1.3 Supervisor Oath of Office:** completed prior to the meeting.

**1.4 Elect Chair of the Town Board:** Pool nominated Supervisor Hass, Hiller seconded the nomination. No other nominations were made. Pool/Hiller unanimous to elect Supervisor Hass as the Board Chair.

**1.5 Elect Vice Chair of the Town Board:** Hiller nominated Supervisor Pool, Hass seconded the nomination. No other nominations were made. Hiller/Hass unanimous to elect Supervisor Pool as the Board Vice-Chair.

**1.6 Approve Consent Agenda:** Hass/Pool unanimous to approve Consent Agenda as follows: **Item A)** January 21, 2022 Attorney/Client Meeting Minutes; **Item B)** February 28, 2022 Regular Meeting Minutes.

**1.7 Fire Report:** Chief Maloney presented the February Calls for Service: 10 medical assist; 5 gas leak; 3 motor vehicle personal injury accident; 2 fire alarm; 1 person in distress (lift assist); 2 vehicle fire; 2 residential house fire; 2 person stuck in elevator. Chief Maloney also reported that they had their first grass fire of the season today; they have been receiving questions about the flag being at half-mast. He explained that in high winds they need to lower it to prevent wind damage to the flag; he mentioned the three new fire-fighters that were recently hired and the skills they bring to the department; the Event Center has been busy; an additional light will be installed for the helipad to increase lighting for safe helicopter landings.

**1.8 Sheriff's Report:** Sgt. Wilson provided the Sheriff's report: there were 210 calls for service in February in Livonia Township including 7 motor vehicle accident, 7 vehicle off road, 90 traffic stop, 14 security check and the remainder were for miscellaneous calls. There was also one burglary that the Sherriff's Department is investigating. Hiller mentioned that there are a lot of cars being parked on a property across from the old junk yard on HWY 169 again. Wilson suggested that Sherburne County Zoning should be notified to determine if it is a solid waste issue.

**1.9 Engineering Update:** Engineer Davis recapped the 2022 Road Project Bid results, Park Construction was the lowest bidder. 143<sup>rd</sup> Street overlay and the township parking lot will be quoted as a change order due to the low bid allowing more work to be done while staying within budget. The crack seal project will be in the same area as what was intended for last year with small adjustments, total road mileage remaining at 9 miles. Davis will request crack seal quotes for the April Town Board Meeting. Davis then summarized the recent road tour attended by Davis, Hass, Pool, Berghuis and Kelly. Hass asked Davis to begin engineering as soon as possible on the 2023 road projects so that preliminary preparation work can be started. The culvert replacement under 133<sup>rd</sup> Street was discussed including the material and size of the culvert. Davis recommended HDPE dual wall to prevent it from rusting out. Davis discussed a drainage issue that came to his attention at 10804 262<sup>nd</sup> Ave. He explained that the plat drainage plan appears to have been altered by the contractor when the house was built, now the draining water flows over the driveway and cul-de-sac rather than easterly and southerly around the cul-de-sac. Davis will consult with Sherburne County regarding the building permit and the change in drainage.



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Hass asked about firm numbers from Park for the potential project change orders. Davis reported that Park Construction will be getting him solid numbers tomorrow.

**1.10 Planning Commission Report:** Spencer provided the March 17, 2022 PAC Meeting report. The PAC recommended approval for the following items to the Sherburne County Commissioner at their next County Commissioner Meeting: Request for a CUP for a permanent government structure – Orrock Township; Request for an IUP for a home business in an accessory building – Santiago Township; Request for a CUP for a personal storage structure – Clear Lake Township; Request for preliminary residential standard plat – Orrock Township; Request for an IUP for a 1 MW solar farm – Clear Lake Township; Amendment to Sherburne County Zoning Ordinance and Subdivision Ordinance to exclude Baldwin Township from the jurisdiction of the Sherburne County Zoning Ordinance and the Sherburne County Subdivision Ordinance.

**1.11 Park Committee – no report**

**2.1 Award Bid for 2022 Road Project Bituminous Overlays:** Hass/Pool unanimous to award the 2022 Road Project Bituminous Overlay Project to Park Construction.

**2.2 Parking Lot Proposal:** item discussed during the Engineering Update.

**3.0 Open Forum:** No one signed up for Open Forum. Hass asked if anyone in the audience would like to address the Board. Tom Butz, 24885 100<sup>th</sup> St NW, Zimmerman, requested a Landfill update. He asked “what is the threshold is it, on the agenda, as far as a decision, as far as signing a letter or defining the threshold on how it will move forward”. Hass pointed out that the item is on the agenda for later in the meeting. Butz asked how an agreement will be approached, will it be about annexation or revenue sharing and options. Hass asked him to clarify which agreement he is referencing. Butz went on to say he is looking forward to an update on that and wants to make sure it is a Board decision on how things will go forward. Hass explained again that the Landfill Agreement has nothing to do with annexation, it is an agreement between Elk River Landfill and Livonia Township. Hass again explained that once a Landfill Agreement is completed, then the Board will appoint a committee of two Board members to research how the Township will move forward. Butz also stated that there are a lot of comments out there about the tax appraised value of property went up 20% and brought up the recent property tax valuation increase the concern about how that will affect tax rates. A discussion ensued about the Township Levy which decreased, home values went up due to market values increasing in the current real estate market. Hass also stated that there were Sherburne County representatives present at the last Township meeting to explain the process and what valuation means versus tax increases. He also stated that the County is following state law when they adjust market value on property. He again stated that the Township works hard to maintain our budget so we stay as level as possible. Hiller also discussed the valuation and property taxes, and he mentioned the Fire Department service fee which is in part affected by home values in each community served by the Zimmerman/Livonia Fire Department. Hass asked if there were any other questions from the audience, there were none.

**4.1 Clerk/Treasurer Report:** Items of interest during the past month include: the annual audit field work is complete, we are waiting for final entries and the report from the Auditor; the township election process went smoothly, our election judges again did a great job.

**4.2 Approve payment of claims:** Hass/Hiller unanimous to approve payment of claims and payroll totaling \$187,732.88 as submitted from Bremer Bank, to cover check number 20710 through 20750, and Electronic Fund Transfers (EFT) #94-97 (March) Federal, State, PERA withholding tax and debit card transaction.

**4.3 Supervisor Reports: Hiller –** at the new fire hall there have been heating issues, two offices are not heating. The Fire Board had an on-site meeting with the architect, project engineer, the plumbing contractor, and the



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supplier. Finding the actual cause of the problem was difficult with a lot of “passing the buck”. The issue was finally determined, and larger heating coils will need to replace the current coils. The engineer for the architect apparently made the error and the responsibility of the financial burden to fix the issue will need to be determined; There have been only committee meetings concerning the potential annexation/merger with the City of Zimmerman. Hiller also explained that the idea to have Wards for representation in the event of a merger would require the resulting merged city to be a Charter City, an option that is not feasible. He also shared that currently Livonia Township’s population and the City of Zimmerman’s populations are within 30 residents of each other. Tom Butz asked who the parties in the Elk River Landfill Agreement are. Hiller restated that the parties are Livonia Township and Elk River Landfill. Hiller also stated that any sharing of Landfill Host Fees would be in an Annexation Agreement. Butz clarified that it is now located in Livonia Township and that if there is an annexation there are provisions in the Landfill Agreement to account for how the fees will work. Hiller stated that there would be a separate agreement with the City of Zimmerman concerning fees. The Landfill Agreement that is on the Agenda tonight is just between Elk River Landfill and Livonia Township. Hiller further stated that there has been no desire for land use changes or conversation about any land use changes for Livonia residents, and he encouraged Butz to share that information with his Facebook follower. **Pool** – no report. **Hass** – Hass and Davis looked at the McAlpine property. Hass’s opinion is to work on an Encroachment Agreement; a resident asked when 265<sup>th</sup> Ave would be receiving a mill and overly, Hass commented that 265<sup>th</sup> Ave is not on the top of the list of roads needing mill and overlay at this time.

**4.4 Road Report:** Maintenance Coordinator Berghuis reported that the main water line coming into the maintenance building had a leak due to corrosion between a brass fitting on a steel pipe. He had it repaired; intersection sweeping will start soon; Berghuis also asked the Board to look for a used trailer for transporting the township lawnmowers to the parks. Hiller asked about salt/sand. Berghuis said there is enough on hand for one more snow event if needed.

**5.1 Township Reorganization:** Pool/Hiller unanimous to make no changes from last year’s Reorganization items as follows: a) Committees & Boards: General Administration – Hass and Hiller; Road Maintenance – Hass and Pool; Park Committee – Kuker and Maloney; Cemetery Board – Hiller and Maloney; Intergovernmental – Maloney and Hiller; Fire Board – Hass and Hiller, Kuker as alternate; Social Media - Hiller and Maloney. Hass/Hiller unanimous to approve all committee positions.

**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. **c) Conflict of Interest Resolutions/Affidavits of Official Interest in Claim:** Resolutions authorizing contract with interested officer under M.S. 471.88 Subd 5 will be approved for each Supervisor at the April meeting due to lack of quorum to approve with the Supervisor named in each resolution abstaining from the vote. **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 4<sup>th</sup> Monday of the month at 7 pm located at the Livonia Town Hall unless the 4<sup>th</sup> Monday is a holiday: the meeting is then moved to the 3<sup>rd</sup> Monday of the month, same time and place. The proposed Board Meeting dates for April 2022 – March 2023 are as follows: April 25, May 23, June 27, July 25, August 22, September 26, October 24, November 28, December 19, January 23, February 27 and March 27. 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. **e) Official Depository/Account Signers:** Bremer Bank, Princeton 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



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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. **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/Treasure are signers on the Menards account. **g) Petty Cash Fund:** The petty cash fund is maintained at \$250. **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. **i) Delegate EFT Officers:** Hammre designated as EFT Officer. **j) Website Advisor** Maloney and Hiller.

**5.2 RBs Estimate to Migrate Email:** Hass/Hiller unanimous to authorize RB’s Computers to the migration of emails as needed up to \$600.00 in cost.

**5.3 SCAT Meeting Reminder:** the next SCAT Meeting is April 6, 2022 at the Minnesota History Center

**5.4 Waste Management:** the Amended and Restated Host Community Agreement Between Elk River Landfill, Inc and Livonia Township, Minnesota has been signed by Elk River Landfill and is ready for approval and signing by Livonia Township. Some discussion about the timing of permitting, number of phases, liners, MPCA and Environmental review, and methane control and conversion. Hiller/Pool unanimous by roll call to allow Chair Hass to sign the Agreement.

**5.5 Clean Up Day Reminder:** April 30 from 8:00 am to noon.

**5.6 LBAE April 26 Reminder:** the Board was reminded that the LBAE Meeting will be held on April 25, 2022 at the Livonia Town Hall.

Hiller/Pool unanimous to adjourn the meeting at 8:23 pm.

Approved this 25<sup>th</sup> day of April 2022.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer