



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES  
 HELD AT THE LIVONIA TOWNSHIP HALL  
 April 27, 2015

Supervisors present: Doebler, Hass, Hewitt, Manthei and Pool.  
 Staff present: Clerk/Treasurer Hammre, Deputy Clerk/Treasurer Fiedler, 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:** Manthei/Hass unanimous to approve meeting agenda.

**1.3 Approve Consent Agenda:** Manthei/Doebler unanimous to approve Consent Agenda as follows: Item A) March 23, 2015 Regular Board Minutes; Item B) April 6, 2015 Special Meeting Minutes.

**1.4 Sheriff's Report:** Sergeant Wilson reported there were 191 calls for service in February; 64 of the calls were for traffic stops, the remainder of the calls were for various reasons. Sergeant Wilson reminded the public of the Law and Social Host Ordinances which prohibit underage drinking whether an adult is present or not. Hewitt thanked Sergeant Wilson for investigating illegal tree cutting on Township property on East Hunter Lake; Hass requested increased patrol of the minimum maintenance road on Lake Fremont with the increase in Spring and Summer events and parties. Manthei inquired about an individual who was sentenced to serve at the Township Clean Up Day who did not report for duty.

**1.5 Fire Report:** Chief Maloney provided March calls for service: 4 medical assist, 1 fire alarm, 2 grass fires, 1 vehicle fire, 3 residential garage fires (all minor), 1 residential house fire - Livonia. Maloney also reported that on May 21 the fire department will be presenting a mock car crash at Zimmerman High School at approximately 10:00 am; 2 grants, CenterPoint Energy and VFA, were applied for - each for \$5000; Engine 3 is now housed at Station 2 (Livonia Station); volunteer firefighters are needed with four positions open. Hewitt thanked Chief Maloney for the use of the Fire Side of the Fire Maintenance Building for Livonia Township's Clean Up Day.

**1.9 Road report:** Maintenance Coordinator Berghuis – 12 trees were removed from roads and ROWs after strong winds; the Lake Fremont minimum maintenance road required less repair this Spring, the temporary road closure seemed to prevent excessive damage from mudding activity; sweeping of Township roads is complete; discussion about repainting Plow Truck #40 box as it is starting to rust, the repair of the intersection at 253<sup>rd</sup> with cold patch or with recycled tar, and a culvert that was damaged by a plow truck; Berghuis and Kelly planning on picking up the new plow truck from Rochester Township on Tuesday.

**7:10 pm- Open Bids for 273<sup>rd</sup> Ave Road Project:** Hewitt announced the bids will be opened in the order they were received. As each bid is opened the bidder's name, bid amount and whether a bid bond and responsible contractor form was received will be announced. After all the bids are opened the apparent low bid and dollar amount will be announced.

The following bids were received by the 12:00 pm deadline on April 27, 2015:

Rum River Contracting	\$47,350.24	Bid Bond - Yes	Responsible Contractor Form - Yes
Omann Brothers Paving, Inc.	\$44,177.00	Bid Bond -Yes	Responsible Contractor Form - Yes
Knife River Corporation – NC	\$44,728.60	Bid Bond - Yes	Responsible Contractor Form - Yes

Hewitt announced the apparent low bid was submitted by Omann Brothers Paving, Inc. in the amount of \$44,177.00. Hass/Pool unanimous to award the apparent low bid of \$44,177.00 to Omann Brothers Paving, Inc. contingent upon validation of quantities and amounts by Jon Bogart, Bogart, Pederson & Assoc., Inc.

**1.6 Presentation of the 2014 Annual Audit:** Molly Thompson, CPA & Audit Partner with Schlenner Wenner Company, presented the Audited Financial Statements for year ending December 31, 2014. The Audit is in accordance with Generally Accepted Auditing Standards. The Following areas were tested: deposits &



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investments, conflicts of interest, public indebtedness, claims & disbursements, contracting & bidding and miscellaneous provisions. The Township complied with the material terms and conditions of applicable legal provisions tested. Thompson reported preferred accounting practices are being used, no significant or unusual transaction were noted, no audit adjustments posted or misstatements to report. During their audit they found no material weaknesses, and no difficulty in doing the audit. Doeblner/Manthei unanimous to accept and approve the Audited Financial Statements for the year ending December 2014.

**1.7 Sherburne County Parks and Trails update** – John Mentor, Sherburne County Public Works director, presented an updated plan for Grams Park improvements and access improvements. Potential improvements would include a swimming beach, fishing pier and canoe and kayak rental and possible trail connections. Funding options may include a combination of County and State Funds with Legacy Grants as a possibility.

Discussion on the progress on the Great Northern Trail and the continuing effort to secure funding including Grants to expand the bituminous surface.

**7:30 pm- Open Bids for Woods @ Lake Fremont 2<sup>nd</sup> Addition Road Project:** Hewitt announced the bids will be opened in the order they were received. As each bid is opened the bidder's name, bid amount and where a bid bond and responsible contractor form was received will be announced. After all the bids are open the apparent low bid and dollar amount will be announced.

The following bids were received by the 12:00 pm deadline on April 27, 2015:

Rum River Contracting	\$83,595.40	Bid Bond - Yes	Responsible Contractor Form - Yes
Omann Brothers Paving, Inc.	\$79,688.50	Bid Bond - Yes	Responsible Contractor Form - Yes
Knife River Corporation – NC	\$78,454.70	Bid Bond - Yes	Responsible Contractor Form - Yes

Hewitt announced the apparent low bid was submitted by Knife River Corporation - NC in the amount of \$78,454.70. Hass/Pool unanimous to award the apparent low bid of \$78,454.70 to Knife River Corporation – NC contingent upon validation of quantities and amounts by Jon Bogart, Bogart, Pederson & Assoc., Inc.

**1.8 Community Center Report:** Nancy Fordahl present to discuss the potential Community Center partnership between Livonia Township, City of Zimmerman, and ISD 728. Discussion included a brief history of the Steering Committee meetings, the projected cost, and the tax burden for residents and limits on Township bonding. The Steering Committee will be looking at what other communities are doing. Suggestions included taking a phased approach and a partnership between the City of Zimmerman and Livonia Township.

**1.10 Planning Commission Report** – Spencer: no report - the April Planning Commission Meeting was cancelled; the next meeting is scheduled for May 21, 2015.

**2.1 273<sup>rd</sup> Road Closure** – Andolino and Barneke present to request the closing of 273<sup>rd</sup> Ave from 143<sup>rd</sup> St to the Township Border where the Orrock Township portion of the road has been vacated. Concerns include garbage dumping, parties, burn-outs and mailbox bashing. Pool to inquire with the Orrock Town Board to see if they intend to barricade the ends of their vacated road.

**2.2 Engineering** - Bogart: the major road projects have been awarded, projects to start after the school year is done and buses will no longer be traveling on the roads; Bogart gave a demonstration on software that enables virtual viewing of roads before a project begins and the road after the project is complete. Hewitt asked if temporary easement lines can be added so landowners can visualize the impact. Bogart will look into this feature; Pre-con meetings will be scheduled for the 273<sup>rd</sup> and Woods @ Lake Fremont 2<sup>nd</sup> Addition projects; update on the Road Tour and possible repairs in the Woodlands of Livonia development. Manthei pointed out that Sherburne County is planning a County Rd 19 project south of County Rd 4 in 2016, and our 112<sup>th</sup> St project may impact travel for residents, Bogart to look into.

**2.3 Ventsch IUP – Home Business in an Accessory Building** – Brian Ventsch present to request an IUP For a Home Business for B&B Plumbing. Ventsch explained that he has been running this business out of his home for



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ten years, there are 12 employees and eight service vehicles, most of the service vehicles are kept by the employees at their homes overnight and only report to the business location occasionally for shop supplies. All vehicles and supplies are kept inside the accessory building when not in use. Hass/Pool unanimous to recommend approval of the requested IUP with the following comments: Ventsch has followed the necessary rules and procedures with the business; the property is well maintained; no commercial vehicles are stored outside; no business materials are stored outside.

**2.4 West Hunter Lake Property** – Eric Canfield present to speak to the Board about his properties on West Hunter Lake. Canfield expressed his frustration with being unable to obtain the three set back variances for each lot that he would need from Sherburne County Zoning to enable him to build on his lots. Mr. Canfield was asking cooperation from Livonia Township concerning the property in between his two properties. Hammre informed the Board and Mr. Canfield that the property is designated as “Beach” and in the public domain. Livonia Township therefore does not own the property and would not be able to make any decisions or alterations to the “Beach” property. Discussion followed about wetland and lake protection variances, options for his property and the need for variances from Sherburne County Zoning, who acts as the Zoning Authority for Livonia Township, and options for his property.

**2.5 2<sup>nd</sup> Driveway Request** – Randy Tveitbakk present to request a second driveway for his property at 24475 140<sup>th</sup> Circle, Zimmerman. Mr. Tveitbakk purchased the adjoining lot, and they will be combined as one before he builds his accessory building. Hass stated that he would prefer the second driveway would be entirely on the second lot in the event the lot would be split again in the future. Manthei/Doebler unanimous to allow a second driveway access.

### 3.0 OPEN FORUM

Karen Barnek present to request street sweeping on 143<sup>rd</sup> street to remove excess sand. Berghuis explained the streets in that area have curbing, the Township sweeper is unable to sweep curbed roads as it must sweep to the side. Berghuis will look at the situation.

Lester Dahlheimer present to inform the Board of his intent to purchase a property on 120<sup>th</sup> St. Dahlheimer would like to construct his home closer to the road than setbacks allow in keeping with the surrounding homes. His other option is to annex the property into the City of Zimmerman, though he would prefer to stay in the Township.

**4.1 Clerk Treasurers Report:** Hammre reported items of interest during the past month include: Woodlands residents have contacted the office concerning the condition of the roads in The Woodlands development; Clean-Up Day was successful with 160 vehicles dropping off items.

**4.2 Approve payment of claims and transfer funds:** Hass/Manthei unanimous to approve payment of claims, including payroll, as submitted and to transfer \$106,000.00 from savings to checking to cover claim numbers 7176 – 7213, check numbers 16716-16756 and Electronic Fund Transfers (EFT) #116-120 (April) Fed & State withholding tax & PERA, & 1<sup>st</sup> Quarter SUTA.

**4.3 Supervisor Reports:** Hass – update on Blandin Foundation Broadband Internet – considering public terminals for public access, a survey to all residents will be coming soon. Manthei – update on the SCAT meeting. Pool – no report; Doebler – no report; Hewitt – no report.

**5.1 Commercial Development** – Board discussion on information they would like Sevald to present at the May 18, 2015 meeting concerning commercial development in Livonia Township.

**5.2 March vs November Election** – Hammre gave statistics from MATS on numbers of Townships that have moved their election to November and how many have then moved them back. Discussion of the pros and cons of moving the Township election, and how March elections serve Livonia Township residents better. No action taken.



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**5.3 Israelson Property** – Discussion on the potential purchase of Israelson property for park/preserve, current value of land, acreage. Hass/Hewitt, motion made and seconded to make an offer on the property, with Hewitt given authority to negotiate the purchase price with Israelsons. Doebler abstained.

**5.4 Final Approval Vensland Variance** – Manthei/Doebler unanimous to approve a 22' Variance in Setback From the Right Of Way of 98<sup>th</sup> St NW to Construct a New Garage. Required Setback from the Right of Way is 67' – Garage will be 45' From the Road Right of Way as approved by the County Board of Adjustment on March 12<sup>th</sup>, 2015. The Variance and conditions of approval are on file at the Sherburne County Zoning Office.

**Doebler/Hass unanimous to adjourn meeting at 9:55 pm.**

Approved this 18<sup>th</sup> day of May 2015.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer