



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
MAY 23, 2022

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

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

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: Pool/Maloney unanimous to approve the agenda as presented.

1.3 Approve Consent Agenda: Hiller/Kuker unanimous to approve Consent Agenda as follows: **Item A)** April 25, 2022 Regular Meeting Minutes **Item B)** April 25, 2022 LBAE Minutes

1.4 Fire Report: Chief Maloney presented the April Calls for Service: 9 medical assist; 1 motor vehicle personal injury accident; 2 carbon monoxide; 1 fire alarm; 2 person in distress (lift assist); 1 arcing/down power line; 1 commercial building fire; 1 residential house fire – (electrical, Zimmerman). Chief Maloney also reported that the new generator installation is complete, and it is hooked up.

1.5 Sheriff's Report: Sgt. Wilson provided the Sheriff's report: there were 326 calls for service in April in Livonia Township including 1 burglary/theft in a storage building, 1 license plate theft, 4 motor vehicle accident, 26 medical, 142 traffic stop, 36 security check, 28 extra patrol requests. The remainder were miscellaneous calls.

1.6 Schlenner Wenner Audit Presentation: Ashley Meagher, CPA Manager with Schlenner Wenner & Company, presented the Audited Financial Statements for year ending December 31, 2021. The audit process was explained to the assembly. The audit results including accounting policies, unusual transactions, and alternative treatments all resulted in no concerns. Maegher reported that the audit went smoothly, there is a positive working relationship with township staff and management, and there was nothing unusual noted in terms of recorded transactions or accounting policies or treatments. Minnesota Legal compliance review showed no findings of concern.

Financial highlights were discussed showing trends and stability. In the General Fund, Road and Bridge, Fire and Nonmajor Governmental funds were all detailed. There were some changes to the trend in Funds due to the Fire Hall project and CARES Act funds. There are no new recommendations for this year. Maegher stated that the audit resulted in an unmodified and clean opinion

1.7 Planning Commission Report: Spencer submitted the report in her absence: the following items were recommended for approval to the Sherburne County Board of Commissioners at the May 19, 2022 meeting of the Sherburne County Planning Advisory Commission: Request for final residential standard plat of Pine Crest Estates West – Orrock Township; Request to amend current IUP of CEF Haven Community Solar to replace trees originally planted that died out during last year's drought – Haven Township; Request for CUP for a personal storage structure in Ag District and within the Shoreland Overlay District of Briggs and Rush Lake – Palmer Township; Request for an IUP for a 1 mega watt (MW) solar farm – Clear Lake Township; Request for IUP for a Large Contractor's Yard – Haven Township; Request for CUP for single family housing within the industrial district – Haven Township.

1.8 Engineering Update: Engineer Davis reported Park Construction will be finalizing the start date and Pre-Construction Meeting date soon; he is working on the Crack Seal project, a site visit will be scheduled; 2023 road project recommendations will be after he goes on a mini road tour with Berghuis; ultra-thin bonded wear course may be a good option for township roads, it has a higher oil content which provides greater flexibility; the Mcalpine easement is being worked on, with the possibility of an encroachment agreement for the entire



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easement and the responsibility of liability taken on by the Mcalpines; the 133rd Street culvert replacement will be scheduled; the extension on 120th Street to the gate will be discussed with the contractor; the pedestrian corridor in the Whispering Ridge development liability will need to be considered. Davis also provided a revised contract with Park Construction that includes additional overlay and the townhall parking lot. Kuker/Pool unanimous to approve the revised contract and additional cost with Park Construction.

1.10 Park Committee – Kuker reported that he attended the Highway 169/CR 4 meeting.

2.1 Request for Second Driveway: Nick Nelson, 24998 140th Street, PID 30-414-0135 present to request permission to install a second driveway. Nelson explained that the current driveway extension to his building is very steep and affects drainage. He would like to install a second driveway to minimize these issues. He is proposing a driveway that would be in line with 250th Ave. Discussion followed about placement of the driveway in regard to 250th Ave. Hiller asked if Nelson built the building – he responded that it was on site when he purchased the property. Hass stated that he would like Davis to look at the location of the proposed driveway regarding 250th Ave. Hiller stated that he inherited the problem. Maloney/Pool unanimous to approve a second driveway. The permitted process and associated fees and deposit were explained to Nelson.

2.2 Request for Second Driveway: Cameron Minikus, residing at 13117 274th Ave NW, PID 30-445-0250, present to request a second driveway. Minikus explained that he can not access the south portion of the property without a second driveway. He would like access to be able to park his semi on his property. The area he would like to place a second driveway is on a curve, discussion ensued concerning the best location for sight-line safety. A street sign in the location can be moved to accommodate the driveway. Hass/Kuker unanimous to approve with Davis deciding the best place to put it for sight-line safety.

2.3 Second Driveway Unpermitted: it came to the attention of Maintenance that a second driveway was installed at 24592 143rd St, PID 30-552-0105, without Board approval or a driveway permit. Hammre directed to send a letter to the property owners, Tammi and Chad Olson, explaining the requirements to install a driveway and the need for Board approval to have a second driveway.

2.4 WH Cates Pondsides Estates Update: The retention pond in the development of WH Cates Pondsides Estates has not yet been repaired and the erosion issues have not been resolved. Kuker/Pool unanimous to direct Hammre to send a letter to Developer Fred Stelter with a copy also sent to Ziegler Custom Homes, stating that an acceptable action plan must be received by the Township Office by the next Board Meeting, June 27, 2022. If an action plan is not received, the township will make the necessary repairs using the LOC funds collected for that purpose.

2.5 Carlson Vacation Request: the office received the formal request to vacate that part of the Fremont Drive Right of Way at 27265 Fremont Drive that is in excess of the required 33 feet from centerline.

3.0 Open Forum: No one was present for Open Forum

4.1 Clerk/Treasurer Report: Items of interest during the past month include: the new flooring is scheduled to be installed tomorrow, we will be working in the cemetery to verify records and install better lot markers.

4.2 Approve payment of claims: Kuker/Hiller unanimous to approve payment of claims and payroll totaling \$58,032.57 as submitted from Bremer Bank, to cover check number 20785 through 20823, and Electronic Fund Transfers (EFT) #105-107 (May) Federal, State, PERA withholding tax and debit card transaction.

4.3 Supervisor Reports: Hass – reported that Baldwin Township is asking for support to extend 112th Street north to the Rum River to facilitate the construction of a new bridge over the river to serve the small portion of Baldwin Township on that side of the river (no action taken); Baldwin Township is also considering a walking path along 277th Ave west of CR 45; the City of Princeton sent a letter to Princeton Township informing them of their intention of annexing a portion of Princeton Township. Hass explained that this is an example of how a city



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can take township land without the cooperation of the township. **Hiller** – stated that regarding the potential annexation or merger with the City of Zimmerman, the Board had sent a letter to all Livonia residents with the information about the potential action, the public has repeatedly been told at meetings to call or talk to Board members if they have questions or concerns, phone numbers and emails are on the website, and the office staff is available to answer questions. Hiller suggested that Tom Butz (Tom Jeff), as he attends all of the meetings and has access to accurate information, should take notes so that he gets the information right before he posts it on his “Keep Livonia Sovereign” FaceBook page. He stated that the Board has been discussing information and asking the audience if they have questions for the last six months or more, and yet misinformation continues to be posted on the Keep Livonia Sovereign FaceBook page. Addressing one point of misinformation, Hiller again explained that if there is a merger, there will be two tax rate tiers to protect the Livonia residents. These tiers would be in effect for at least 10 years. He also again discussed equal representation on the resulting Board of Council, something that will need to also comply with state law. He again stated that the Board is doing their best to act in the Livonia community’s best interests. **Maloney** – reported that he has noticed that North Point Park is getting a lot of use. **Kuker** – reported that he attended the Hwy 169/CR 4 interchange meeting. Some of the statistics and plans include: the plan may include 4 traffic circles, it will cost about \$30,500.000 to construct, Senator Amy Klobuchar and Governor Tim Walz are in favor of the plan. Studies show that there are an average of 38,000 trips through the intersection each day, estimated to rise considerably by 2045. The overpass is expected to decrease time delays by 98%, reduction in crash severity from serious to minor by 99%, the intersection at present sees 5 times the state average for serious injuries and 6 times the state average for fatalities. He also said there will be a pedestrian pathway for safe crossings, on CR 4 which will pass under HWY 169. **Pool** – no report.

4.4 Road Report: Maintenance Coordinator Berghuis reported that the first round of hot patch is complete, 8 tons of hot patch were used; the township collector roads are all cleaned of garbage, 8 trees were down from recent storms, all are cleared, four washouts from recent storms have all been fixed, the township parks are all cleaned and ready for summer, 25 new street signs have been installed, all township gravel roads were graded. Berghuis will drive the grader in the Wild West Days Parade.

5.1 Broadband Agreement Update: Sherburne County shared their Broadband Agreement with us with permission to use it as a guideline for the Township Agreement. Hammre spoke to Livonia Township Attorney Gilchrist, he will use it to draft an Agreement by the Jun 27 Board Meeting.

5.2 Clean Up Day Report: there were 234 vehicles that came through Clean Up Day. We are still waiting for the invoice from one vendor.

5.3 Cemetery Markers – some of the old markers in the Livonia Cemetery are leaning or needing repair. Hammre to look for ideas from other Cemetery caretakers to reset them.

5.4 Couri & Ruppe Legal Seminar – Wednesday, June 22 Albertville City Hall.

5.5 MAT Town Law Review – Reminder, May 25, Rockwoods in Otsego.

5.6 Baldwin Township Request for Support – discussion about the request. More information is desired. No action taken.

Pool/Maloney unanimous to adjourn the meeting at 8:50 pm.

Approved this 27th day of June 2022.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer