



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
MAY 24, 2021

Supervisors present: Hass, Hiller, Maloney, Kuker 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 7:05 pm.

1.1 Pledge of Allegiance: the assembly recited the Pledge of Allegiance.

1.2 Approve Regular Meeting Agenda: Hass requested the addition of item 1.8a Second Driveway Request - Darel Debrobander. Kuker/Hiller unanimous to approve the Regular Meeting Agenda as amended.

1.3 Approve Consent Agenda: Pool/Hiller unanimous to approve Consent Agenda as follows: **Item A)** April 26, 2021 LBAE Minutes; **Item B)** April 26, 2021 Regular Meeting Minutes.

1.4 Fire Report: Chief Maloney provided April calls for service: 13 medical assist, 1 search for missing person, 1 fire alarm, 1 person in distress – lift assist, 3 grass fire, 2 residential house fire (1 Zimmerman, 1 Big Lake). Maloney also reported that 3 firefighters have recently graduated from the Academy, both Fire 1 and Fire 2. Maloney also relayed a successful save of an individual as described: Maloney happened to be close to the scene when the call was received, the victim was down and CPR was in progress when he arrived. A defibrillator was used to shock the heart into rhythm. One of the LUCAS devices arrived shortly on scene with the rescue truck. The LUCAS device was used to maintain heart function during transport. The victim is currently in Rehab recovering. The LUCAS Devices, purchased with CARES Act funds donated by Livonia Township, have already been used successfully in several rescues.

1.5 Sheriff's Report: Sgt. Wilson provided the Sheriff's report: there were 197 calls for service in April in Livonia Township including 46 traffic stops, 15 medical, and 6 fraud complaint. There were no burglaries. The remainder of the calls were for miscellaneous service. There were no concerns for Livonia Township. Hass asked about the 5K race that will run on May 29th, Sgt. Wilson confirmed that Sherburne County's Reserve Unit will help with safety at road crossings. Kuker informed Sgt. Wilson that there have been complaints of harassment of residents using the Lake Fremont Minimum Maintenance Road.

1.6 Sherburne County Update: Bruce Messelt, Sherburne County presented information, updates and future projects within Sherburne County. Also discussed was the need for and funding options for county wide broadband availability.

1.7 Presentation of the 2020 Audit: Ashley Meagher, CPA Manager with Schlenner Wenner & Company, presented the Audited Financial Statements for year ending December 31, 2020. The audit process was explained to the assembly. The audit results including accounting policies, unusual transactions, and alternative treatments all resulted in no concerns. Also noted was the positive working relationship with the Township's management and accounting staff. Minnesota Legal compliance showed two minor noncompliances identified: deposit in excess of FDIC limit, the result of an ACH transfer from Sherburne County that was deposited into the wrong account, and the lack of quotes for the snowplow truck and skid loader.

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. Hass and Kuker both had questions about financing roads and responsibility for debt if township borders change.



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1.8 Engineering Update: Engineer Davis reported that he has been in contact with MNDOT concerning the Frontage Road project and the culvert that drains the project area in the HWY 169 drainage. MNDOT offered to supply the township with the culvert that meets MNDOT specs for the project, to be placed by the contractor that won the project bid. The Board agreed that the township should work with MNDOT concerning the culvert for proper drainage. An adjacent business owner to the Frontage Road asked if he could have the old asphalt millings. Berghuis stated that he wants the millings for township use as they use recycled asphalt millings for road shouldering. Wes also reported that there is no start date yet, though it should be determined soon. Adding the north intersection on to the Lake Fremont Road project was discussed, the area is showing deterioration. Wes gave a rough estimate of \$10,000 additional to add that section to the project. He will check with MNDOT as the HWY 169 ROW is close to the area. Also discussed was 2021 Crack Seal. Based on the information supplied by Berghuis, Davis estimated that the project will be around \$54,000. Office staff was consulted on the budget for the year and if we will have remaining funds for the crack seal, it was confirmed that there will be sufficient remaining funds to cover the cost. Maloney/Hiller unanimous to direct Davis to seek quotes for the 2021 Crack Seal project. 120th Street second lift was then discussed. Maloney/Pool unanimous to direct Davis to seek quotes for the 2nd lift on 120th Street.

1.8a Second Driveway Request - Darel Debrobander, 13877 254th Ave NW present to request a second driveway permit. Debrobander explained that he is preparing the site for an accessory building, but was not aware that he needed a permit and permission for a second driveway. Hass viewed the driveway and site. Hass/Kuker unanimous to approve the request for a second driveway. Hammre explained the process to Debrobander to obtain the permit.

1.9 Planning Commission Report: Maloney provided the May 20, 2021 PAC Meeting report: the only item on the agenda concerning Livonia Township was the CUP for a Riding Stable at 24660 112th Street. The item was recommended for approval by the Sherburne County Commissioners.

1.10 Park Committee Report: Kuker – recapped the 6:00 meeting, the Board would like an Open House in the future to discuss park amenities and the possibility of having a survey for input before the Open House.

Maloney – recommended that the Park Committee (Kuker and Maloney) and the Town Board sell Sugarbush Park (the north addition of Sugarbush Preserve). He would prefer to expand North Point Park than to add amenities to Sugarbush Park, stating that the population of Livonia Township and the City of Zimmerman is more centered around North Point Park. A Survey asking the preference of residents was again discussed. It was also stressed that Sugarbush Preserve would remain the same, Sugarbush Park is the property in question.

2.1 239th Ave Issues: Hiller spoke to a resident on 239th who complained about the ditch work at her residence during the 239th Ave Reconstruction project. She would like some black dirt added to the ditch by her property and grass seeding done. She also said the culvert was installed incorrectly and there are erosion issues. Davis inspected the area and reported that the erosion issue is minor and can be corrected during the overlay of the road this summer. He also reported that the culvert was installed properly. It was noted that there is a considerable amount of fallen leaves in the ditch that will need to be removed by the homeowner before the black dirt can be spread as requested. Discussion about the efforts the township has made to work with the landowner, and that when the dirt is spread and the erosion issue fixed, the homeowner will be required to sign off on the work as completed.

2.2 Unpermitted Second Driveway Issue: A second driveway located at 10790 264th Ave NW was installed, photos were supplied. The Board directed Hammre to send a letter to the homeowner explaining that a second



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driveway must be approved by the Town Board, and if approval is granted, the proper Driveway Permit and requirements must be met.

2.3. Driveway Permits: Staff explained that Driveway Permit compliance has been neglected by many of the contractors and individuals who pull permits. There are many outstanding permits with driveways that we have not received requests for inspection as required. Additionally, some driveways have failed inspection and the issues that caused inspection failure has not been corrected. Staff had several suggestions to entice the permittee to follow through with the agreement in a timely manner. Hammre was instructed to contact Sherburne County Zoning and find out if a Certificate of Occupancy can be held until the driveway is complete and passes inspection. Hass/Hiller (Maloney opposed) to raise the construction deposit requirement from \$750 to \$1,000. Staff also directed to forfeit all outstanding construction deposits after a courtesy call and 30 days to comply.

3.0 Open Forum: no one present for Open Forum.

4.1 Clerk/Treasurer Report: Items of interest during the past month include: Staff met with City of Zimmerman and Zimmerman/Livonia Fire District staff to discuss accounting updates.

4.2 Approve payment of claims: Hiller/Hass unanimous to approve payment of claims and payroll totaling \$99,879.54 as submitted from Bremer Bank, to cover check number 20325 through 20363, and Electronic Fund Transfers (EFT) #41-45 (May) Federal, State and PERA withholding tax and debit card payments.

4.3 Supervisor Reports: Hiller – the Event Center hosted the Zimmerman High School Prom dance, and there was an article in the Elk River Star News covering the event; the final Health Department inspection is scheduled for the 27th at 10:00 am. Maloney – concerned about the fee to rent the Event Center for small groups or non-profit organizations. Discussion about the fees at area community rooms compared to the Event Center and the cost of running and maintain the Event Center. A meeting with the City Council was suggested to discuss rental for small groups and non-profits. Hass to reach out to the Council; Kuker – no report; Pool – no report; Hass – Connexus Energy is moving the powerline poles to the edge of the CR 39 ROW and wants to cut down the two big maple trees on the west edge of the property. Discussion about replacement trees if they do need to be removed; No Parking signs were removed from the ROW of the minimum maintenance road, which were placed along the edge by one of the adjacent property owners, Ryan Carlson. The signs were placed along the road in the ROW where maintenance regularly mows. Discussion about returning the signs to Carlson. Hiller commented that normally a person who puts signs in a ROW is required to pick them up, they are not delivered. Roll Call vote to drop the signs off in the Carlson driveway: Hass – yes, Pool – yes, Kuker – Yes, Hiller – no, Maloney – yes.

4.4 Road Report: Maintenance Coordinator Berghuis reported hot patch is complete, they used 12 tons which is about half of normal because a lot of the roads that have needed pothole repair in the past have been resurfaced in the last few years; shouldering is done; Berghuis graded for the DNR in the Sand Dunes State Forest; the grader blew a hydraulic line which Berghuis repaired in-house, saving about \$800. Berghuis also asked for permission to put granite chips under the North Point Park picnic tables. The Board agreed. The culvert area under 274th needs replacement and the road in the area needs repair, the road has developed a considerable dip. A local excavator will be asked to do an emergency replacement of the culvert. Berghuis also requested signage on 272nd Ave in Highland Meadows Third Addition at the trail intersections. Adjoining local residents are using the trail as a parking area for their vehicles. Maloney requested “Future Township Trail” signs to be ordered and placed.

5.1 Clean Up Day Report: Full report will be available next month when all the vendor invoices are received.



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5.2 ROW Fees/Bonding: Fiedler explained that ROW process for Utility Permits and the compliance issues regarding a current LOC or escrow funds to be held for damages. She also reported that the current ROW Permit fee that Livonia Township requires is a lot lower than what our surrounding communities charge. The Board advised that the fee should be raised to \$100 per permit from the current \$25 per permit, and that the LOC or escrow requirement should be raised to \$5,000. The changes will be made and presented at the next Board Meeting.

Pool/Maloney unanimous to adjourn the meeting at 10:10 pm.

Approved this 28th day of June 2021.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer