



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
JUNE 27, 2022

Supervisors present: Hass, Hiller, 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 7:00 pm.

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

1.2 Approve Regular Meeting Agenda: Hass added item 4.5 Township Hours. Hiller/Pool unanimous to approve the agenda with the addition of item 4.5 Township Hours.

1.3 Approve Consent Agenda: Kuker/Hiller unanimous to approve Consent Agenda as follows: **Item A)** May 23, 2022 Regular Meeting Minutes.

1.4 Fire Report: (Item taken out of order) Chief Maloney presented the May Calls for Service: 7 medical assist; 4 gas leak; 3 motor vehicle personal injury accident; 1 carbon monoxide; 1 fire alarm; 2 person in distress (elevator); 1 arcing/down power line; 2 grass fire; 1 vehicle fire. Chief Maloney also stated the generator is ready, some discussion about electrical grid connection.

1.5 Sheriff's Report: (item taken out of order) Sgt. Wilson provided the Sheriff's report: there were 367 calls for service in May in Livonia Township including a catalytic converter theft, 16 medical, 143 traffic stop; 58 security check; and 18 extra patrol. All other calls for service were miscellaneous calls. Hass asked Sgt. Wilson to keep an eye on ATV activity on the Lake Fremont minimum maintenance road. Sgt. Wilson stated that they will make sure there is a patrol presence on the road and will watch for illegal riding.

1.6 Planning Commission Report: Spencer present to report the following items were recommended for approval to the Sherburne County Board of Commissioners at the June 16, 2022 meeting of the Sherburne County Planning Advisory Commission: Request for final residential standard plat of Suburban Refuge – Orrock Township; Request for an IUP for a home business, small engine repair shop, in an accessory building – Orrock Township; Request for an IUP for a home business, motorcycle tuning CNC art work and signs, in an accessory building – Orrock Township; Request for an IUP Amendment for gravel mine – Haven Township; County's Comprehensive Land Use Plan: Mac Schneider provided a website to Hoisington Kogler Group, Inc. He also emailed the link to Livonia Township Clerk, which can be forwarded to the Town Board for viewing.

1.7 Engineering Updates: Engineer Davis reported that the 2022 Road Project Paving is done, the topsoil, shouldering, seeding and tying in for gravel driveways is scheduled to be completed next week; the township was not awarded the Recreational Grant that Davis applied for on our behalf. He is contesting the decision based on the reasons we were denied; he also mentioned the 911 sign extensions that Berghuis designed to attach to swing away mailboxes. Photos of the extensions that were installed were displayed. Discussion followed about the advantages of the extension, including there would be one less post to mow around and to avoid while snow plowing. Also discussed was extending it by one foot so it will be easier to see during the snowplow season when snow is banked. Berghuis was directed to order materials for twelve more extensions, install them, and show the results at next month's meeting.

2.1 WH Cates Pondsides Estates Update: Hammre provided the letter sent May 24, 2022 to the WH Cates Pondsides Estates Developer Fred Stelter as directed at the May 23, 2022 Meeting. The letter stated that Mr. Stelter had until the June 27, 2022 Livonia Board Meeting to provide an action plan to Livonia Township detailing the timeline to repair the retention pond and restore the right-of-way (ROW) as agreed in the Developer's Agreement. If Mr. Stelter did not provide the action plan, Livonia Township would complete the repairs and



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restoration using the collected LOC funds for the development. Mr. Stelter did not reply to the letter. Kuker/Hiller unanimous to have Hass and Pool engage a contractor to repair and restore the retention pond.

2.2 Carlson Vacation Request Update: Engineer Davis reported that Bogart, Pederson is working with the Carlson's engineer on the legal description.

2.3 Carlson ROW Prairie Request: Nic Carlson, 11122 274th Ave NW, PID #30-481-0115, present to request permission to extend the native prairie they will be installing in their yard into the ROW along 274th Ave and 111th St NW. He explained that they will be planting 21 types of native prairie grasses and flowers. There will be no shrubs or trees planted. Carlson also acknowledged that township maintenance will likely mow the ditch in the fall. Pool/Hiller unanimous to allow the Carlsons to plant native prairie grasses and flowers in the ROW along their property line.

2.4 Lane Joint Driveway Easement Request: Jim Lane, PID # 30-467-0125, 25335 117th Ave NW Zimmerman, was present to request permission to have a driveway easement through his property to the adjoining lot PID #30-467-0120. This lot is also owned by the Carlsons, and they want to build a house on the lot for relatives. Discussion followed about the practicality of an easement through lot 30-467-0125 rather than a new driveway on 30-467-0120 which has terrain challenges, what options there will be if the lot is sold in the future, and that there are already shared driveways in the township. Also discussed was the need to have a legal description of the easement and the requirement to record the easement. Hass/Pool unanimous to allow the Carlsons to have a driveway easement through PID #30-467-0125 to serve PID #30-467-0120, with a legal description and recorded document of the easement. Township engineer Davis will review the document before it is recorded.

2.5 Bergquist IUP: Grant Bergquist present to request an IUP for a Business Selling Vehicles, Boats, and Farm Equipment. Bergquist explained that he recently purchased the Martie Motors business in Countryside Park. He would like to continue selling used vehicles on the site, changing the business model to include other dealers. He plans to have an additional five dealers besides himself. Each dealer would have five parking spots for their vehicles for sale and their own office space. There would be up to 30 vehicles on the lot for sale. This model helps the owner share in the cost of overhead. Discussion followed including the parking surface (bituminous in the front, class 5 in the back), the cars allowed, with special concern about cars that are wrecks or with flat tires, making sure the other dealers are compliant with state laws, cost of being a dealer, and signage. Mr. Bergquist explained the cost and requirements of dealers. They are randomly inspected by the state once per year. He also said there will likely be trade ins, but they would move any that are not saleable to auction in a timely manner. He also detailed the building space in regard to separate office and a public restroom. Hass/Kuker unanimous to approve the request for an IUP for a Business Selling Vehicles, Boats, and Farm Equipment with the following comments: this is not a change of use, the property was previously a used car dealership; that any Sherburne County concerns are dealt with before the IUP is granted, the property needs to look neat and orderly, no cars with flat tires or wrecks, any issues must be taken care of within a week.

3.0 Open Forum: (taken out of order) Heidi and Chris Sullivan, 14239 242nd Ave NW, Zimmerman, present to discuss water run-off issue on their property. The Sullivans explained that with the recent heavy rains, water has been running onto their driveway and property causing erosion issues. They have installed drain tile but that has not been enough to solve the problem. The property was displayed (Beacon) with the wetland layer and topographical lines. The house is built in and on the edge of the defined wetland, and the drainage for the neighborhood goes to the wetland via their property. Pool is familiar with the house and neighborhood and commented that there is no ditch there. The front yard is built up, but the water runs along the house to the wetland where it is lower. Heidi commented that they have done what they can do, now it is up to the Township to fix the problem. Davis, Pool and Hass will meet with the Sullivans on site to see if there is anything the Township can do to help. Davis will look to see if there was a low floor adjustment to the lot before the builder constructed the house.



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4.1 Clerk/Treasurer Report: Items of interest during the past month include: Jody and Kellie attended the Couri & Ruppe Legal Seminar. It was very well attended with many Supervisors from Townships around central Minnesota, as well as some Clerk/Treasurers. A lot of important information and topics were addressed, it is a seminar that is valuable for Supervisors to keep up with current issues and legal changes.

4.2 Approve payment of claims: Kuker/Hiller unanimous to approve payment of claims and payroll totaling \$642,048.17 as submitted from Bremer Bank, to cover check number 20824 through 20860, and Electronic Fund Transfers (EFT) #108-110 (June) Federal, State, PERA withholding tax.

4.3 Supervisor Reports: **Pool** – the tree issue on 127th St was resolved; **Hiller** – attended two Zimmerman meetings. 269th Ave west of 245th Ave was discussed. This is a road that is designated as a border road and is the responsibility of the City of Zimmerman as identified in the Livonia/City of Zimmerman Road Agreement. There was confusion at the City about the extent of responsibility they have to maintain and reconstruct the road. The City of Zimmerman has now agreed that the road is their responsibility. They will be reconstructing the entire mile, upgrading it to a 9-ton road with city sewer and water and a wider shoulder. No cost will be passed on to Livonia residents. There are no updates or changes in the potential merger with the City of Zimmerman. **Kuker** – thanked Hiller for keeping his attention on 269th Ave; he has also noticed an increase in dumping of appliances on 96th Street. **Hass** – no report.

4.4 Road Report: Maintenance Coordinator Berghuis reported that in the last month they have used 2 tons of hot patch; 37 trees were down from storms, they are all cleaned up; the cul-de-sacs have been mowed; they have hauled 12 loads of gravel to our roads; the park pathways have been sprayed; the gravel roads have been graded. Berghuis brought up the possibility of having a gas tank installed for fuel for township trucks. Currently we use the Holiday gas station in Zimmerman using a credit gas card issued by Holiday. Holiday changed their Credit Card management company, who changed the monthly due date. Despite Deputy Clerk/Treasurer Fiedler's attempts to remedy the situation, they will not change the due date to accommodate our ability to make payments only when approved by the Board at the monthly meeting. As a result we are invoiced late charges, which they promise will be removed but never do it. Hass suggested that instead of installing a gas tank, maintenance should get a credit card to make fuel purchases so that tracking is easier.

4.5 Township Hours: Hiller discussed Juneteenth and whether the township should adopt it as a holiday. He explained that in looking into Juneteenth, he realized that township staff is currently required to work on several Federal/State holidays. As of this time, Juneteenth is a Federal Holiday, but not a state holiday, so we are not obligated to be closed on Juneteenth. Minnesota Statue states that no public transactions can be done on Federal Holidays accepted as State Holidays except in the case of an emergency. Hass suggested that the Township should follow the schedule that Sherburne County follows.

5.1 Broadband Agreement Update: Item tabled until July for time to prepare Resolution.

5.2 Clean Up Day Report: Report provided with total invoices, gate fees, numbers of items and poundage of items.

5.3 Fire Department Sign: Livonia Township received an invoice for half of the cost of a sign for Zimmerman Livonia Fire Department Station 1 and the Event Center. Hiller explained that the cost should be divided equally between Livonia Township and the City of Zimmerman as equal partners in the ownership of the Fire District and the Event Center. Livonia Township's half of the cost, \$31,828.30 can be paid for with ARPA funds. Hiller/Pool unanimous to pay for half of the cost of the sign for the Zimmerman Livonia Fire Department Station 1 and the Event Center out of the ARPA funds the Township has received. Hiller asked if the Board is willing to earmark additional funds from the ARPA fund to pay for Event Center Patio enhancements. Hass stated that he talked to the Event Center Coordinator who said that photo opportunities for renters has been an issue. She will make some suggestions and estimated costs for enhancements. Pool brought up the issue of water at Fire Station 1, especially in regard to watering the grass and trees, which have suffered or died due to lack of water in 2021 and



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the current watering restrictions. The City of Zimmerman will not allow them to drill a well for watering. Hiller stated that the cost of water to the Fire District has also been under discussion.

5.4 Fire Station Water Purchase (item taken out of order): Livonia Township has been asked if we would sell water from Fire Station 2. Discussion followed about metering, cost, and who would be able to purchase. Also discussed that if water is purchased, the purchaser would have to transport it themselves. No action taken.

5.5 ARPA Funds Resolution: Livonia Township Resolution #22-13 to Elect the Standard Allowance Available Under the Revenue Loss Provision of the Coronavirus Local Fiscal Recovery Fund established Under the American Rescue Plan. Hass/Hiller unanimous by roll call to adopt Resolution 22-13.

5.6 IRS Mileage Adjustment: the IRS adjusted the Federal Mileage rate from 58.5 cents per mile to 62.5 cents per mile effective July 1, 2022. Kuker/Hass unanimous to approve an increase in mileage rate effective July 1, 2022.

Hass had a final item; the office is in need of new desks and cabinets. He asked if the Board give permission to Hass and Hiller to pick out desks and cabinets with staff. Kuker/Pool unanimous to approve Hass and Hiller to pick out desks and cabinets for the office.

Tom Moore, 9860 256th Ave NW, audience member, asked to speak before the meeting was adjourned. He stated that his neighbor continues to park his items on the property near his house that the township owns and is also parking one of his boats on the road, making it hard to pass by. The Board will ask Chief Maloney to look at the road to determine if it is an obstruction hazard for fire trucks.

Hass/Pool unanimous to adjourn the meeting at 9:02 pm.

Approved this 25th day of July 2022.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer