



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
JULY 24, 2017

Supervisors present: Doebler, Hiller, Maloney & Pool.

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

Vice - Chairman Doebler 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/Hiller unanimous to approve the Regular Meeting Agenda.

1.3 Approve Consent Agenda: Maloney/Hiller unanimous to approve Consent Agenda as follows: **Item A)** June 26, 2017 Public Hearing Minutes; **Item B)** June 26, 2017 Regular Board Meeting Minutes.

1.4 Sheriff's Report: Sgt. Ochs reported there were 213 calls for service in June; the calls included 46 traffic stops, 10 civil complaints, 11 check the welfare, and 9 thefts including Zimmerman Truck Sales, the remainder of the calls were for various reasons. There were no other issues or concerns for Livonia Township.

1.5 Fire Report: Fire Chief Maloney provided June calls for service: 3 medical assist, 3 motor vehicle personal injury accident, 1 carbon monoxide, 1 grass fire, 1 vehicle fire, 1 residential house fire Elk River mutual aid, and 1 fire other – refrigerator in residence. Chief Maloney also reported that all engines passed a recent pump test with a few valves needing replacement. The Department responded to a medical call in Orrock Township that required the use of the US Fish and Wildlife Services Marsh Master to reach the person in distress who was located in a wetland and unable to get out. The rescue was successful.

1.6 Engineering Update: Bogart not in attendance, Doebler provided Bogart's report on the status of 112th Street. Due to the sudden death of the excavation subcontractor owner, the project is delayed while the excavating company deals with the loss. The project is now expected to start the week of August 7.

1.7 Road Report – Maintenance Coordinator Berghuis reported: all ditch mowing has been completed; 5 loads of gravel were used on the Lake Fremont minimum maintenance road, and 5 loads on 253rd Ave for repairs; Berghuis used the boom mower along the gravel road to the compost facility for the City of Zimmerman; Berghuis also graded a small section of Orrock Township's 233rd Ave at their request while he was grading the Livonia portion of the road; a resident in the Hunter Lakes area requested an extension of bituminous curbing to direct water run-off from the road away from his structures - Berghuis to look at it and see if that solution will solve the problem without negatively impacting neighboring properties; the Kubota SSV 65 skid loader that Livonia Township is using on a trial basis has been used on several occasions and has worked well. Discussion followed about purchasing the skid loader, which funds will be used to pay for it, and the upgrade program offered by the dealer. The Township has a salt/sand building fund but now purchases salt/sand from Sherburne County and no longer needs a large dedicated building to store salt/sand. It was determined that those funds would pay for approximately half of the cost of the skid loader and the remainder could come from the Road and Bridge fund. Pool/Hiller unanimous to purchase the skid loader using funds that had previously been set aside for a salt/sand building and the rest from Road and Bridge fund. Berghuis also reported that Hiller has a skid loader trailer for sale that will be offered at auction in September. Hiller offered to sell the trailer to the Township if interested before the auction. Berghuis to do some cost comparison as required for audit purposes and to determine if the price is in the best interests of the Township.

1.8 Planning Commission Report – Spencer reported: The PAC met July 20, 2017 and recommended the following items for approval by the County Board of Commissioners at their next scheduled meeting: request for approval of final residential standard plat – Big Lake Township; Request for a CUP for single family housing in an industrial district – Haven Township; Request for an IUP to construct a community solar garden – Haven Township.

3. Open Forum: Doug Manthei requested a change or solution to the culvert that runs from the west side of 112th Street to the west side of 112th Street on the northern end of the Manthei property. Doug explained that the flow of water during heavy rain events will wash down enough material to plug the culvert on the intake grate. The result is an



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accumulation of water flowing down the ditch before it crosses the road, causing damage to the road. Manthei suggested removing the grate or removing some of the bars on the grate to allow the material to pass through. The culvert was designed by Bogart, Pederson & Associates. Hammre to contact Jon Bogart for a possible solution.

4.1 Clerk Treasurers Report: Hammre reported items of interest during the past month include: the end of road signage on 136th Street recently appears to have prevented a vehicle from leaving the end of the road at high speed and crashing into an area of large trees, based on the length of skid marks that stop right at the signage; the people who destroyed the camera on the minimum maintenance road have both been prosecuted. The Township will receive restitution for the cost of the camera.

4.2 Approve payment of claims and transfer funds: Maloney/Doebler unanimous to approve payment of claims, including payroll, as submitted, and to transfer \$27,000.00 from savings to checking to cover claim numbers 8129–8149, check numbers 17896-17923 and Electronic Fund Transfers (EFT) #204-207 (July) Federal, State, PERA & SUTA withholding tax.

4.3 Supervisor Reports: Hiller reported that on July 7, he and Hammre went to Sugarbush Preserve to locate property line boundaries for possible encroachment. The markers were located and encroachment was not an issue. The next stop was 239th Ave in the location of the Perl Sod Farm to measure the ROW and observe the objects placed in the ROW that pose a hazard to drivers and a liability issue for the Township. An employee of Perl Sod Farms and Hiller discussed the issue and safety concerns. The Perl Sod Farm employee indicated that he would encourage the Perls to respond to the notices previously sent about the issue. Also discussed was the discharge from the Tails and Trails bait tanks, the volume of discharge into the culvert under the Township road and the negative impact on the Township road. **Maloney** provided an aerial photo of Perl Sod Farm from 2002 which show there were no obstructions in the ROW. Also discussed was an abandoned house located on Hwy 169 and the future use of the land. Hammre directed to research the access to Hwy 169 and Highway setbacks; **Pool** – no report; **Doebler** provided a Park Board report including the plan to meet at the Sugarbush Preserve North parcel to stake out a driveway and parking pad. Hammre to schedule a date and time that works for those interested.

5.1 Annexation Resolution Flor Property: a Joint Resolution and Agreement annexing property within the orderly annexation area as identified in 1999 between Livonia Township and the City of Zimmerman was prepared by the City of Zimmerman for consideration of the Livonia Town Board. Doebler stated that the annexation agreement is consistent with the Orderly Annexation Agreement. Doebler moved to approve the resolution as written, Hiller seconded. Motion passed unanimously by roll call.

5.2 Water Plan Comments: Dan Cibulka would like input on the 10 year Sherburne County Water Plan. Maloney stated that he would like to include the West Hunter Lake access as a desired project for improvement and water runoff control. The Board agreed and also like to include the request to address the problems in Hunter Lakes that have resulted in the status of “impaired Lake”. Additional comments from the Board to be sent to Hammre this week.

5.3 Updates on D&U Easement Obstructions, Headwalls and Zoning Issues:

- 👑 **Porter retaining wall in D&U Easement** – the retaining wall has been moved outside of the D&U Easement, the Porters have provided the Township with updates and photos of the project (projected).
- 👑 **Request for curve signage on 97th Street** – Nick Anderson, Bogart, Pederson & Associates provided the suggested speed limit based on the radius of the curve. Signs have been ordered.
- 👑 **Perl Sod Farms** – there has been no contact from the Perls in response to the notices sent by mail, certified mail, or the conversation with the Sod Farm Employee. Doebler/Maloney unanimous to approve the engagement of the Township Attorney to correspond with Perl Sod Farm with a notice requiring the removal of obstructions within 2 weeks of receipt of the notice. Doebler/Maloney unanimous to give Maintenance Coordinator permission to remove the dangerous obstructions after 2 weeks of final notice. Berghuis directed to request Sherburne County Sheriff Department protection when removing.
- 👑 **Sugarbush Encroachment** – resolved as reported in Supervisor Report Section.



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- **TCBR D&U** – Johnson called the Town Hall acknowledging the receipt of the D&U Encroachment Letter that was sent by certified mail. They are in the process of removing the soil and will let us know when it is complete.
- **Car, etc sales on 169** – Hammre sent a letter to Sherburne County Zoning as directed, and spoke to Marc Schnieder about the issue. Now there is a car trailer parked in the U.S. Highway 169 ROW. Hammre to relay this information to Sherburne County Zoning.
- **Tales and Trails** concerns about bait tank discharge – Hammre directed to contact regulating authority to ensure proper inspections
- **Headwalls and dangerous landscaping** – 6 second notice letters were sent out. The rest of the headwalls and dangerous landscaping issues noticed fall 2016 have been resolved. Of the second notices, one homeowner is requesting help in measuring the ROW. Berghuis and Hammre directed to measure. Another of the second notice homeowner is asking for clarification on why the issue was not addressed with the previous owner. Hiller and Hammre to make a site visit to talk to the homeowner at their convenience.

Hiller/Maloney unanimous to adjourn the meeting at 8:48 pm

Approved this 28th day of August 2017.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer