



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
SEPTEMBER 23, 2019

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

Staff present: Clerk/Treasurer Hammre, Deputy Clerk/Treasurer Fiedler, Maintenance Coordinator Berghuis, Township Engineer Anderson.

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: Hiller/Pool unanimous to approve the Regular Meeting Agenda with the following addition: Item 2.35 DeRosier Driveway.

1.3 Approve Consent Agenda: Maloney/Kuker unanimous to approve Consent Agenda as follows: **Item A)** August 26, 2019 Regular Meeting Minutes.

1.4 Fire Report: Chief Maloney provided August calls for service: 3 medical assist, 1 gas leak, 1 carbon monoxide, 3 fire alarm, 1 commercial building fire – Nowthen, 1 residential garage – Orrock, 1 residential house fire – Elk River, 2 fire other- fence in Livonia, garbage can. Maloney also thanked those who attended the Annual Fireman’s Open House and Dance, there was a great attendance despite the weather; the annual hose and ladder testing was done; Fire Prevention Week is just 2 weeks away; Fire Station update – architect meetings begin tomorrow night. Hass continued with the Fire Station update, reporting that there will be two architect interviews tomorrow and one more on October 7th. There will either be second interviews, or the final choice may be made based on these interviews. After the architect is chosen, there will be some Open Meetings for the public to ask questions and look at the plans. He went on to explain that the fire building will have a 300-person community room that could be rented for graduations, parties, etc. Maloney stated that the land was purchased by the fire district with donated funds.

1.5 Sheriff’s Report: Sgt. Wilson provided the Sheriff’s report: there were 174 calls for service in August, including 1 burglary and 2 thefts. Other items of concern, the City of Zimmerman has been hit hard by an individual who has been going into garages and unlocked vehicles. He has been identified but not yet in custody. Sgt. Wilson reminded residents to keep their cars locked and valuables out of sight. Hass relayed a citizen concern at W.H. Cates development with cars driving in and out even though there are no houses there yet. Kuker asked if the break-ins in the Zimmerman area were restricted to the City of Zimmerman. Wilson stated that the Livonia/City boundary line is close to the affected area. Hiller relayed a citizen concern that there was an individual trespassing on the privately-owned Hunter Lake peninsula to hunt. Wilson will pass on the message. There were no other questions or concerns.

1.6 Bank of Elk River: Cheryl Dehmer and Lynn Backlund attending from the Bank of Elk River to discuss depository options for Township funds. The ICS for Public Funds program was discussed. Dehmer explained that this program would protect Township deposits while yielding a higher interest rate, rate based on market rates determined by the bank CFO. Hiller stated that he would like to consult 2 or 3 other banks for comparable programs. Hammre directed to follow through with the references provided from other public entities who are using this program. Hass and Hiller will investigate additional options from other area banks.

1.8 Road Report: Maintenance Coordinator Berghuis provided the road report as follows: the ditch mowing has been completed; tree trimming is in progress; the trucks have been DOT inspected - there was one broken spring, no other issues; the Girl Scout Camp road was graded and pot holes repaired; signs alerting to video surveillance were posted on the Lake Fremont minimum maintenance road. Berghuis asked the Board if he could purchase 6” X 6” posts and cable for the parking lot at North Point Park. The Board was in general agreement. Pool suggested checking with the City of Zimmerman about their satisfaction with concrete posts. Berghuis asked the Board when they would like him to remove the dock at North Point Park. The Board directed Berghuis to leave it in for a few more weeks, until the temperatures are getting colder.

1.9 Planning Commission Report: Spencer provided the September 19, 2019 Planning Advisory Commission (PAC) Report. There was not a quorum of Planning Commissioners at the September 19, 2019 PAC meeting. All actions by the



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Planning Commissioners was by consensus only. The following items were approved by consensus and passed on to the County Board of Commissioners at their next scheduled Meeting: request to rezone property from Agricultural to Industrial – Haven Township; three requests for IUPs for a 1 MW Solar Farm – Haven Township; amendment to the Sherburne County Ordinance amending Section 16.2 Interim Use Permits Subd. 5.21 Solar Farm establish vegetation standards for new solar farms. The following item was denied by consensus: Request for Preliminary Plat approval – Big Lake Township. The Amendment to the Sherburne County Zoning Ordinance regarding the Subdivision Ordinance was tabled to the October PAC meeting.

1.10 Park Board Report: Park Board Chair Doeblner provided the Park Board report: Kuker, Zimmerman Park Board Representative gave an update on the Zimmerman Park Board Meeting – the focus was on Night to Unite preparations, the new Fireman’s Dog Park is open, mention of a joint Livonia and Zimmerman Parks Facebook page. The Park Board discussed the need for a monthly Park Board meeting or to meet every-other month with monthly meetings when needed. The Park Board recommended that some of the excavated dirt from the 239th Ave. project is used to repair a trail section that is eroded from use. The Park Board also recommended that 6” X 6” posts and cable are used to construct a perimeter fence around the North Point Park parking lot to keep vehicles in the parking lot. The history of the Girl Scout Camp road/trail was presented for the benefit of the new Park Board members. The Park Board recommended that the Girl Scout Camp road/trail remain as a trail for public non-motorized use. The Comprehensive Plan Section 4 was reviewed as it pertains to resident desires for parks and trails. Doeblner pointed out Livonia citizens developed the plan after surveying and gathering information from Township residents. The residents distinguished between City style parks and Township style parks and voiced the desire to have the Township parks have more trails and natural areas while existing neighboring city style parks already have more developed park grounds. Three Girl Scout troop members presented a proposal to build a dog park in a Livonia Township park for their Silver Award. Discussion followed with the Girl Scouts answering questions and discussing the proposal. The Park Board would like to consider the proposal before making a recommendation. The Girl Scouts will present the proposal to the Town Board. Kuker recommended that the Park Board meet every month for now while there are potential projects.

2.1 WH Cates LOC Reduction (*post-poned until Engineer Anderson arrives*)

2.2 Girl Scout Troop #14720 Silver Award Project: Scouts from Girl Scout Troop #14720 presented a proposal to build a dog park in one of the Livonia Parks to earn their Silver Award. The Scouts explained the project, the Silver Award and their progress in securing materials. The scouts then answered questions about the project. Discussion included location and the appropriate park and park placement and time and expense to the Township to maintain after it is built. The Board would like time to consider the proposal, the scouts were invited back to the October Board Meeting.

2.3 Request for Second Driveway: Wayne Faue, 11093 233rd Ave NW, present to request a second driveway permit. Faue explained that his lot was not able to accommodate the developer’s projected location for an accessory building, therefore he put in another driveway to his building. Faue stated that there are now gas lines between the original driveway and the accessory building, which would have to be moved to use the existing driveway to access the accessory building. Hass/Pool unanimous to allow Faue a second driveway, requiring a second driveway permit and the associated fees with inspection by Township Engineer Anderson.

2.35 DeRosier Driveway: Cory DeRosier, 23375 112th St NW, present to request permission to have a driveway wider than Township driveway standards allow. DeRosier explained to the Board the history of his ownership of the property which had two driveways when purchased. He stated that the culverts were damaged when he purchased the property, and when he drives his semi-truck/trailer home, the trailer was too wide to make the turn. He widened the driveways to accommodate the trailer and, in the process, buried the culverts. Discussion included concern about protecting the edge of the road and the need for culverts for drainage. Engineer Anderson directed to inspect the driveways and determine culverts are needed and any other requirements to pass inspection.



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1.7 Engineering Updates (*postponed for Engineer Anderson's Arrival*): Engineer Anderson – **239th Ave**) the first mile is now paved. 350' of the south mile is very wet and needs to dry before paving. The recent continuous rain has not allowed this area to dry. The neighbors are frustrated with the project and the multiple days the contractor has not worked. The Livonia Board also expressed their frustration. Discussion concerning the Contractor, Omann Brother's Contracting, being responsible for the sub-contractor's performance. Several property owners in the audience expressed their frustration with the contractor. Engineer Anderson is working closely with the residents to solve issues, several residents indicated that Engineer Anderson has been very helpful. Final work to alleviate resident problems will be done by the contractor. **120th Street**) the project is completed. **CIP**) a workshop to look finalize the CIP will be scheduled.

2.1 WH Cates LOC Reduction Request: Anderson gave an update on the project to date. First lift of bituminous has been completed, second lift of bituminous, riprap around the culverts, vegetation establishment and the punch list of remaining items remain. Hiller asked about the private driveway/culvert to the two south properties. Anderson detailed the steps taken to complete the driveway. Anderson calculated that \$90,000 will be required for the LOC. Kuker asked if the contractor has been responsive to requests and requirements. Anderson said no, they have not been. Kuker asked why they would get a reduction in LOC. Anderson replied this is standard procedure and in the Developer's Agreement, this is cost of the work that they have left X 1.5. Hass/Hiller motion to grant the request to reduce the LOC to \$90,000.00 as requested, motion passed with Kuker opposed.

2.4 Girl Scout Camp Road Maintenance: Girl Scout Camp Council representatives Matt Hein, Property Maintenance and Eileen Kapas, Property Director, present to request class 5 to be added to the Girl Scout Camp road/trail. The road committee will look at the issue and possible solutions.

3.0 Open Forum: Eric Canfield, 12575 73rd Ave North, Maple Grove, present to discuss two properties he owns on West Hunter Lake. The properties can not be built on without considerable Variances to Lake Setbacks. Canfield offered to sell the properties to the Township. The Park Board will discuss at the next Park Board Meeting and make a recommendation to the Town Board.

4.1 Clerk/Treasurer Report: Items of interest during the past month include: guard rail damage – insurance claim from the responsible driver's insurance company has been submitted.

4.2 Approve payment of claims and transfer funds: Hass/Hiller unanimous to approve payment of claims, including payroll, as submitted and to transfer \$292,000.00 from savings to checking to cover claim numbers 8963–8990, check numbers 19015-19048, and Electronic Fund Transfers (EFT) #293-295 (September) Federal, State and PERA withholding tax.

4.3 Supervisor Reports: **Hass** – there will be a fire station meeting tomorrow; discussion about 239th Ave contractor payment and possible reduction for non-performance. Engineer Anderson explained that the payment is for work already completed, and that the project is about \$20,000.00 below estimated cost now. He also said liquidated damages will be starting soon for delays not due to weather. **Hiller** –no report; **Maloney** – North Point Park sign almost completed; **Pool** – Youth Night went well; **Kuker** – no report.

5.1 Township Logo Shirts – Berghuis displayed his shirt with the Township Logo. No action taken.

Kuker/Hiller unanimous to adjourn the meeting at 9:18 pm

Approved this 28th day of October 2019.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer