



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
SEPTEMBER 27, 2021

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

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

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: Maloney/Hiller unanimous to approve the Regular Meeting Agenda as presented with the following amendments: add item 2.9 Request for Approval of Roads, Highland Meadows 3rd Addition and Pinecrest Estates; add item 2.10 Precinct Voting Location. Correction to Agenda Item 2.8, denied last month.

1.3 Approve Consent Agenda: Hass/Hiller unanimous to approve Consent Agenda as follows: **Item A)** August 23, 2021 Regular Meeting Minutes; **Item B)** August 31, 2021 Workshop Meeting Minutes.

1.4 Fire Report: Chief Maloney provided August calls for service: 12 medical assist, 1 gas leak, 1 carbon monoxide, 2 fire alarm, 1 arcing/down powerline, 3 grass fire, 1 vehicle fire, 1 outside rubbish fire, 3 residential house fire (Elk River, Zimmerman, Becker). Maloney also reported the Open House and dance went well with over 1200 attending; Fire Protection Week is October 3-9 and they will visit schools and day cares for fire education; and the ladder truck will be in service soon. Hass asked about billing for fire services. Maloney stated that they do some billing, but it has become more complicated to file an insurance claim. He said Event Center Coordinator Borchardt will be able to work on that soon as part of her time designated to the Fire District.

1.5 Sheriff's Report: Sgt. Wilson provided the Sheriff's report: there were 222 calls for service in August in Livonia Township including 7 motor vehicle accidents, several fire related calls, and 79 traffic stops. There were no burglaries. The rest of the calls for service were for miscellaneous items. There were no items of concern for Livonia Township.

1.6 Engineering Update: Engineer Davis unable to attend, he provided information for Board consideration: Proposal for Driveway Access Inspection Fees over the allowed 2 per permit. Hass/Pool unanimous to approve the proposed additional inspection fee payment, funds to be taken from the Construction Fee deposit. Staff to update Driveway Permit to reflect the change. Davis provided a spreadsheet of recommended road projects. No action taken. Hass stated that the 120th Street second lift of bituminous has been completed, however he would like an extension of the bituminous from the corner to the gate on the minimum maintenance road.

1.7 Planning Commission Report: Spencer provided report: September 19, 2021 PAC Meeting, recommended approval of the following: In Baldwin Township 3 requests for final standard plats. Amendment to Sherburne County Zoning Ordinance Section 5; definitions and rules of language constructions, Subdivision 2 definitions and setback averaging; Amendment to Section 14 Shoreland Overlay District, Subdivision 5.2 (A) Dimensions, Designs and Utilities add clarifying language; Amendment to Section 14 Shoreland Overlay District, Subdivision 3.1 (A) Permit required add clarifying language.

1.8 Park Committee: the land appraisal report for the property adjoining North Point Park was distributed. Hass/Maloney unanimous to direct Supervisor Hiller to meet with landowners, Larry and Wanda Thoreson, to discuss a potential purchase.

2.1 IUP Request – Tiller: Michael Caron and Christina Morrison presented the request for Mining Interim Use Permit Sand and Gravel Mining Operation. The proposed mining would extend from the Elk River Landfill to 239th Ave and HWY 169 to the Tibbets Brook wetland complex. Morrison indicated the location on the presentation map. The EAW was published on September 21st and will have a 30-day review period. Hiller asked



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how long it will take to mine the area. Carin responded that it depends on the market, but the expected time frame could be 30 – 40 years. Mining would not begin for several years as the current mine still has material. Carin also stated that the reclamation plan could include housing or landfill extension. Tipping fees were discussed as well as mandated percentages to the Sherburne County Road and Bridge Fund, the township or city where the pit is located, management costs and the reclaim fund. Carin stated that they will return at the next Town Board Meeting with any updates to the request after the EAW review process if completed, and that no comments from the Town Board are needed at this time. No action taken.

2.2 Hunter Lake Parcel – Foster: Foster not in attendance. The Board was presented with the restrictions placed on the parcel which was purchased from the State of Minnesota by Livonia Township for the title transfer cost. The Township is not able to sell the land if it is no longer needed. It would need to be returned to the State of Minnesota, they would then offer it for sale for fair market value. The Board discussed the original reasons the township acquired the tax-forfeited land. Current use as snow storage and potential future use as parking for a park in the area, Hass said the Board should do a site visit. No action taken.

2.3 249th Driveway/Headwall: Davis observed the driveway and recommended that a letter is sent to the property owner stating that the headwall needs to be removed and that the driveway exceeds the township maximum width and would need to be approved by the Board. Hass/Hillier unanimous to direct Hammre to send a letter with supporting documents to the property owner requiring the issues to be resolved.

2.4 SW Wold Erosion Issues: Scott Wold not present. Hass will contact Wold about solutions to the erosion issues. Hammre to send notification letter to the homeowner so they are aware of the ongoing issue and attempts to resolve them.

2.5 Highland Meadows 112th Street Driveways Inspection Fees: the four driveways that access 112th Street were combined into one fee paid by the developer and the driveways were to be constructed during the building of the development roads. The driveways were positioned to place them in the safest location possible on 112th Street with regards to sight lines on the hilly collector road. There have been multiple inspections by Township Engineer Davis concerning one of the lots due to the builder constructing an unpermitted second driveway on his lot that resulted in substantial erosion issues on the property and in the ROW. There have been multiple Township Engineer inspections on this driveway and the issues it has caused. The funds collected to pay for driveway inspection fees for the 4 driveways, including the extra \$500 the builder paid upon Township request, is short of actual engineering fees to date by \$265.00. Hammre asked for direction concerning the shortfall. Hammre also pointing out that there are some driveway fees from builders who have forfeited their deposits rather than finishing their driveways. Maloney moved that the developer will pay the difference. Motion failed with Hass and Pool voting no. No additional action taken.

2.6 CUP Personal Storage Structure Request: Caryn Cruz present to request a CUP for Personal Storage Structure. Cruz explained that she is requesting the CUP to allow her to build a shelter for horses on the property she owns. Discussion about the size of the shelter, which will be 20' X 20', location on the property, and use of the shelter. Hass/Pool unanimous to recommend approval for the requested CUP for Personal Storage Structure with the following comments:

The requested structure allows the owner to enhance the use of her land, the structure would be used for animals and not human habitation; the structure would not negatively affect any neighboring properties; the land has a high-water table making it suitable for pasture and less suitable for housing.

2.7 Rocks in Right of Way Fremont Drive: large rocks have been placed within the right of way on Fremont Drive at 27145. Rocks or other obstructions in the ROW are prohibited by MS 160.2715 and Livonia Ordinance 600. Hammre to send letter and copies of MS 160.2715 and Livonia Ordinance to the owners.



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2.8 WH Cates Pondsides Estates LOC request: item denied last month to allow the developer time to resolve issues. No progress has been made on the repair and stabilization of the retention pond. Request denied again.

3.0 Open Forum: no one present for Open Forum

4.1 Clerk/Treasurer Report: Items of interest during the past month include: the first ARPA payment has been received; office staff attended the Couri & Ruppe Legal Seminar; office staff suggested binders for Board packets for ease in organization, the Board agreed. Binders will be ordered.

4.2 Approve payment of claims: Maloney/Pool unanimous to approve payment of claims and payroll totaling \$336,541.74 as submitted from Bremer Bank, to cover check numbers 20467 through 20506, and Electronic Fund Transfers (EFT) #59-62 (September) Federal, State, and PERA withholding tax and debit card payments.

4.3 Supervisor Reports: Hiller – Kuker and Hiller attended the HWY 169/CR 4 proposed interchange meeting. The meeting was also attended by Sherburne County Commissioners, several Senators and Representatives and Sherburne County representatives, who then had their photo taken in front of the new fire building; Maloney and Hiller spoke to representatives from Elk River Landfill about the future plans to expand the MSW landfill north; the grader sold at auction, still waiting for the payment to come through. If it does not, the second highest bidder will be given the opportunity to purchase. **Maloney** – Hiller, Maloney, Piasecki and Whiting met to discuss annexation or merging. Tax rates, wards, staff, and road reconstruction costs - currently assessed for all city roads vs paid with Levy funds for the township roads - were discussed. **Pool** – no report; **Hass** – no report.

4.4 Road Report: Berghuis reported that the benches donated by Becky Doebler have been installed at Sugarbush Preserve; the plow/sign has been repainted, waiting on new adhesive sign, ditch mowing is in progress with about half of them done to date; the shop furnace needs to be replaced. The board instructed Berghuis to install what they can and have gas and electrical hired; Berghuis also instructed to take in the Lake Fremont dock at his discretion depending on weather.

5.1 Request to Sell Items at Auction: Hammre requested permission to sell old projection and sound equipment at auction or recycle the items. Berghuis indicated that it could be donated to an area church. Hass/Hiller unanimous to donate the sound and projection equipment to the church.

5.2 ARPA: Half of the ARPA funds have been received.

5.3 Prosecution Agreement Sherburne County Attorney: discussion about the agreement sent from the County Attorney's office. The Board determined they would like some information on how many cases per year the County Attorney's office handles for the township.

5.4 Resolution to Set Public Hearing D&U Vacation: Hass/Hiller unanimous to approve Resolution 21-13 Setting Public Hearing for Vacation of Drainage and Utility Easements as Dedicated and Recorded in Plat of Cranberry Hill Farm Lot 1 and Lot 3 Block 1 Located in Livonia Township Sherburne County Minnesota.

Hass thanked office staff (Fiedler) for choosing and ordering township shirts for Supervisors and staff.

Maloney/Hiller unanimous to adjourn the meeting at 9:03 pm.

Approved this 25th day of October 2021.


Chairman or Vice Chairman


Clerk/Treasurer or Deputy Clerk/Treasurer