



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES  
HELD AT THE LIVONIA TOWN HALL  
SEPTEMBER 28, 2020

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

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

Others present: Engineer 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:** Maloney/Pool unanimous to approve the Regular Meeting Agenda as presented.

**1.3 Approve Consent Agenda:** Maloney/Hiller unanimous to approve Consent Agenda as follows: **Item A)** August 24, 2020 Regular Meeting Minutes; **Item B)** August 24, 2020 Workshop Meeting Minutes; **Item C)** September 1, 2020 Attorney/Client Meeting Minutes; **Item D)** September 1, 2020 Workshop Meeting Minutes; **Item E)** September 8, 2020 Workshop Meeting Minutes.

**1.4 Fire Report:** Chief Maloney provided August calls for service: 7 medical assist, 1 gas leak, 4 motor vehicle personal injury accident, 1 fire alarm, 1 person in distress – lift assist, 1 grass fire, 2 residential house fire (Zimmerman, Orrock), 1 fire – other rescue. Chief Maloney also reported annual hose and ladder testing was completed with all passing. The new fire station is progressing with decking and insulation installation in progress now. The City of Zimmerman has decided to fund SCBA equipment for the Fire Department with CARES Act Funds.

**1.5 Sheriff's Report:** Sgt. Wilson provided the Sheriff's report: there were 199 calls for service in August in Livonia Township, including 34 traffic stops, and 4 burglaries. There were no concerns for Livonia Township and no questions for Sgt. Wilson.

**1.6 Engineering Update:** Engineer Wes Davis reported that he performed pond level analysis on the pond near WH Cates Pondsides Estates as requested last month for Mr. Welsh whose property includes the pond. Davis concluded that the pond level fluctuates with the ground water level based on drainage analysis and aerial imaging. He explained that he was able to observe the water level from yearly imaging records by comparing the shoreline and periodic exposure of a sandbar when the water level is low. The water level changes every few years in the pond located in Mr. Welsh's property as well as in other area ponds in response to ground water levels. Hass asked about the cost of installing a weir in the small pond on the west side of the road to hold back that water from flowing through the culvert into the pond on Welsh's property. Davis said there are several ways to construct a weir, cost would depend on the type of construction. Hass asked Davis to write a report for Mr. Welsh with his findings. Davis also discussed some options for evaluating roads and updating the Township CIP Plan.

**1.7 Road Report:** Maintenance Coordinator Berghuis reported they have been tree trimming and mowing ditches. The payload tires were replaced, the annual DOTs on the trucks were completed (all passed), and the dock will be pulled in a couple of weeks. Berghuis also said the posts for the parking lot in Sugarbush Park are expensive now as lumber prices are up and he would like to wait to purchase and install them next year. The requested map for the park will require a higher resolution photo than can be pulled off of google maps. Hass would like Maintenance to clear the alleyway on east Hunter Lake leaving stumps to be ground later.

**1.8 Planning Commission Report:** no report

**1.9 Park Committee Report:** Hiller – no report.

**2.1 CARES Act Grant:** Mike Juszczak and Corey Johnson present to request CARES Act funding for the business "Froogle" in the amount of \$51,000.00. Juszczak explained that his business is a mobile phone App that offers discounts for users at participating businesses. He stated that the App has helped some local businesses during the COVID-19 Pandemic. He also explained that he has been working out of his home in Livonia Township for the last 4 years on the Froogle App. Hiller explained that Livonia Township has a CARES Act Fund Grant Program for local nonprofit organizations and that businesses are encouraged to apply at Sherburne County for their CARES Act Grant Program for businesses. Juszczak said he talked to Sherburne County as well as the City of Zimmerman but was told he did not qualify. Discussion followed



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about the guidelines all government entities must follow in using CARES Act Funds, the decision the Livonia Board made to use some of the funds to help local nonprofits including youth programs that have been financially impacted by COVID-19, the expenditures that have been made so far including Fire Department safety equipment to keep fire fighters safe from the virus, election barriers, PPE, etc. Juszczak was again encouraged to communicate with Sherburne County to pursue a grant for a business.

**2.2 Hoese Variance Request:** Brian and Lorna Hoese and Sarah Langa (contractor for Uneek Design) present to ask for a 15' Variance in setback from the right of way of 117<sup>th</sup> St NW for a detached garage. Required setback from the right of way is 67'. Langa described the project and discussed the desired location for the new garage. Hass indicated that he visited the site prior to the meeting. Langa explained that the other location proposed by Sherburne County Zoning at the end of their existing driveway has a slope that would require a large retaining wall to allow the building of the garage. Langa and the Hoeses stated that the area they would like is level and there is already a pad there that can be used to access the garage. They also indicated that drainage would be impacted if the garage were built at the end of the driveway because water flows through the area. they are concerned a garage placed there would be in line with the water flow causing flooding in the garage. Maloney asked if the new garage meets covenant guidelines. Langa stated it does and explained the design. Hass/Pool unanimous to recommend approval for a 15' variance in setback from the 117<sup>th</sup> Street road right of way where a 67' setback is required for a detached garage. The variance guideline questions were answered as follows:

- #1) the request is within the orderly growth goal of the Comprehensive Plan; it is not in conflict, the proposed garage will improve the property, provide additional parking and follow development covenants;
- #2) the topography of the lot is beyond the homeowner's control and the house was built previously. The Township does not desire second driveways making a different location on the lot less desirable;
- #3) the literal interpretation would deprive the applicant of a second garage. A second garage is a common improvement on the properties in the area;
- #4) the topography of the lot was in place. The builder built the house when the development was new;
- #5) the request is the minimum request based on the desired location of the garage, and the proximity to the house without making it too close and impacting the needed turning radius to access the garage.
- #6) the garage design will match the design of the house, the variance if granted would not alter the essential character of the neighborhood, the lot is wooded therefore concealing the buildings, and would have no negative effect on the neighboring properties;
- #7) the septic system is adequate, no bathroom facility will be constructed in the garage, there is adequate room on the property if a replacement septic is needed in the future;
- #8) there would be no impact on parking or number of vehicles on the public road;
- #9) NA
- #10) the variance will not affect sunlight, views or privacy of any neighboring lot;
- #11) the use of the property is reasonable, and the location requested is the best place for a garage.

**2.3 Thompson Simple Plat:** Mark and Mary Thompson present to request approval of simple plat "Sunrise Ranch" consisting of three lots, including the existing house and buildings. Discussion followed about a potential trail easement on the north side of the properties in lieu of Park Dedication fees. The Thompsons stated they preferred to pay the Park Dedication fees and would rather see a future trail along 239<sup>th</sup> Ave. Discussion about proposed lot 2, and the location of the driveway on the curve of the road. Engineer Davis will be asked if a driveway at that location could be a safety issue and where he would recommend a driveway to be located for that lot. Hass/Pool unanimous by roll call vote (Kuker absent, Hiller abstained due to family relation to Mary) to recommend preliminary and final approval of the simple plat



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“Sunrise Ranch” pending Engineer Davis review of lot 2 concerning a driveway. Comments include: the plat meets requirements; Wes Davis will give his opinion on lot 2 and the safety of a driveway on the turn on 239<sup>th</sup> Ave.

**3.0 Open Forum:** no one present for Open Forum

**4.1 Clerk/Treasurer Report:** Items of interest during the past month include: we have been very busy handling CARES Act details, bank change, extra meetings, election preparation, etc.

**4.2 Approve payment of claims and transfer funds:** Hass/Hiller unanimous to approve payment of claims from The Bank of Elk River as submitted and to transfer \$1,562,000.00 from savings to checking to cover claim numbers 9313–9342 and check numbers 19502-19528; and from Bremer Bank, approval for payment of payroll as submitted, to cover check number 20003 through 20011 and Electronic Fund Transfers (EFT) #1-3 (Sept) Federal, State, and PERA withholding tax.

**4.3 Supervisor Reports:** Hiller – asked Hammre to explain the absentee voting process because he has been getting questions from residents. Hammre explained the process; Maloney – no report. Pool – no report; Hass – asked which supervisors will be attending the Wednesday meeting at the County about CARES Act Funds. There is a limit of two allowed to go. Hass will attend.

**5.1 CARES Act funding:** the Board looked at the COVID-19 Cares Act Grant Program Applications received so far. Jay Whiting was in attendance representing Zimmerman Youth Baseball, one of the nonprofits that applied. Whiting detailed the financial losses suffered due to COVID-19 for Zimmerman Youth Baseball. He was asked if the grant, if awarded, could wait a few weeks so all applications can be reviewed and awarded at the same time as there are more applications expected. Whiting agreed and added that any financial help they could receive would be appreciated.

**5.2 GNT Partnership Committee:** Gina Hugo, Sherburne County Parks Coordinator, invited Livonia Township to be a Stake Holder in the GNT Partnership Committee. Hammre volunteered to serve. Hass would like a Supervisor Park Committee member to serve, Hammre directed to consult with Gina to find out if two representatives are acceptable.

**Item 5.1 continued:** Maloney presented a quote for an incomplete truck body for the new truck. Hass/Hiller unanimous to proceed on the purchase of the incomplete truck body for \$35,000.00 and to seek quotes to finish the truck body. Hass/Hiller unanimous to move forward on purchasing a new audio/visual system for meetings with the capability of remote viewing. Hass requested a meeting in 2 weeks for CARES Act Funding. The meeting will be October 14, 2020 at 7:00 pm.

Hiller/Pool unanimous to adjourn the meeting at 9:10 pm.

Approved this 26<sup>th</sup> day of October 2020.

  
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Chairman or Vice Chairman

  
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Clerk/Treasurer or Deputy Clerk/Treasurer