



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
NOVEMBER 26, 2012

Supervisors Present: Doebler, Hass, Hewitt, Manthei and Sherper.

Staff Present: Clerk/Treasurer Spencer and Deputy Clerk/Treasurer Olson

Others Present: Jon Bogart, P.E. Bogart, Pederson & Assoc.inc, Town Engineer

Chairman Sherper called the Meeting to order at 7:00 p.m.

The assembly recited the Pledge of Allegiance.

1.2 Approve Regular Meeting Agenda: Hewitt/Doebler unanimous to approve Regular Meeting Agenda as submitted.

1.3 Approve Consent Agenda: Hass/Manthei unanimous to approve Consent Agenda as submitted.

Item A) October 22, 2012 Regular Board Minutes; Item B) Designate location, Livonia Town Hall, for absentee voting for March 2013 Annual Town Election.

1.4 Sheriff's Report: Sergeant Johnson reported there were 55 incidences during October in Livonia Township.

1.5 Fire Report: Chief Maloney was not available to provide report.

1.6 Road Report: Maintenance Coordinator Spencer reported the gravel roads have been graded, He is working with Fire Chief Maloney to remedy the issue at the water tank.

2.1 County Road 74/237th Avenue: Rhonda Lewis, County Engineer was present to talk about tarring a small portion of 237th the same time County Road 74 project takes place to eliminate erosion of sand/gravel onto County Road 74.

2.2 Board recommendation to request for variances at 25315 Highway 169: Max Johnson owner of TCBR was present to request recommendation for three variances as follows: 1) a 13 foot variance in setback from the right of way of 263rd Avenue for an addition on an existing building. Required setback from the right of way of 253rd Avenue is 67 feet; the addition will be 54 feet from the right of way. 2) a foot variance in setback from the frontage road for an addition on an existing building. Required setback from the frontage road is 80 feet; the addition will be 77 feet from the frontage road. 3) a 3.7 foot variance in setback from the north side of property line for an addition on existing building. Required setback is 20 feet. The addition will not be any closer to the property line than the existing building but is considered an expansion of an existing nonconforming structure. Manthei/Doebler unanimous to recommend approval of the three variances: 1) the request is in harmony with the intent of the comprehensive plan and zoning ordinance. 2) The property owner will be using the property in the same way as it is now. 3) The practical difficulty due to circumstance unique to this property - the buildings existed prior to Johnson's ownership. 4) The circumstance causing the difficulty existed prior to Johnson owning the property. 5) The issuance of the variances will maintain the essential character of the locality-the character will be enhanced. 6) The difficulty involves more than economic development; Johnson is limited in what he can do; an increase in size and relocation of office will enhance the business and property.

2.3 Drainage issue 25313 Highway 169: Max Johnson owner of TCBR stated he is looking for resolution to the water that collects on his property would like to drain it under the service road through a culvert. He also talked about draining to the east where County Ditch is located. Board suggested he talk with the County Ditch authority regarding draining into the County Ditch and with MN DOT regarding draining into the road ditch. No action taken.

2.4 Discussion regarding unauthorized work in a drainage easement: Del Overholser was present for discussion. Bogart went on site to view the riprap that was placed in the drainage easement. The main issue is with the larger rocks located near the culvert which Overholser agreed to remedy. It was agreed the riprap will improve drainage and should prevent water from collecting on the road. Hass/Hewitt unanimous to not require retainage from second driveway construction deposit.

2.5 Engineering updates: 253rd Avenue- the patch in the north lane was redone; 253rd is scheduled for chip seal in 2013. 112th Street – plans are done, ready for final approval.

2.6 Phase I 120th Street Project: There was discussion on whether or not to put final lift of bituminous on the Phase I project area. No action was taken; will reconsider in 2013.



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3. Open Forum: There were no requests for open forum.

4.1 Payment of claims and transfer of funds: Hewitt/Doebler unanimous to approve payment of claims, including payroll as submitted, for payment of utility and interest bearing bills received after claim deadline and to transfer \$60,000.00 from savings to checking to cover claim numbers 6025-6082, check numbers 15269-15364 and Electronic Fund Transfer (EFT) #000024 (November 941 withholding tax

4.2 Approve Landfill CD: Doebler/Hewitt unanimous to renew Landfill CD for 60 months at a rate of 1.15%.

4.3 Fund balances: The Board was provided with Fund balance information. Maintenance Coordinator Spencer gave Board an update on equipment needs; no action taken on purchase of equipment this year.

4.4 Supervisor/Commission/Committee Reports: Manthei attended the Annual Township Conference in St. Catharines; he will have an expanded report in December. Doebler thanked Coordinator Spencer for maintenance of the Park trails. Spencer will pass the comment on to Timinski. Sherper commented on how well the election process went; turn out in Livonia Township was 85% Precinct 1, 83% precinct 2 and 88% Precinct 3. There were no other reports. Clerk/Treasurer Spencer reported on the November Planning Commission Meeting and the Feedlot Committee meetings.

5.1 Updates: - a) General Election: The General Election was very busy as Sherper reported. Clerk/Treasurer Spencer thanked all those who served as election judges; their service is greatly appreciated.

5.2 Final approval of Narr Interim Use Permit (recorded for the official record: Moved by Hewitt, seconded by Sherper to approve request for an Interim Use Permit for a home business in an accessory building, a small repair shop in a pole building by Kevin Narr as approved November 6, 2012 by the Sherburne County Board of Commissioners. Conditions of the approval are on file in the Sherburne County Zoning Office.

Doebler/Hewitt unanimous to adjourn meeting at 9:00 p.m.

Approved this 17th day of December 2012



Chairman or Vice Chairman



Clerk/Treasurer or Deputy Clerk/Treasurer