



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
JUNE 27, 2011

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

Staff Present: Clerk/Treasurer Spencer, Deputy Clerk/Treasurer Olson, Maintenance Coordinator Spencer

The Meeting was called to order at 7:00 p.m. by Chairman Sherper

The assembly recited the Pledge of Allegiance.

1.2 Approve Regular Meeting Agenda: Manthei/Hewitt unanimous to approve the Regular Meeting Agenda as presented.

1.3 Approve Consent Agenda: Hewitt/Manthei unanimous to approve Consent Agenda as submitted. A) May 19, 2011 Workshop Meeting Minutes; B) May 23, 2011 Regular Board Minutes; C) June 1, 2011 Special Meeting Minutes; D) June 1, 2011 Workshop Meeting Minutes and E) Release of warranty Harmony Village plat.

1.4 Sheriff's Report: Sgt Novotny provided May calls for service. Of the 162 total incidences 35 were traffic stops. There was discussion regarding the invoice from Affiliated Emergency Veterinary Service. Manthei/Hewitt unanimous to pay the invoice based on agreement with Sheriff's Department.

1.5 Fire Report: Chief Maloney provided May calls for service: 2 medical assist, 1 gas leak, 3 motor vehicle personal injury with extraction, 1 fire alarm, 1 carbon monoxide, 1 down power line, 1 severe weather standby, 1 outside rubbish fire and 1 residential garage fire. He reported on vandalism to the overhead door, Mn State Fire Marshal's Office FAST Team, purchase of DNR Truck, firefighter licensing and the golf tournament.

1.6 Road report: Coordinator Spencer requested authorization to move forward with installation of holding tank alarm. Hewitt/Hass unanimous to approve installation of alarm on holding tank including necessary electrical work involved with the project. Requested authorization to take the 2000 Sterling truck to Ziegler Caterpillar for performance analysis. Manthei/Hewitt unanimous to authorize maintenance on the 2000 Sterling truck. Asked Board to consider purchase of a used Swenson Spreader for use on the 1Ton truck for spreading product during the snow season. Manthei/Hewitt unanimous to authorize purchase up to \$1,800 for purchase of Swenson Spreader and have minor repairs made. If Board decides to do road side mowing in house, the Maintenance Department is agreeable. Board directed Maintenance Department to remove debris from the Girl Scout Road as well as grade it. Discussed options for the salt/sand shed; no action taken.

2.1 Fremont Drive drainage/culvert in Town rights of way: Dale Rowley, occupant of residence on Fremont Drive was present for discussion regarding the storm sewer and drainage pipe/culvert in Town rights of way. Manthei/Hewitt unanimous to authorize Jon Bogart to look at the situation and make recommendation for the July meeting.

2.2 245th Avenue Project update: Jon Bogart reported the 245th Avenue project is moving forward with good progress; Class 5 should be added this week. He did not have an opportunity to observe the Bigley property for a report this month.

2.3 253rd Avenue/Highway 169 culvert: Jon Bogart provided a preliminary estimate of \$7,369.20 to lower culvert 18 inches with catch basin at one end. Board had no comment at this time.

2.4 RFI 253rd Avenue/Highway 169 intersection repair: As requested by Board a Request for Information was sent to Omann Brothers Paving for repair to the intersection; RFI was provided with estimate of \$30,800. Board discussion followed. Hass/Manthei unanimous to table repair to the culvert and intersection at this time; authorized Jon Bogart to prepare an engineering estimate for repair to the entire 253rd Avenue service road.

2.5 Amendments to Engineering Standards/road classification map/CIP/2012 road projects: Board reviewed Engineering Standards; Hewitt/Manthei unanimous under Section 120 to define Commercial/Industrial roadway pavement width at 24 feet. Clarification was made to Item 110.14, 110.15 and 110.16 regarding tonnage design requirements for each road classification. Discussed culvert lengths as described in Item 200.02; no change. Board discussed adding verbiage under Section 400 Utility Standards with regards to requirements for location of placement of utilities in the Town rights of way; more research will be done. A clause will be added on page 10 regarding changes to MnDot standards to be automatically incorporated by reference. Sherper/Hewitt unanimous to approve Livonia Township Engineering Standard with incorporation of verbiage and changes discussed at this meeting and to approve of the road classification map. The Capital Improvement Plan & Classification map was referenced regarding upcoming road projects. Bogart informed the Board that Baldwin Township is looking at improvements to 112th Street in their township; would be an opportune time to improve the one mile of 112th Street from 269th north to Township line at the same time. Supervisors Hewitt and Manthei will attend Baldwin Township meeting July 11th to talk with the Baldwin Board. Manthei/Hewitt unanimous to authorize Jon Bogart to do preliminary engineering and soil borings on 112th Street from 269th Avenue north to Township line.



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2.6 Lake Fremont Phase II restoration plan/agreement: Jon Bogart provided the cost share assistance contract information; total project cost \$68,000 with \$11,000 being the Township's share; the rest paid through grant and in-kind labor. There was question about the affect of the looming State shutdown on the ability to obtain the grant money. Hass/Hewitt unanimous to approve signing the Contract and authorized Jon Bogart to obtain bids after it is known whether or not there will be a State shutdown or what the affect of the shutdown will have on the grant money.

2.7 Discussion regarding vacation of a road/motion to move forward: In May the Board authorized Town Attorney to make recommendation regarding vacation of the road known as the Girl Scout Road. Troy Gilchrist sent his recommendation and information on moving forward. Sherper/Doebler unanimous to authorize Troy Gilchrist, Attorney to prepare the resolution to set date and time for vacation of the road known as the Girl Scout Road beginning at the intersection of County Road 74 and 237th Avenue, continuing east to the intersection of 232nd Avenue and 96th Street aka Jarvis Street and there ending AND to authorize Troy Gilchrist to contact Jon Bogart, engineer on behalf of Livonia Township as needed for assistance with legal description.

3.1 Clerk/Treasurer request for approval of payment of claims and transfer of funds: Hewitt/Manthei 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 \$108,000 from savings to checking to cover claim numbers 5371-5406, check numbers 14426-14471 and electronic fund transfer number 6.

4.1 Supervisor reports: Hewitt, no report. Doebler offered highlights from tonight's Park Board Meeting: Jan Wallin attended the Zimmerman Park Board; Zimmerman Youth Sports representatives are requesting more playing fields. Park Board recommended approval of the Sugarbush Preserve Trail Feasibility Study asked that copy be sent to Deb Walters, Waste Management, Nancy Riddle, County Zoning and Dave Anderson Elk River Park Board along with a letter to inquire if there is interest in involvement with the project; what might be done to jointly obtain grants. Jody Hammre attended the 4RB Meeting; they will be distributing trail maps to all the 4RB participants. MnDot is planning a trail along Highway 95 between Princeton and Cambridge. Hass reported bookkeeper Olson submitted a letter of resignation to the Fire Board. Hass along with Mayor Earenfight, on behalf of the Township and the City, will travel to Camp Ripley to help serve meals to Veterans and their families. Mayor Earenfight talked with Manthei regarding handling of the park dedication fees. Sherper attended the Legislation & Research Committee meeting, Minnesota Association of Townships at Breezy Point where there was discussion about policy issues, how resolutions are presented and processed. He also attended the Legal Seminar sponsored by Couri, MacArthur and Ruppe and the Summer Short Course sponsored by MATS in St Cloud. He reported the IRS is raising the mileage rate effective 7/1/11 to 55.5¢ per mile. Hewitt/Hass unanimous to approve IRS mileage rate of 55.5¢ per mile for Township business travel effective July 1, 2011.

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

6.1 Quote for mowing of Town rights of way: Quotes were requested from 4 vendors; one response was received from ML Schendzielos & Sons at a rate of \$90 per hour for approximately 40-45 hours of mowing. Quote for renting tractor and mower was obtained from Scharber & Sons at a rate of \$2,200 for 40 hours plus transportation of \$200 using in house labor. Hewitt/Doebler unanimous to approve renting tractor and mower from Scharber & Sons.

6.2 Quote for air injection patching: Two quotes were received for air injection patching on 112th Street and on 239th Avenue. Commercial Asphalt Repair \$7,800 and Pavement Resources \$10,500. Sherper/Doebler unanimous to accept quote from Commercial Asphalt Repair.

6.3 Approve Sugarbush Preserve Trail Feasibility Study/HKGI overage charges: Doebler/Hewitt unanimous to approve the Sugarbush Preserve Trail Feasibility Study stating it is very well done; the contents exceed our expectations. There was discussion about the invoicing from HKGI which was \$1,075.00 more than the agreed contract price. All Supervisors agreed HKGI should have notified the Township when they were going over the contract price. Moved by Sherper to deny request for additional payment; motion failed for lack of second. Board also acknowledged HKGI produced the Township Park Plan as well as the Feasibility Study; they are pleased with both. Moved by Hass seconded by Doebler to offer to pay 50% of the invoiced excess. Motion carried with Sherper voting no based on the contract agreement.

6.4 Quotes from County for fire substation signage: The County Public Works Department quoted two types of signs; the LED sign estimated to cost \$3,000-\$5,000 or the regular 30 x 30 black on yellow W11-8 fire station warning sign at a cost of \$80. Two signs are required. Hass/Doebler unanimous to authorize purchase of sign the W11-8 signs and installation through County Public Works.

6.5 Cemetery Constitution By-laws, Rules & Regulations: Troy Gilchrist, attorney, reviewed the Cemetery Constitution By-laws, Rules & Regulation and recommended amendments to verbiage. The Cemetery Board did not have an opportunity to review the recommendations prior to this meeting. Doebler/Hewitt unanimous to table acting on the



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recommendations until after the Cemetery Board has an opportunity to review. A meeting of the Cemetery Board will be held prior to the July Regular Board Meeting; will bring back to July Board Meeting.

6.6 Discussion language in Orderly Annexation Agreement/meeting with City of Zimmerman: Troy Gilchrist, attorney, reviewed verbiage in the OAA as it pertains to the park fees, confirmed the fees are tied to the proposed school site. On August 8 the City of Zimmerman will hold a meeting; the Town Board as well as the Town Park Board will attend. Will notify City Administrator; meeting will be posted as a joint workshop meeting.

6.7 Memorandum of Understanding/Joint Powers Agreement regarding zoning: Chuck Marohn with Community Growth Institute inquired about the status of the MOU and JPA. Hewitt/Mantel unanimous to take no action at this time to move forward with the Memorandum of Understanding and the Joint Powers Agreement Regarding Zoning. At this time there is no need or incentive to change direction; prefer to remain as is for now.

6.8 Chip sealant overage charges from Pearson Brothers: The original quote was for chip sealing 48,464 square yards; 54,379 yards were actually sealed. The quote was based on our best estimate; variables may include turn lanes, cul de sacs, etc when requesting the quote. With the charge for additional square yards cost is under budget. Hewitt/Doebler unanimous to approve payment of additional cost of \$4,980.00, claim number 5408, check number 14473.

6.9 Approve application #45653 CUP for sale of boats and recreational vehicles; MJ Motorsports LLC: Hass/Doebler unanimous to approve application #45653 CUP for a Business selling Vehicles, Boats or Farm Implements (Sale of Boats and Recreational Vehicles) PID 30-022-2204 was approved the County Board of Commissioners on June 7, 2011. Copy of the approval and conditions of approval are on file in the Sherburne County Zoning Office.

The Board denied request for donation of \$500.00 from the Sherburne County Agricultural Society for funding of free entertainment at the County Fair.

Doebler/Hewitt unanimous to adjourn meeting at 10:30 p.m.

Approved this 25th day of July 2011



Chairman or Vice Chairman



Clerk/Treasurer or Deputy Clerk/Treasurer