



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
May 19, 2025

Supervisors present: Hass, Spencer, Kluge Jr., Kukowski, Hiller.

Staff present: Clerk/Treasurer Fiedler, Deputy Clerk/Treasurer Jewett, Maintenance Superintendent Kelly, Parks and Cemetery Superintendent Aubart.

Others present: William Tessmer, Bogart, Pederson & Associates.

Chair Hiller called the meeting to order at 6:00 pm.

1.1 Pledge of Allegiance: The assembly recited the Pledge of Allegiance.

1.2 Approve Regular Meeting Agenda: Spencer/Kluge Jr. unanimous to approve the Regular Meeting Agenda with the addition of 5.4 MS4 permit and switch 2.1 and 2.2.

1.3 Approve Consent Agenda: Spencer/Hiller unanimous to approve the Consent Agenda Items A) April 28, 2025, Regular Meeting Minutes B) April 28, 2025, LBAE Minutes.

1.4 Fire Report: Chief Maloney presented March calls for service: 7 medical assists, 2 gas leaks, 2 motor vehicle personal injury accidents, 1 carbon monoxide, 2 fire alarms, 2 persons in distress (lift assist), 3 grass fire, 2 vehicle fire, 1 fire mutual aid. All the trucks are back in service now, had a few trucks with minor repairs.

1.5 Sheriff's Report: Sgt. Wilson presented the April Calls for Service. Hiller asked to get the laws for Sherburne County regarding side by sides. Spencer asked to keep an eye on the heavy trucks hauling south of 74 on 112th St.

Incident	October	November	December	January	February	March	April
Total Calls	289	260	230	265	220	255	312
Motor Vehicle Accident	7	10	6	6	9	6	8
Medical	23	12	38	19	18	18	15
Traffic Stop	112	130	77	112	77	120	148
Security Check	6	5	11	12	20	22	14
Extra Patrol	15	12	12	12	5	4	17

1.6 Event Center: Coordinator Hunnicutt said that things are going great; they are going to have a float in the parade for Wild West Days. She has had to turn away some people that are inquiring about dates that are already booked.

1.7 Engineering Updates: Engineer William Tessmer with Bogart Peterson stated the pre-con meeting for the Woodlands is going to be May 22nd at 1:00 at the town hall. Their survey crew will be out tomorrow to start staking the project. Will find out a start date at the pre-con meeting. There is not a date yet for the pre-con for 277th Ave. He is going to start putting together a punch list for NW Hunter Lake to get that wrapped up. There is some shouldering that needs to be done, some wash outs that need to be addressed. Spoke with the county on 257th and trying to figure out where the project will end to get drawing done but think we can add gravel on problem parts and reclaim and overlay it.

1.8 Planning Commission: Supervisor Hass sent the following report from planning commission 1) Recommend an IUP for a home business in an accessory building. Blue Hill Rental LLC.

1.9 Road Report:

Kelly provided the following report April 20, 2025-May 11, 2025.

Installed curve signs along 96th St. Met with Butch about Lake Fremont Shouldering.

Vehicles:

Truck 45 & Truck 46: had oil changed at Cornerstone.

Road Maintenance



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
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May 19, 2025

Throughout township: Walking ditches and picking up trash. Shouldering work is still ongoing. Knife River dropped off 8 loads of millings. Need to meet with DNR on 120th St to see what can be done about the banks of the lake and the road. William will get contact information for the area hydrologist to Kevin.

Cold Patch: Picked up 5 bags at Menards for 271st.

Hot Tar: Ongoing throughout township.

Memorial Road: Met with William to determine the best solution for soft spots in the road. Fixed potholes and sinkholes on Memorial and Freemont Road.

Sweeping Intersections: Ongoing throughout township.

Townhall: Get ready for clean up day. Put up signage. Loaded tires prior to clean up day. Extra time loading mattresses for recycling after clean up day. Swept parking lot free of debris. Had Marks Sewer pump septic tank. Had the Fire Department burn the prairie. Thanks to Fire Chief and Jr.

Public Works Building: Continuing to work with Patti for long-term projects on our roads.

Road Grading Plan: Gram's Road is completed.

Tree Cutting: Tree limb in 138th St right of way. Removed a fallen tree from Girl Scout parking lot.

1.10 Park and Cemetery Report:

Aubart provided the following report: Reporting Period April 26, 2025 – May 16, 2025.

Parks Maintenance:

North Point: Mowed grass.

Sugar Bush Preserve: Mowed grass. Met with Jon from Structural Buildings on a bid for a pavilion for the park. Working on getting bids for excavating for the archery range. Also contacted Milaca for costs of a pavilion but haven't heard anything back.

Cemetery Maintenance:

Livonia Township Cemetery: Sold one plot. The spring clean-up was done on Monday May 5th. Mowing grass started.

Other Duties:

Maintenance was done on all three lawnmowers.

Road grading.

Shouldering was done with asphalt millings on various roads in the township.

Hot tar started for potholes on roads.

Garbage cleanup in ditches started.

Helped on Clean Up day.

REQUESTS FROM THE PUBLIC:

2.1 Adys Acres-PID 30-00006-2000-Paul Christensen was present to discuss Adys Acres, the township can't force shared driveways but the driveway for lot 5 would like it note that they want it as far as possible to the west of the lot. Hiller stated would like to show the future road connection from 142nd St going north and for the setback to be shown on the plat. Paul stated he is not building anything and will sell the lots as they are, and the township will be the one to issue driveway permits and the engineer would be the one to notify homeowners if they need a culvert or not. Engineer Tessmer noted that the township wanted ROW dedication centered on the as traveled road and not the section line as it was presented. There was discussion about the SWPP permit and the responsibility of that permit and Paul stated that the permit gets transferred to the new buyer. Paul also stated the road deviated up to 13' off the section line on lots 1,2 & 3. Wants to keep the lines square and equal and measure from the property line. Stated the lots will be skewed if not using property line. Kukowski would like to keep the 33' ROW dedication from the as-traveled centerline of the road, and then the 12' drainage and utility easement shown on all the lots. Discussion about the plans from last year and the comments that were made then and these plans regarding the ROW, utility easements, and the traveled road. Hass wants the future road shown on the plat for future connections. Engineer Tessmer thought you could draw it in as a



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
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placeholder. Hass/Kluge Jr. unanimous to table to the special meeting on Thursday so they can see the plans with future road and the setbacks.

2.2 Burge-26242 107th St-honeybees-was not present. Clerk Treasurer Fiedler had received a phone call regarding honeybees from the resident. The county does not have any regulations, nor does the township have an ordinance regarding honeybees.

2.3 Variance request PID 30-00402-0144-Tyler Berres present to request recommendation for approval for a 37' Variance from the OHWL of East Hunter Lake for a septic upgrade (tank only) and for a 7' variance from the side property line for a septic system upgrade (tank only). Mr. Berres explained his situation, the septic system is failing and requires replacement to be compliant with current code. The current OHWL setback from East Hunter Lake is 150'. He does not have the option to place it outside of the 150' setback. Hass/Kluge Jr. unanimous to recommend approval for the Request For 37' Variance from the OHWL of East Hunter Lake for a Septic System Upgrade and a 7' Variance from the side property line for a septic system upgrade (tank only). Required Setback from a Natural Environment Lake is 150'. The town board would also like a lot line agreement signed by both property owners that they acknowledge where the joining lot line is.

Board Comments/Variance guideline questions were answered as follows:

The Findings of Fact considerations for the Variance were asked and answered as follows:

1. *Granting the Variance will not be in conflict with the Comprehensive Plan:* the request is within the orderly growth goal of the Comprehensive Plan; it is not in conflict, no other changes will be made to the residential property, the neighborhood has many houses with the same setback situation.
2. *Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same district, and result from lot size or shape, topography, or other circumstances over which the owners of property since enactment of the relevant Ordinance have had no control:* yes, this property was platted 50-60 years ago when lake setbacks were non-existent and lake lots were very small.
3. *The literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance:* the literal interpretation would deprive the applicant of a functioning septic system which would jeopardize the health of the residents of the house and the health of the lake and surrounding properties.
4. *The exceptional or extraordinary circumstances do not result from the actions of the current or previous owners under the current Ordinance or State Law:* the current request is the result of the failing septic system which was put in by the previous owner.
5. *The variance requested is the minimum variance which would alleviate the practical difficulty:* the request is the minimum request to enable the septic system to be placed on the property. It is positioned as far away from the lake as possible.
6. *The variance, if granted, will not alter the essential character of the locality and there would be no significant effect on the surrounding properties:* the new septic system is the appropriate size for the house, the house will not change in size, there is no impact or effect on other properties.
7. *Adequate sewage treatment systems can be provided if the variance is granted:* yes, the outcome of this variance is to provide adequate sewage treatment.
8. *Granting the variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because the driveway is inadequate length or width:* there would be no impact on parking or the number of vehicles on the public road, house occupancy will remain the same.



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
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9. *If a shoreland variance, it will not be a greater height or lesser shoreline setback than what is typical for the area immediately surrounding the development site:* all neighbors in this development have the same setback constraints.
10. *The variance will not increase loss of sunlight, views, or privacy of the neighboring properties:* the variance will not affect sunlight, views or privacy of any neighboring lot.
11. *Economic considerations or circumstances shall not be considered so long as the reasonable use of the property exists under the terms of the Ordinance:* the use of the property is reasonable, and economic considerations are not a factor.

3. Open Forum-No one present.

4.1 Clerk/Treasurer Report: Clerk/Treasurer Fiedler items of interest last month included: 2025 Town Law Review in Otsego at Rockwoods is May 30th if anyone wants to go. We received a reply form Nick about MS4 but haven't gotten anything in the mail yet so will keep you posted. There is a dog that breaks out of its fence on Cty Rd 19 every time a resident goes walking, she feels unsafe. Do I have her call animal control each time? The town board recommended mailing a letter first to see if they respond.

4.2 Approve payment of claims: Spencer/Hiller unanimously approved the payment of claims and payroll totaling \$30,555.36 and to transfer \$33,000.00 to cover check numbers 22319 through 22350 and March EFT #233-235 for Federal, State, and PERA withholding.

4.3 Supervisor or Committee Reports: Kluge Jr.: Nothing Hass: Nothing Hiller: was named in lawsuit that involves the City of Zimmerman would like to be cc'd on all emails and kept up to date on any meetings. Kukowski: working on database and all the roads are in segments, finding it difficult to provide ratings on them and putting the two systems together. Will work on putting together a 5-year plan of road projects. Spencer: talked about when developers would come to the township with a simple sketch of a plan for feedback before even going to the county. Discussion about the things they want to see on the plats when we get them. The Couri & Ruppe legal seminar is on Thursday June 5th, and she is attending.

OTHER BUSINESS:

5.1 Discuss zoning committee-after speaking with Troy Gilcrest he suggested we should have two supervisors, and the clerk treasurer start to explore taking on our own planning and zoning. Hiller and Hass with Kluge Jr as an alternate to be the point people with these discussions.

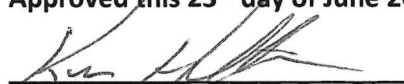
5.2 JPA fire district-our current joint powers agreement will expire in July of this year. The City of Zimmerman sent an amendment to extend the current one to 12/31/25. Hiller/Kluge Jr. unanimous to sign the amendment to extend to the end of 2025.

5.3 Zoning violations map/email-this was requested in regard to the violations throughout the township. The county sent a map with where the addresses are and what the violation was for, also sent spreadsheets and graphs regarding the same information. The town board would like Fiedler to talk to the county to see if there is an easier way to be able to look up the parcels.

5.4 MS4 permit-Couri and Ruppe sent letter stating the township didn't qualify for an MS4 permit and the reasons. We have received an email with the application and supporting documentation. Discussion about what this may mean for the township and how much it may cost.

Hass/Hiller. unanimous to adjourn at 8:15 p.m.

Approved this 23rd day of June 2025.


Chairman or Vice Chairman


Clerk/Treasurer or Deputy Clerk/Treasurer