



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
July 27, 2026

Supervisors present: 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 from Widseth.

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.

1.3 Approve Consent Agenda: Spencer/Kukowski unanimous to approve the Consent Agenda Items A) June 22, 2026, Regular Meeting Minutes B) IRS Standard Mileage Rate Mid-Year Increase.

1.4 Fire Report: Chief Maloney presented June calls for service: 17 medical assists, 3 gas leak, 4 motor vehicle personal injury accident, 6 carbon monoxide, 3 fire alarm, 1 good intent, 1 arcing/down power line, 2 grass fire, 1 vehicle fire, 4 residential house fire, 1 person stuck in elevator. Total calls for the month, Livonia-18, Zimmerman-18, Orrock-4, Stanford-2, Mutual Aid-1 total-43, the most totals in one month. The pump test was done on all the engines, and everything has passed, replaced a few gauges. Coming up on September 12 is the dance open house, would love to see people there.

1.5 Sheriff's Report: June calls for service there was 1 burglary reported and 1 theft.

Incident	December	January	February	March	April	May	June
Total Calls	259	226	215	230	233	242	243
Motor Vehicle Accident	3		1	8	9	10	9
Medical	17		14	14	15	14	28
Traffic Stop	106	92	85	80	68	73	55
Security Check	6		13	17	21	19	8
Extra Patrol	28	22	26	15	25	35	19

1.6 Event Center: Coordinator Hunnicutt is working on an operations manual for the event center. There were 4 events in July, there are 8 events in August and another wedding was booked. Working on website for the fire department and event center. Will be pressure washing the sidewalks and pulling weeds. Board asked her to put the Fire Department dance open house on the website.

1.7 Engineering Updates – Engineer Tessmer-2027 Road Projects: The Woodlands project has some issues with the seeding and will address that with the contractor. \$18,762.50 request from Hanson for work done to this point excluding seeding, Kukowski/Hiller unanimous to approve payment. 98th, 266th & 268th these roads are done and the final numbers are about \$5,000 lower than their estimate, not much seeding and shouldering needed to be done. The gravel driveways they tied in matched what the homeowners had currently, so it looks nice. Aspen Heights are thinking about starting in late August. For 2027 road projects were thinking Acorn Ridge and Deer Haven to do a mill and overlay and trying to price it as one project to get better pricing. Discussion about the roads in those developments, the costs of the different processes, the shape of the current roads, concerns about the alligating and if we have enough material to work with. Talked about budget and timeline and when we need to pick the final roads. The mailboxes will not be replaced on these projects. 112th St going into Elk River would be a rebuild and stay at the current width to match what Elk River width is. The Woodlands roads will likely be 145th St-268th Ave to cul-de-sac, 268th Ave-woodlands pkwy to cul-de-sac, 269th Ave-woodlands pkwy to cul-de-sac, 270th Ave- woodlands pkwy to cul-de-sac, 266th Ave-woodlands pkwy to cul-de-sac, 268th Ave-woodlands pkwy to cul-de-sac. We want to mark the trees beforehand, so everyone is on the same page before project starts. That would just leave Woodlands Parkway from the entrance all the way to 270th Ave left.

1.8 Planning Commission Report: Supervisor Spencer attended and will bring the report to the next meeting.



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6:30pm PUBLIC HEARING-Wind Dancer Subordinate Service District

REQUESTS FROM THE PUBLIC:

2.1 Boogren-driveway access PID 30-00028-4105: They were present to ask for driveway access to access PID 30-00027-3205. They own both parcels and would like to build a house on the smaller parcel. This would be the first access for this parcel, but it would have to cross 12060 239th Ave. Clerk Treasurer spoke with the county, and they would have to get an easement to have a driveway on parcel 30-00028-4105 for access to parcel 30-00027-3205. Discussion about where the access would be and how there is no other access to that parcel they want to build on. Hiller/Kluge Jr unanimous to approve a driveway on parcel 30-00028-4105.

At 6:26 pm Board Chair Hiller called for a recess of the Regular Board Meeting for Public Hearing.

At 6:36 pm Board Chair Hiller reopened Regular Board Meeting.

2.2 Master-Variance request PID 30-00430-0226: James and Fawn Master were present to request a 45-foot Ordinary High-Water Level of Unnamed (71-17W) to install two new tanks for a septic system. The required setback to the Ordinary High-Water Level for a Natural Environment Lake is 150 feet. James Master explained their situation; the septic system needs to be replaced. They built their house prior to the 150' OHWL setback. They do not have the option to place it outside of the 150' setback. Kukowski/Kluge Jr. unanimous to recommend approval for the Request For 45' Variance from the OHWL for a new Septic System Required Setback from a Natural Environment Lake is 150'. 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 built 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 needs to be replaced.
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.



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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.
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.

2.3 Copper Meadows Preliminary Simple Plat: Nathan Vaughn was present to Request Preliminary and Final Residential Simple Plat of “Copper Meadows” consisting of (1) lot-proposed subdivision for a 7 acres parcel. There was discussion about where this was located. Stated there will be a single residential house on this parcel, acknowledge the amount of wetlands on the parcel and where to put the driveway. County commented on the driveway already due to county road. No issues with this. Spencer/Kukowski unanimously approve.

2.4 Novotny Preliminary Simple Plat: Nathan Vaughn was present to Request Standard Residential Preliminary and Final Simple Plat of Novotny 4.0. Discussion about wetlands and Vaughn stated they will be mitigated. Hiller asked if he had configured the house pad and a septic system and a backup system that would all be placed on high ground. Vaughn stated he does. Hiller stated if Vaughn meets all county stipulations he doesn’t have a problem with it, Hiller/Spencer unanimously approve.

2.5 Bango Distribution-Cannabis, IUP, Rezone: Yoel Chetrit and Ron Ferraro were present to Request an 821.91ft variance setback to County Zoning Ordinance Section 16. Subd 5.8 E (3) Cannabis Mezzobusiness, which requires a 1000ft setback to the nearest residence. Bango Minnesota Inc. seeks to reduce this setback to allow for the use of existing, high-quality greenhouse infrastructure for outdoor cannabis cultivation. How the property is laid out there is no way for them to be 1,000ft from a property on a 34-acre parcel, hoping the county will look at that in the future for greenhouses that are already on the property. There were concerns about the smell, they said there could be smell for up to 11 days per grow period and that would happen twice a year. There will be in and out fans that will pull out the exhaust going to the south away from the nearest resident. There will be very minimal construction impact since the greenhouses are already on the property, needing to add a security fence along perimeter with security measures. They are already licensed by the state and looking for cultivation on this site, completely closed off to public and no retail sales. They have spoken with the affected property owner already and there seems to be no issues with them and this business. Hiller/Kukowski unanimous to recommend approval of the 821.91ft variance to use the existing green houses.

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.
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 is set up for this type of operation since it already has the greenhouses, good use for it, no way to have a 1000ft set back.
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:* it has been a nursery already.



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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 to use the existing greenhouses.
5. *The variance requested is the minimum variance which would alleviate the practical difficulty:* the request is the minimum to be able to use the existing greenhouses.
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 greenhouses are already there.
7. *Adequate sewage treatment systems can be provided if the variance is granted:* yes.
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:* N/A.
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:* N/A.
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.

Request of Rezoning on the subject 34.2-acre and 23.4-acre parcels from General Rural to Urban Expansion. This change is a regulatory necessity to allow for the operation of a state-licensed Cannabis Mezzobusiness. Parcel #1: Parcel ID: 30-00004-2100 Property Address" 27522 US Highway 169 NW, Zimmerman, MN Acreage: 34.2 Owner Address: 25834 Main St, Zimmerman, MN Parcel #2: Parcel ID: 30-00004-2400 Property Address: N/A Acreage: 23.46 Owner Address: 25834 Main St, Zimmerman, MN. This property is currently zoned agriculture and being used for agricultural purposes. This property in the 2040 comprehensive plan which sits north of Zimmerman is identified as growth area so this request will bring it into compliance for future land use. When the future land use map changes the properties stay as they are currently operating and require them to come and request to change the zoning. Currently this property is general rural the rezone would change to urban expansion where mezzo cultivation business is acceptable with an Interim Use property. This would rezone be both parcels that Nelson Nursery owns. Spencer/Kukowski recommend motion to rezone both parcels, unanimously approved.

Request Interim Use Permit for Cannabis Business-Bango Minnesota Inc., is applying for an interim use permit to operate a cannabis cultivation-only facility under its cannabis mezzobusiness license (Mezzo-A25-000012) at an existing greenhouse facility located at 27522 US-169 Zimmerman, MN (Parcel #30-00004-2100). There was discussion about the greenhouses that are already there and how they will be used. They will be putting in fans at both ends of the building, force in clean air and the exhaust air will be at the south end of the building. At a minimum when the plants are flowering and putting off odor that the sides of the greenhouses are closed, which means adequate ventilation so that they don't cook and kill off plants. If we get complaints, we can address these in the future. They would need to put in an additional gate at the south end to be able to access for emergency/fire. No retail on site. They will have to follow the state regulations. Spencer/Kukowski unanimous to approve with conditions above.

3. Open Forum: Phil Hanson 26320 142nd St-was present to discuss the road projects for 2027. The board stated the cul-de-sacs to the north were on the plans for 2027, all of woodlands parkway for 2028. There was discussion about trees, trees within the right-of-way, try to come up with a solution on marking trees and when to mark them.

4.1 Clerk/Treasurer Report: Clerk/Treasurer Fiedler, items of interest last month included: Looking into fees for non-profit rentals.



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4.2 Approve payment of claims: Spencer/Kukowski unanimous to approve payment of claims and payroll totaling \$187,242.40 and transfer \$189,000.00 to cover check numbers 22842 through 22882 and July EFT #296-303 for Federal, State, PERA withholding tax, CenterPoint and SUTA. Check number 22840, 22841 were verbally approved on 7-1-26 by Kukowski, Kluge Jr and Spencer totaling \$78,560.80.

4.3 Road Report: Kelly provided the following report June 15, 2026 – July 19, 2026:
Installed 2 9-1-1 signs and repaired affected sprinkler lines, picked up 2 tires.

Vehicles:

Truck 40: Break slack adjusters installed in-house.

Truck 41: Rear seal leaking, needs to be repaired.

Truck 47: Crow River Suspension has been scheduled to replace outer tie rods and complete a front-end alignment.

Payloader: Hydraulic Specialty picked-up loader, completed repairs and returned.

John Deere Tractor: Repaired 3-point locking arm.

Ford Tractor: Ready to start mowing ditches. Did the 1st cut and in about 2 weeks will do collectors again.

Road Maintenance

Throughout township: Fahrner completed work on crack filling, flex patch, sealcoat, gilsonite sealer and striping on going.

Aspen Heights: Omann Contracting was awarded contract, start date not confirmed yet.

266th, 268th & 98th St: Astech was awarded contract, all work is done.

Minimum Maintenance Road: Ongoing grading, keeping an eye on traffic flow.

Lake Fremont Shoreline: Hauled 6 loads of class 5.

Tree cutting due to high winds, throughout township.

4.4 Park and Cemetery Report: Aubart provided the following report: Reporting Period June 20, 2026 – July 24, 2026.

Parks Maintenance:

North Point: Watering trees continued. The trees that were planted bare root in the past two years were watered during dryer times. Mowed grass a couple of times.

Sugar Bush Preserve: Has some wind damage to trees along trails. One large ash tree and one oak over trail. About a half dozen smaller trees fell over the trail also. Cleaning trails of weeds and branches was also done.

Cemetery Maintenance:

Livonia Township Cemetery: Mowing and trimming were done as needed.

Other Duties:

Hot tar on various roads, finished first round of ditch mowing, cleaned up fallen trees in different areas of the township right of ways.

Hiller would like Aubart to look into getting the archery range started, the targets and mowing it and getting the pad in place.

4.5 Supervisor or Committee Reports: Kluge Jr.: Nothing. Hass: Absent. Hiller: Nothing Kukowski: Nothing Spencer: there is a community meeting at the event center that she is planning on attending.

OTHER BUSINESS:

5.1 Resolution 26-06 Establish Subordinate Service District for Wind Dancer Estates: Hiller/Spencer unanimous to approve resolution 26-06 to establish subordinate service district for Wind Dancer Estates.



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5.2 Resolution 26-07 Approve Summary Publication of Resolution 26-06: Hiller/Kukowski unanimous to approve resolution 26-07 to approve the summary publication of resolution 26-06.

5.3 Fire District-JPA: The City of Zimmerman and Livonia Township have a Joint Power Agreement that has been in place since 2004. There have been multiple amendments made to the agreement throughout the years, this is the document that combines all of the amendments. The town board members were asked to look it over to see if there are changes. There was discussion on inventory if it can be a document that is sent to the auditor. The expiration date needs to say 2026, the frequency of board meetings would like to say a minimum of 4 meetings a year. The voting members of the board terms should not that the chair and vice chair alternate between the city and the township every 2 years. The annual contributions to the district and those entities that contract with the fire district and then the remaining budget reflect 50/50 ownership. The event center coordinator's responsibilities either have a job description listed or job duties that would adhere to the budget set by the board, would like some clarification. There are some employee manual things that need to be addressed with terms and positions. The document will be reviewed again before final signatures.

5.4 Proposed Amendment to 2021 Road Maintenance Agreement with City of Zimmerman: The City of Zimmerman and Livonia Township have a road agreement in place for the shared roadways that border the city-township line. This First Amendment to the agreement states that part of the 169/CR 4 road project there was an extension of 269th Ave to go to Hwy 169. The City of Zimmerman has offered to accept maintenance responsibilities of this segment since they have utilities that are within that roadway. Kukowski/Spencer unanimously approve the First Amendment to the 2021 Road Maintenance Agreement with the City of Zimmerman.

5.5 Wind Dancer Estates Resolution Accepting Roads: Engineer Tessmer has stated all the roads and check list was completed; we will still hold 10% Letter of Credit to make sure there are no issues next spring. Kukowski/Spencer unanimous to approve Resolution 26-08 Accepting as Town Roads Those Roadways Dedicated to the Public Within the Plat of Wind Dancer Estates.

Hiller/Spencer unanimous to adjourn at 7:47 p.m.

Approved this 24th day of August 2026.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer