



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
July 28, 2025

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

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

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

Vice Chair Spencer 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: Hass would like to move Waste Management to 2.75. Hass/Kluge Jr. unanimous to approve the Regular Meeting Agenda with the change.

1.3 Approve Consent Agenda: Kluge Jr/Kukowski unanimous to approve the Consent Agenda Items A) June 23, 2025, Regular Meeting Minutes.

1.4 Fire Report: Chief Maloney presented the June calls for service: 8 medical assists, 1 gas leaks, 1 motor vehicle personal injury accidents, 1 fire alarms, 1 persons in distress (lift assist), 1 arching/down power line. The fire department dance open house will be September 6th. Applications are still coming in for new firefighters; he wants to schedule interviews in the next couple of weeks.

1.5 Sheriff's Report: Sgt. Wilson presented the June Calls for Service. Preliminary results from 120th speed study showed an average of 2,867 cars with average speed of 24.1 mph going north and an average of 35 mph going south. Sgt. Wilson will get final numbers next month. There was 1 theft reported. Supervisor Hass asked for extra patrol tomorrow during paving to keep traffic to minimum. Engineer Tessmer thanked Sgt. Wilson for the extra patrol already out on 277th.

Incident	December	January	February	March	April	May	June
Total Calls	230	265	220	255	312	289	257
Motor Vehicle Accident	6	6	9	6	8	2	8
Medical	38	19	18	18	15	16	15
Traffic Stop	77	112	77	120	148	133	103
Security Check	11	12	20	22	14	4	6
Extra Patrol	12	12	5	4	17	22	12

1.6 Event Center: Coordinator Hunnicutt was not present.

1.7 Engineering Updates: Engineer William Tessmer with Bogart Peterson stated that 277th was going to be paved on Tuesday. The township had an emergency meeting for this project due to the base not having enough gravel and needing to bring in more before paving. The 1st payment is being paid out tonight. The final payment for Northwest Hunter Lake is also ready for payment tonight. William would like to have the spreadsheets for road grading for the next meeting to look over options for next year's projects. The contractor for the woodlands said they were going to start next week. Kluge Jr asked to tell contractors that are filling trucks not to park in front of the doors on the fire side.

1.8 Planning Commission: 1) Recommend personal storage building for Scott Ruiter in Palmer Township, .15 acres in an ag district. 2) Recommend residential and final plat of Whiskey flats in Blue Hill Township. 6.24 acres in a general rural district. 3) Recommend approval for John Alford's to rezone from general rural to Shoreline Residential 20.05 acres in Big Lake Township in a general rural district. Also recommend approval for a Residential Preliminary and Simple Plat of Alford's Acres in Big Lake Township. 4) Recommend approval of a Residential Preliminary and Final Simple Plat of Belmont Pines consisting of two (2) lots.

REQUESTS FROM THE PUBLIC:

2.1 Schlenner Wenner-audit: Molly Thompson, Schlenner Wenner & Co, presented the Audited Financial Statements for the Fiscal Year ending December 31, 2024. Ms. Thompson began with an overview of the audit process and opinion. She



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explained the general procedures of analyzing Livonia Townships finances and records. After that the ideal outcome is to have an unmodified (clean) opinion of the township's financials. Thompson also reported that the Audit went smoothly, and they have a positive working relationship with Office Management. Nothing unusual was noted in terms of recorded transactions or accounting policies/treatments. There were several audit adjustments as is normal. 2 were material, due to the limited office staff (2 people) making segregation of duties difficult. Minnesota Legal Compliance was reviewed. It was found that the township failed to obtain competing quotes for a contract and failed to get certification from contractors that a withholding affidavit for contractors was submitted to the Department of Revenue prior to final payment. Ms. Thompson then went on to discuss details about the analysis and budgetary comparisons of major funds, cash trends, financial highlights, and liabilities. This concluded the presentation of the Audited Financial Statements for Livonia Township. Hass/Kukowski unanimously accepted the audit as presented.

2.2 Resolution 25-09 set public hearing: Sheldon and Joette Pool submitted a request to vacate drainage and utility easements in the plat Glorify, a public hearing needs to be held prior to the vacation. Roll call vote was unanimous to set public hearing for July 28th at 7:15.

2.4 IUP-Steinbrecher Companies: Shane Steinbrecher was present to ask for an IUP for a medium contractor's yard. Steinbrecher Companies has entered into a contract with Manthei Land LLC to rent a section of land to house approximately 80 empty roll off/dumpster containers. This amount will vary depending on the day. The board discussed the hours that they would be operating and the direction they would be traveling when leaving the property. The board was fine with the hours as presented unless there was an emergency. They stated that they do not want the trucks to travel north on 112th Street. Kluge Jr/Hass unanimous to approve the request for an IUP for a medium contractor's yard.

2.5 Wind Dancer Estates: Chris Fritch along with Seth Monroe from Hakanson Anderson were present to discuss the plat for Wind Dancer Estates consisting of (14) lots. There was discussion on the length of the road and the cul-de-sac and where it should end. They would still like lot 7 to have access if ended closer to 1400 feet. The benefits to ending at the west property line were so that the township would not be responsible for paving that section later. If they ended the cul-de-sac and road closer to 1400 feet, could we make that remaining piece an outlot for a proposed future connection? Supervisor Kukowski to talk to county about the best way to propose that remaining piece or to continue to the west property line. Due to the development being more than 10 lots there needs to be a right turn lane coming off 112th Street. Kluge Jr/Spencer unanimous to approve the plat with the turn lane off 112th Street and for future discussion about where to end the cul-de-sac.

2.6 Acker Variance: Matt Acker was present to request a 20ft variance so that they can put an addition of a living room on the back of their home. Kluge Jr/Kukowski unanimous to approve the variance.

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

1. *Granting the Variance will not be in conflict with the Comprehensive Plan:* no, the request 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:* the house was built in 1971 and there were no set backs in place at that time, the road designation has changed since built.
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:* yes, other people can add onto their houses.
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:* no, they have been the only owners since it was built.
5. *The variance requested is the minimum variance which would alleviate the practical difficulty:* yes, the request is the minimum request to put the addition on.



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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:* no, there is no impact or effect on other properties.
7. *Adequate sewage treatment systems can be provided if the variance is granted:* yes, this variance does not change the sewage treatment system.
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:* NA
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.

2.7 Adys Acres-Christensen: Paul Christensen was present to discuss the timeline of Adys Acres simple plat. He was waiting for the engineer letter to be sent to the county. He was under the impression that the plat was approved with recommendations. The town board wants to see the updated plat with the conditions that they asked for. There was discussion about the engineering letter with him signing off on the drainage and grading of the plat. Also, discussion on changing plans, drainage and grading, the comments from previous meetings and the road right off way. Per the township Attorney Troy Gilchrist, he recommended the township draft up a resolution stating the opinions of the town board. Kukowski/Kluge Jr. made motion to write up resolution stating the town board will not complete our recommendation to the county until we see a plat that we want.

**Recessed the town board meeting at 7:15pm to open the public hearing for a petition to vacate.
Reconvene the meeting at 7:23pm.**

2.75 Waste Management: Mike Miller from Waste Management and Sam Meersman from the Minnesota Municipal Power Agency were present to request a sixteen (16) foot variance to the Rear yard set back from the west property boundary to place equipment associated with a Renewable Natural Gas Facility. Kluge Jr/Kukowski unanimous to approve the variance. They provided The Findings of Fact considerations were asked and answered as follows:

1. *Granting the Variance will not be in conflict with the Comprehensive Plan:* The Sherburne County Comprehensive Plan designates the future use of the property as Heavy Industrial. The proposed RNG processing facility aligns with the plan by supporting economic development, renewable energy production, and industrial land use compatibility. The proposed processing facility is consistent with the Heavy Industrial definition and does not conflict with the comprehensive plan.
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:* The landfill spans multiple parcels within the City of Elk River and Livonia Township. The subject property has irregular parcel boundaries because of preexisting ownership. The unique physical boundaries and highway frontage, create site design constraints not common to other properties in this zoning district.
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:* Strict application of the setbacks would



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prevent reasonable facility layout and infrastructure design, limiting operational efficiency in a matter not required of other similar industrial uses.

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 site constraints are due to historic parcel boundaries, not due to any subdivision or development actions by the current or former owner.

5. *The variance requested is the minimum variance which would alleviate the practical difficulty:* The proposed setback relief is limited to specific equipment and infrastructure components and represents the smallest possible deviation necessary to make the facility functional on this parcel.

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 surrounding properties are owned by Elk River Landfill or are transportation corridors, and the proposed development is consistent with the industrial use and character of the site and neighboring parcels. No negative impacts to community character are anticipated.

7. *Adequate sewage treatment systems can be provided if the variance is granted:* The criterion is not applicable, as no sewage treatment or wastewater generation is proposed on the parcel.

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:* The site has dedicated internal circulation and access drives. No vehicle parking or loading will occur on public roadways, and traffic flow on Highway 169 or adjacent public roads will not be impacted.

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:* This criterion is not applicable. The parcel is not located within a designated shoreland district.

10. *The variance will not increase loss of sunlight, views, or privacy of the neighboring properties:* The subject parcel is bordered by other industrial parcels and Highway 169. No residential properties are affected, and the variance will not impact sunlight, views or privacy.

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 variance is not based on financial considerations. It is requested to accommodate necessary facility infrastructure because of unique parcel conditions that restrict development otherwise available in the Heavy Industrial district.

Mike Miller from Waste Management and Sam Meersman from the Minnesota Municipal Power Agency were present to request a fifty (50) foot variance to the side yard set back from the south property boundary to place equipment associated with a Renewable Natural Gas Facility. Kluge Jr/Kukowski unanimous to approve the variance. They provided The Findings of Fact considerations were asked and answered as follows:

1. *Granting the Variance will not be in conflict with the Comprehensive Plan:* The Sherburne County Comprehensive Plan designates the future use of the property as Heavy Industrial. The proposed RNG processing facility aligns with the plan by supporting economic development, renewable energy production, and industrial land use compatibility. The proposed processing facility is consistent with the Heavy Industrial definition and does not conflict with the comprehensive plan.

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:* The landfill spans multiple parcels within the City of Elk River and Livonia Township. The subject property has irregular parcel boundaries because of preexisting ownership. The unique physical boundaries and highway frontage, create site design constraints not common to other properties in this zoning district.



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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:* Strict application of the setbacks would prevent reasonable facility layout and infrastructure design, limiting operational efficiency in a matter not required of other similar industrial uses.
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 site constraints are due to historic parcel boundaries, not due to any subdivision or development actions by the current or former owner.
5. *The variance requested is the minimum variance which would alleviate the practical difficulty:* The proposed setback relief is limited to specific equipment and infrastructure components and represents the smallest possible deviation necessary to make the facility functional on this parcel.
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 surrounding properties are owned by Elk River Landfill or are transportation corridors, and the proposed development is consistent with the industrial use and character of the site and neighboring parcels. No negative impacts to community character are anticipated.
7. *Adequate sewage treatment systems can be provided if the variance is granted:* The criterion is not applicable, as no sewage treatment or wastewater generation is proposed on the parcel.
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:* The site has dedicated internal circulation and access drives. No vehicle parking or loading will occur on public roadways, and traffic flow on Highway 169 or adjacent public roads will not be impacted.
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:* This criterion is not applicable. The parcel is not located within a designated shoreland district.
10. *The variance will not increase loss of sunlight, views, or privacy of the neighboring properties:* The subject parcel is bordered by other industrial parcels and Highway 169. No residential properties are affected, and the variance will not impact sunlight, views or privacy.
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 variance is not based on financial considerations. It is requested to accommodate necessary facility infrastructure because of unique parcel conditions that restrict development otherwise available in the Heavy Industrial district.

2.8 Cannabis: Clerk Treasurer Fiedler provided the documents to board to either enter into a Joint Powers agreement with Sherburne County or to adopt our own resolution. The board would also need to adopt the Sherburne County Ordinance. Kukowski/Kluge Jr. unanimous to enter into a Joint Powers Agreement with Sherburne County and adopt their Ordinance.

3. Open Forum- Phillip Hanson 26320 142nd St was present to ask the board about street sweeping in the Woodlands development. Usually, their HOA would coordinate with the City of Zimmerman to have it done before Memorial Day. Kevin Kelly stated he talked to the contractor and would get back to them on a date.

Michael Cooper 26652 Woodlands Pkwy was present to talk about the delay in the construction. He wanted to know the contractor's name and an update on the project. Will talk with the engineer to get a new start date to get that sent out to the HOA.



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4.1 Clerk/Treasurer Report: Clerk/Treasurer Fiedler items of interest last month included: There is an open house for 169/Cty Rd 4 project on August 12th from 4:30-6:30. A resident would like to put in an aqua-thruster on Lake Fremont and would need to bore under the minimum maintenance road. The town board voted against being able to put one of these along the minimum maintenance road.

4.2 Approve payment of claims: Kukowski/Hass unanimously approved the payment of claims and payroll totaling \$349,362.99 and to transfer \$349,000.00 to cover check numbers 22407 through 22431 and July EFT #239-243 for Federal, State, and PERA, SUTA withholding tax and CenterPoint.

4.3 Road Report:

Kelly provided the following report June 16, 2025-July 13, 2025.

Put up 6 no parking signs along 120th St. Had the sign order delivered from M&R Signs.

There was a door, door trim and pallets that were dumped on the minimum maintenance road that we were able to identify from the cameras. The board discussed restitution costs for illegal dumping.

Vehicles:

Truck 44: Injector shim came loose, truck towed to Nuss, they fixed at no cost to township.

Payloader: New pin for emergency brake.

Tar machine: New trailer tongue installed.

Road Maintenance

Throughout township: Completed one round of ditch mowing.

Hot Tar: Ongoing throughout township.

Sweeping Intersections: Ongoing.

Lake Fremont Shoreline: Working with James and Dan to get our permit issued. Update to follow.

239th Ave: Plugged culvert due to beavers building a dam. Worked with Butch and Chris, rented a 308 CAT and resolved the issue.

Minimum Maintenance Road: Hauled in 11 loads of class 5 gravel.

Tree removal after storm: Removed oak tree on West Hunter Lake, 277th, 112th, 257th and 96th.

West Hunter Lake: Per Williams request: cleaned drains put in black dirt along driveway and re-seeded.

Public Works Building: Work continues with Patti for long term project on all our roads.

Memorial Road: Fixed potholes and sinkholes on Memorial.

4.4 Park and Cemetery Report:

Aubart provided the following report: Reporting Period June 21, 2025 – July 25, 2025.

Parks Maintenance:

North Point: Mowing grass continued

Sugar Bush Preserve: Mowed grass and cleared trails.

Cemetery Maintenance:

Livonia Township Cemetery: Mowing and trimming was done as needed. Marked for three headstones.

Other Duties:

Road grading, Ditch mowing, Trimming around various guardrails, Hot tar, Tree trimming and Class 5 added to the minimum maintenance road and 253rd Ave.

4.3 Supervisor or Committee Reports: Kluge Jr.: Nothing Hass: There was a question about where we stopped our ROW on 277th when paving and County Rd 45. Supervisor Hass met with Brad Schumacher, and we won't be paying for the additional ROW they are paving on Cty Rd 45. Hiller: absent. Kukowski: Discussion about the speed limit on 269th Ave



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and why it is 35mph. Supervisor Kukowski will look into it. **Spencer:** reminder that the district 7 meeting is on August 19th at the Anoka Ramsey Community College at 6:30pm.

OTHER BUSINESS:

5.1 Survey-Sherburne County Zoning and Subdivision Ordinance: Reminder to complete the survey that was sent out via email.

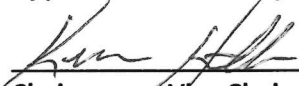
5.2 Resolution 25-10 Approving Vacation-Pool: roll call vote, all in favor.

5.3 Hall Rental/Renewal: The church is wanting to rent for another 1-2 years, Hass/Spencer unanimous to continue to rent for \$50 a week until January 1 2027.

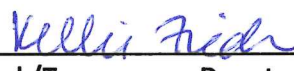
5.4 Clean Up Day 2026 Date: set for first Saturday in May so for 2026 it is May 2nd 8-12. The board asked Fiedler to look into using a local company for appliances.

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

Approved this 25th day of August 2025.



Chairman or Vice Chairman



Clerk/Treasurer or Deputy Clerk/Treasurer



Public Hearing Minutes of the Livonia Town Board
Held at the Livonia Town Hall
Monday July 28, 2025

Lila Spencer, Vice-Chairwoman of the Town Board, called the public hearing to order at 7:15 pm.

Supervisors present: Hass, Kluge Jr. and Kukowski

Staff present: Clerk/Treasurer Fiedler, Deputy Clerk/Treasurer Jewett

Vice-Chairwoman Spencer: The purpose of the public hearing is for the Town Board to receive public comment on the petition to vacate of all those drainage and utility easements as dedicated on the recorded plat of Glorify, Sherburne County, Minnesota, over, under, and across Lot 2, Block 1, said glorify, according to and dedicated by the recoded plat thereof, Sherburne County, Minnesota. The hearing is recorded for the official record. Discussions will be limited to the stated purpose of the hearing. Anyone wishing to comment or ask questions will be allowed to do so. No speaker will be permitted to speak more than twice except to answer a question from the Board. Each speaker will be limited to a total of 3 minutes. No interruptions are permitted. Each person wishing to speak is asked to step up to the Board in order to have their comments properly understood and recorded for the official record. All comments must be directed to the chair. Each speaker must state his or her name, address and the group he or she represents, if any, before speaking. The Board may ask questions of the speakers.

Vice-Chairwoman Spencer declared the Public Hearing Open. Seth Monroe with Rum River Land Surveyors was present to discuss why there was a need for the vacation. He stated that the preliminary plat was approved with the condition of the vacation. Kukowski stated that the new plat will be recorded in order with the vacation. There were no written comments.

Vice-Chairwoman Spencer declared the Public Meeting Closed.

Vice-Chairwoman Spencer asked for Board Discussion. No board discussion.

Kukowski/Hass unanimous to adopt resolution 25-10 and to adjourn the Public Hearing at 7:23 pm

Approved this 25th day of August 2025

Chair or Vice Chair

Clerk/Treasurer or Deputy Clerk/Treasurer