



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES  
HELD AT THE LIVONIA TOWN HALL  
JANUARY 23, 2023

Supervisors present: Hass, Hiller, Kuker and Pool.

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

**Chairman Hass called the meeting to order at 7:00 pm.**

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

**1.2 Approve Regular Meeting Agenda:** Kuker/Hiller unanimous to approve the Regular Meeting Agenda as presented.

**1.3 Approve Consent Agenda:** Kuker/Hiller unanimous to approve Consent Agenda Item A) December 19, 2022 Regular Meeting Minutes; Item B) Phone Stipend for Parks and Cemetery Superintendent; Item C) Training Sessions for the Year; Item D) IRS Standard Mileage Rate.

**1.4 Fire Report:** Chief Maloney presented the December Calls for Service as follows: 15 medical assist; 1 gas leak; 4 motor vehicle personal injury accident; 4 carbon monoxide; 6 fire alarm; 2 grass fire; 2 vehicle fires. Maloney reported that calls for service have increased about 20 calls for the year, which falls into the yearly average increase trend. There were no questions for Chief Maloney.

**1.5 Sheriff's Report:** Sgt. Wilson provided the Sheriff's report: there were 264 calls for service in December in Livonia Township including 2 thefts (tools and a catalytic converter in the Frontage Road Commercial area), 13 motor vehicle accidents (7 off the road, most due to weather), 18 medicals, 40 traffic stops, 84 security checks, 24 request for extra patrol, 7 welfare checks, and the rest of the calls were for miscellaneous reasons. There were no concerns for Livonia Township.

**1.6 Engineering Updates:** Engineer Davis unable to attend the meeting, no updates.

**1.7 Planning Commission Report:** Representative Hass stated he would give his report during his Supervisor Report.

**1.8 Park Committee:** Kuker – no report

**1.9 Road Report:** Kelly provided the road report for the period December 10, 2022 through January 13, 2023:

**Vehicles:**

Truck 41– Picked up from Nuss, work included rebuilt rear end and axel ends

Truck 43 – changed wing bolts

Truck 44 – changed wing bolts

Lawn Mower – picked up new lawn mower

**Road Maintenance**

Throughout township: Plowed snow, some tree removal throughout the township. Hauled significant number of loads of sand from County. Salted roads during ice storm. Plowed snow again and again and again.

**Other**

Shop and Shop Office – General maintenance and keeping shop clean.

Sand Shed – sand in/sand out.

Hiller commented that a resident called him and commented on the good job that Maintenance was doing with snow removal. Hass suggested that Road Maintenance purchase limit without Board approval should be raised from the current \$1,000 limit to \$3,000 limit. Hass/Pool unanimous to raise the Maintenance spending limit without Board approval from \$1,000 to \$3,000.



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES  
HELD AT THE LIVONIA TOWN HALL  
JANUARY 23, 2023

**1.10 Park and Cemetery Report:** Aubart provided the following report: Reporting Period December 17<sup>th</sup>, 2022 to January 21<sup>st</sup>, 2023

**Parks Maintenance:**

North Point – no activity

Sugar Bush Preserve – no activity

**Cemetery Maintenance:**

Livonia Township Cemetery – cleared cemetery driveway. Removed snow on a plot for a burial on January 4.

**Other Duties:**

Plowed snow

Hauled salt/sand

Scraped roads

“Benching of roads”

Started pushing snow in cul-de-sacs with pay loader.

Aubart also reported that he did further research on tires for the John Deere tractor. Westside Tire in Corcoran had the best price. Hass/Kuker unanimous to direct Aubart to acquire new tires for the John Deere tractor from Westside Tire.

**2.1 96<sup>th</sup> Street Plowing:** Nicole and John Swanson, 25626 96<sup>th</sup> St, present to discuss the plowing and general maintenance of 96<sup>th</sup> Street The 1-mile section of 96<sup>th</sup> Street from CR 4 south to the 25300 block is the maintenance responsibility of Stanford Township as agreed in the Agreement for the Division of Maintenance Responsibilities for a Township Line Road as required by Minnesota State Statute 164.12. Hass said he talked to one of the Stanford Township Supervisors who stated that he recognized the issue and they would talk about it at their next Board Meeting. Pool/Hiller unanimous to direct Kelly to sand the end of 96<sup>th</sup> Street where it joins CR 4 for public safety.

**2.2 Street Light Request:** Dan Welch, 9987 245<sup>th</sup> Ave, present to request the installation of a street light on 101<sup>st</sup> Ave to illuminate his fence. The purpose would be to deter further vandalism of the fence. Welch provided the history of the fence, reminding the Board that he had requested permission to lease the part of the ROW on the west side of his property to plant trees to block the lights from headlights in the WH Pondsides Estates development that shine directly in his bedroom window. The request was denied, so he installed a fence along the west side of his property so he would be able to attach screening to block the headlights. He said that his fence was then vandalized with hate graffiti. He then put up the security light to deter more vandalism. He said he was then threatened by a Sherburne County Sheriff's Deputy with a citation of the Livonia Township Nuisance Ordinance. He said he was also told that the Sherburne County Attorney will press charges for his security light. Welch then asked Livonia Township to install a streetlight is at the northwest corner to light the road and his fence. He pointed out that a streetlight would also illuminate the road in a curvy area. He mentioned a similar light as one on 245<sup>th</sup> Ave. Discussion followed about street light options. Hass stated that this is a civil issue and not an issue that Livonia Township can regulate. Hiller said he drove by for the 4<sup>th</sup> time in the last year in response to this issue. A discussion about the sign that was on the fence followed. He then stated that the Board is not here for arbitration or as law enforcement. He said the individuals will need to solve this as neighbors and they should figure it out. Don Birdsall asked if he could speak. Hass said that he could, and he is already on the agenda item 2.3. Birdsall said he is tired of this conflict. He does not want Welch to be threatened by a citation. He said he is supportive of Mr. Welch lighting his property, he just does not want the light to shine in his windows. He said in his opinion the light could be directed downward and still illuminate his fence but not



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES  
HELD AT THE LIVONIA TOWN HALL  
JANUARY 23, 2023

shine in his windows. He would like to work with Mr. Welch, but Mr. Welch has not been willing to alter the light. Kuker talked about lights that are adjustable so they do not shine where they do not need to shine, and spoke of solar lights that he has had experience with. Welch asked for the information. Hass said the Board does not want to pass an Ordinance regulating lights, and hopes the residents resolve this civil matter.

**2.3 Light Complaint:** Item included in item 2.2

**2.4 Orrock Township Plat Access Request:** Discussion about the request of Sherburne County Public Works for one lot in the proposed development *Aspen Meadows* to have road access to Livonia Township's road, 273<sup>rd</sup> Avenue. This request is due to Sherburne County Public Works wanting to minimize public access points on CR 1. Orrock Township vacated their portion of 273<sup>rd</sup> Avenue where it connected to CR 1 several years ago, making access to CR 1 no longer available. The proposed development, *Aspen Meadows*, is located entirely in Orrock Township. Hass commented that the Orrock Town Board decided to vacate their portion of 273<sup>rd</sup> Ave because they felt it only served Livonia Township residents, and they did not want to have expenses related to a road that did not serve their own residents. The Livonia Town Board then discussed the added work the access point would result in for our maintenance team to plow and maintain a segment of road that is currently not serving a Livonia Township home. Additionally, the end of 273<sup>rd</sup> Ave is currently used to store snow that is cleared from the nearby roads. Also discussed were other options the developer has with lot configuration, and the possibility of having all three lots having access to a short road and cul-de-sac built into the development or a shared driveway resulting in just one access point on CR 1 serving all three lots. Another discussion point was that financial reasons for the developer was not a valid reason to grant the request. The developer has the option to configure the development to have three lots and one access point to CR 1. Hass/Kuker unanimous to put forth an unfavorable reply to the request to allow access from the lot in the proposed *Aspen Meadows* development in Orrock Township.

**3.0 Open Forum:** John and Nicole Swanson present for Open Forum, their issue was addressed in Item 2.1.

**4.1 Clerk/Treasurer Report:** Items of interest during the past month include: filing for Supervisor seat B is closed, there was one person who filed for Supervisor B position; we are working on end of fiscal year reporting and other items.

**4.2 Approve payment of claims:** Kuker/Hiller unanimous to approve payment of claims and payroll totaling \$280,364.22 as submitted from Bremer Bank, to cover check number 21138 through 21174, and Electronic Fund Transfers (EFT) #135-140 (January) Federal, State, and PERA withholding tax and debit card payments.

**4.3 Supervisor Reports:** **Hiller** – Reported that he has served his 2 year term as Fire Board Chair, and as per the agreement, the City of Zimmerman will now provide the Board Chair. **Hass** – stated that he gave Clerk/Treasurer Hammre his report; he also reported that the Fire Station Event Center needs landscaping in the area in back of the building for wedding photos, etc. The expected cost will be approximately \$150,000.00. Livonia Township will be responsible for half of the cost, the City of Zimmerman for the other half. Hass said the township can use ARPA funds for it. **Pool** – met with Randy Piasecki, City of Zimmerman Administrator, and Randy provided two draft Orderly Annexation Agreements for Livonia Township to review. Also reported was the City of Zimmerman will be reconstructing 269<sup>th</sup> Ave, their responsibility as determined by the Border Road Agreement. The project will include city sewer and water. **Kuker** – attended a HWY 169/CR 4 interchange meeting, Bolten Minke were directed to draw up an alternate service road option that would make it so the taking of the land of 6 residents and property owners would not be required.



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES  
HELD AT THE LIVONIA TOWN HALL  
JANUARY 23, 2023

**5.1 Planning Commission Alternate Representative:** Hass/Pool unanimous to appoint Todd Maloney as the Alternate Planning Commission Representative.

**5.2 Appreciation Letter to Elk River Landfill:** Hammre presented the Appreciation Letter to the Elk River Landfill for accepting the garbage that is dumped in township ditches. Hass directed Hammre to send the letter as presented.

**5.3 Appoint Election Judges:** Kuker/Hiller unanimous to appoint any Election Judge who has a current Election Judge Certificate of Training to serve as an Election Judge at the March 14, 2023 Town Election.

**5.4 Board of Audit Information:** the Board was asked to fill out the Board of Audit items to audit selection form in preparation to the Board of Audit and Budget Meeting scheduled for January 30,

**5.5 Newsletter:** the draft newsletter was presented to the Board for comments. It will be printed and sent out before the Annual Election and Meeting. There is a statement on the front page that this will be the last paper copy of the newsletter sent out unless a resident notifies us that they would like a printed copy sent to them.

**5.6 Clean Up Day Date:** Hammre reported that the clean-up day vendors have been secured for May 6<sup>th</sup>, 8:00 am to noon at the Livonia Town Hall.

**5.7 1W1P Grant:** Parks and Cemetery Superintendent Aubart will attend the meetings.

**5.8 SCAT Meeting:** reminder that the meeting was postponed due to weather and rescheduled for February 1<sup>st</sup>.

**5.9 Absentee Ballot Board Resolution:** Resolution 23-01 Appointing the 2023 Absentee Ballot Board was passed unanimously by Roll Call.

Hass adjourned the meeting at 8:26 pm.

Approved this 27<sup>th</sup> day of February 2023.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer