



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
MAY 22, 2023

Supervisors present: Hass, Hiller, Kuker, Kluge and Spencer.

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

Others present: Wes Davis, Township Engineer

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: Spencer/Hiller unanimous to approve the Regular Meeting Agenda as presented.

1.3 Approve Consent Agenda: Hiller/Kuker unanimous to approve Consent Agenda Item A) April 24, 2023 LBAE; B) April 24, 2023 Regular Meeting Minutes; C) May 4, 2023 Workshop Meeting Minutes.

1.4 Fire Report: Chief Maloney presented the April Calls for Service as follows: 13 medical assist; 4 motor vehicle personal injury accident; 2 carbon monoxide; 3 fire alarm; 1 person in distress (roof collapse); 1 arcing/down power line; 1 residential garage (City of Zimmerman); 1 residential house fire. Maloney also reported that the house fire had two dogs trapped inside, they were rescued, there was a garage fire on Sunday on CR 4; water usage by contractors was discussed, Maloney to look into a grant for street signs warning of fire trucks entering the roadway.

1.5 Sheriff's Report: Sergeant Wilson presented the April Sheriff's Report: There were 230 calls for service including 1 theft (2 bikes); 34 medicals; 10 motor vehicle accidents; 48 traffic stops; 30 security checks; and 33 requests for extra patrol. The rest of the calls were for miscellaneous reasons. Hiller asked about weight limits on gravel roads, Wilson indicated that Hammre had contacted him about the concern. Hass said that a Livonia resident, David Sunderman, is in attendance with a concern about an intersection in Acorn Ridge where 251st Ave and 117th Street intersect. He also raised the concern that some people speed in the area. Wilson will look into the intersection. Davis will also evaluate the intersection and give his opinion on if it should have three stop signs rather than just one. Hass/Kuker unanimous to authorize Engineer Davis and Maintenance Superintendent Kelly to look at the intersection and decide if the existing sign should be moved.

1.6 Engineering Updates: Item addressed later in the meeting.

1.7 Planning Commission Report: Livonia Township Planning Commission representative Hass stated that he would submit a written report to Clerk/Treasurer Hammre for the Meeting record. No report given during the meeting.

1.8 Park Committee: Kuker reported that he would like to pick a date for an Open House for feedback from residents about what they would like to see in our parks. It was suggested that hot dogs could be served. No action was taken.

2.3 Woodlands of Livonia HOA (item taken out of order): Hass stated that he, Kluge and Maintenance Superintendent Kelly met with The Woodlands of Livonia HOA. The Woodlands HOA is concerned about the cost of sweeping the development roads. The HOA contracts and pays for the sweeping of the development roads because the roads all have bituminous curbing. Livonia Township does not have a street sweeper that collects the sweepings. All other roads in the township have no curbing and the sweepings are swept to the side into the shoulder and right of way. Livonia Maintenance sweeps intersection for safety for motorcycles, and on occasion



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sweeps other roads where there is an unusual accumulation of sand. The Woodlands of Livonia HOA are paying approximately \$3500 per year to contract a sweeper. Hass stated that he feels it is a township obligation to sweep the Woodlands of Livonia roads. Kuker stated that his development roads are not swept by Livonia Township. Hiller commented that he would be concerned about setting a precedence for other development neighborhoods who want all their roads swept. Hass/Kuker unanimous to take over the sweeping of the Woodlands of Livonia Township roads for aesthetics, safety and to preserve the roads. Sweeping would be contracted at Livonia Township's expense and would start in 2024.

5.1 Zoning Agreement: this item was taken out of order to accommodate Town Attorney Gilchrist call in to the meeting. Gilchrist answered questions about the Zoning Agreement with Sherburne County Zoning he was asked to draft. Questions included our current Sub-division Ordinance. He clarified that the township can have some items that they (township) can control. Our Sub-division Ordinance is an example of that. Kuker asked if CUP or Variance requests can be pulled out of the agreement. Gilchrist clarified that if the township does that, we would need to have our own Planning Commission and staffing to handle notices, Public Hearings, etc. Hiller commented that the conversation is getting off track as we already contract with Sherburne County Zoning for these services. Gilchrist will present the draft Agreement to Sherburne County. After that the township will need to adopt the Sherburne County Ordinances that apply to the Agreement. Gilchrist said he would present the updated Agreement to Sherburne County when the updates are completed, likely mid-week.

Hass then brought up the possibility of the Township limiting the garbage hauler to one company, known as Organized Collection. Some communities do this to minimize heavyweight vehicles on the roads. Gilchrist said that it can be done, but it is a very lengthy process requiring a lot of legal work, committees, studies and hearings. Hass said that possibility should be on the back burner for now.

Attorney Gilchrist ended his call.

1.9 Road Report: Kelly provided the road report for the period April 17, 2023 through May 14, 2023:

Signage:

911 Signs – continuing to replace signs damaged over winter throughout Township

Illegal Dumping:

Fremont Minimum Maintenance Road – picked up tires and a grill.

Vehicles:

Chevy 3500 1 Ton Plow Truck – waiting to drop off truck at CountySide. Chuck was on vacation last week.

Truck 36 – have completed oil change and regreased.

Truck 40 – Waiting on a rain day to complete oil change and regrease.

Truck41 - Waiting on a rain day to complete oil change and regrease.

Truck 43 – Have completed oil change and regreased.

Truck 44 – have completed oil changes and regreased.

Skid Loader – Received and installed new sweeper brush. Works great.

Grader – Nuss worked on transmission leak. Was under warranty. However, also had to replace solenoid which was not under warranty. Received bill for this work.

John Deere Tractor – ordered brushes from Titan Machinery. Waiting on delivery.

Road Maintenance

Throughout township: Continuing to lay hot tar. Cleaned ditches.



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Woodlands Sub-Division: Kevin, Butch and Junior met with The Woodlands of Livonia Board to discuss three miles of their roads. They will be attending the Livonia Township Board Meeting on Monday, May 22 to discuss the Township taking over sweeping their subdivision.

Gravel Roads:

Opened and graded Fremont Minimum maintenance Road.

Shop Office

General Cleaning.

Sand Shed

Working on estimates for new Sand Shed.

Town Hall – Public Works Building

Midco phone/internet in progress. Pending installation.

Town Hall

Worked with Jody on getting pricing to replace all windows. See proposal from Jody.

Parks and Cemetery

Working with Chris. See Chris's report.

West Hunter Lake Road Project

Should be finished paving early part of the week of May 22nd.

1.12 Park and Cemetery Report: Aubart provided the following report: Reporting Period April 22nd, 2023 to May 21st, 2023.

Parks Maintenance:

Cut down trees in both parks. Cleaned up branches and garbage out of parks. Mowed grass last week.

North Point – dock was placed in Lake Fremont April 17th. Fremont road was graded and opened on May 4th.

Sugar Bush Preserve – no activity.

Cemetery Maintenance:

Livonia Township Cemetery – cut dead pine by the fence down. Mowed grass and trimmed around markers and trees/shrubs. Three burials on May 20.

Other Duties:

Hot tar applied on various roads.

Helped out with Clean Up Day.

Replaced and installed 911 signs.

Started street sweeping.

Garbage clean up in ditches.

Aubart asked if he could drive a plow truck in the Wild West Days. The Board agreed.

1.6 (Item taken out of order) Engineering Updates:

257th Ave overflowed in the Spring, Davis would like to install a centerline culvert in the area to prevent the problem in the future. This area is part of the County Ditch System. Davis will work with the County for surveys, hydrology study, etc. they are concerned that a centerline culvert would drain the wetland. Davis estimated that it would be about 8 hours of engineering.



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Hass requested that the Lake Fremont Minimum Maintenance Road erosion where people put in canoes/kayaks is repaired and further erosion prevented. Davis said the DNR has determined that the OHW level is below the current water level so no permit is needed. Davis will have some options for the Board.

West Hunter Lake Project: the contractor will finish base tomorrow, wear course after, then the entrance to Aspen Heights will be done. The 2 Change Orders were for the culvert and swailing. Hass was questioning the cost. Hiller asked for the mobilization details for the next meeting. Hass/Hiller unanimous to make the first payment.

2.6 Item Taken Out of Order Resolution #23-07 Weight Limit 104th St: Resolution 23-07 Imposing Weight Restriction on 104th Street Between the Intersection of Sherburne County Road 19 and the Southern Terminus at 24115 104th Street, Located in Livonia Township, Sherburne County. This gravel road was almost impassable this past spring after a winter of heavy snowfall. The road-bed was saturated and the normal traffic and a few heavy weight vehicles created ruts that were making it difficult for the residents to drive on the road. Engineer Davis provided the opinion that the road should have a 4-ton weight limit year-round to protect the integrity of the road for safe passage of the residents with property on the road. The 4-ton weight limit is consistent with other township gravel roads. Killer/Kuker unanimous by roll call to adopt Resolution 23-07.

2.2 Elk River Landfill Variance Request: Mike Miller Elk River Landfill manager was present along Capital Land Group representative Mike Caron. Miller said they are waiting for MMPA to provide building drawings and they can not proceed with the Variance Request until those are submitted to Sherburne County Zoning. This item will be tabled until the June 26th Livonia Township Board Meeting.

Elk River Landfill Rezone Application, not on the Agenda due to late submission. Miller stated that the applications were submitted to Sherburne County Zoning on Friday evening. There are no comments needed from Livonia Township at this time because Sherburne County first must process, review and make comments on the applications, then send all items to Livonia Township for Township comments. If all items are submitted as required the items will be on the Livonia Township June 26th Board Meeting.

2.3 Woodlands HOA (Item taken out of order)

2.4 Nelson Unpermitted Second Driveway 24668 114th Street: The Nelsons were present to request an after the fact second driveway. Discussion followed about the need for the second driveway. For parking only, no garage or building planned. Hiller/Hass unanimous to allow the second driveway for parking only, no building allowed.

2.5 Olson Unpermitted Driveway 24592 143rd Street: Chad and Tammi Olson were present to request an after the fact second driveway. The Olsons stated that they want a garage and the shape of their lot only allows the garage to be placed where they would need a second driveway. Hass/Kluge unanimous to allow the second driveway.

2.6 Resolution #23-07 Weight Limit 104th Street: item taken out of order.

2.7 Midco Road Damage: Previous damage to 249th Street by Midco Contractor. No update

3.0 Open Forum: Lake Fremont Association asking for funding donation for weed control survey and a Carp survey. Sherburne County has provided a grant for a portion of the cost. The survey will cost \$8,500.00. They are fund raising to pay for the survey. Hammre to consult the township attorney for guidance.

Vicki Hussman present to express concern about speeding traffic on 120th Street between the Zimmerman City limits and 269th Ave. She asked for a speed study and lowering the speed limit as well as preventing semi tractor/trailers from traveling on the road.



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4.1 Clerk/Treasurer Report: Items of interest during the past month include: Town Hall keys, items not returned from former Supervisor, Fire Station Rental Agreement has expired, office staff looking at different website hosts.

4.2 Approve payment of claims: Kuker/Spencer unanimous to approve payment of claims and payroll totaling \$254,361.24 as submitted from Bremer Bank, and to transfer \$270,000.00 from Savings to Checking to cover check numbers 21294 through 21326, and Electronic Fund Transfers (EFT) #151-153 (May) Federal, State, and PERA withholding tax and debit card payments.

4.3 Supervisor Reports: Hass – stated that there is parking on the Right of Way in the Commercial area Frontage Road in front of 25415 HWY 169. Hammre to send a letter to the owner. Hass also said he would talk to Zoning about the sign in front of 25355 HWY 169, also in the ROW. Hiller – reported that he was on a lot of roads in the area and noticed a lot of potholes, including some in Livonia. He said we may need more money in our road budget as Maintenance is having to fill a lot of potholes after this past winter. Hiller also talked about the investing some of the Township’s funds in CDs as interest rates now are quite high. Kuker – reported on the 169/CR 4 Interchange, the project is now half funded with another legislative funding approval for the project. Spencer – reported that the Insider Magazine has a page dedicated to the upcoming Town Law Review. Supervisors are encouraged to attend; Kluge – no report.

5.1 Clean Up Day Report: the Clean Up Day Report was provided. Some highlights were that we had approximately ¼ fewer vehicles and approximately ¼ fewer items this year over last year. Also, several loader tires were accepted. These tires cost a lot more to recycle and are not on our accepted list. This is something to watch for next year. Hass thanked Hammre for organizing Clean Up Day.

5.2 Memorial Park Monument Agreement: Hass/Spencer unanimous to make the requested donation as written in the Agreement.

5.3 Election Security and Integrity: Ken Selsler, Sherburne County Elections Manager, has offered to speak at meetings about election security and integrity. No action taken.

5.4 Township Legal Seminar – Couri and Ruppe reminder.

Hass stated that he would like the Board to meet for a road tour and building rental workshop. Hammre to find a date and time that works for all.

Hass/Kuker unanimous to adjourn the meeting at 9:32 pm.

Approved this 26th day of June 2023.



Chairman or Vice Chairman



Clerk/Treasurer or Deputy Clerk/Treasurer