



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
JUNE 26, 2023

Supervisors present: Hass, Hiller, and Spencer.

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

Others present: William Tessmer, Bogart, Pederson 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: Hass/Hiller unanimous to approve the Regular Meeting Agenda with the addition of Item 5.1 269th Ave MNDOT Speed Study Request.

1.3 Approve Consent Agenda: Spencer/Hiller unanimous to approve Consent Agenda Item A) May 22, 2023 Regular Meeting Minutes B) May 22, 2023 Workshop Meeting Minutes.

1.4 Fire Report: Chief Maloney presented the May Calls for Service as follows: 11 medical assist; 1 gas leak; 3 carbon monoxide; 1 fire alarm; 3 person in distress (lift assist); 3 grass fire; 1 outside rubbish fire; 1 residential garage fire (Livonia Township); 2 residential house fire (Livonia Township, Zimmerman); 4 Fire mutual aid. Maloney also reported that the department has hired seven new Fire Fighters. The department also had their Monticello Power Plant decontamination test, results will be in soon.

1.5 Sheriff's Report: Sergeant Wilson presented the May Sheriff's Report: There were 255 calls for service including 4 motor vehicle accidents; 16 medicals, 63 traffic stops; 28 security checks; and 48 requests for extra patrol. The rest of the calls were for miscellaneous reasons. Wilson also stated that the three stop signs at the intersection of 117th Street NW and 251st Ave NW seem to be effective, and they have not received any speeding complaints in the area.

1.6 Engineering Updates: Engineer Tessmer provided the update on the West Hunter Lake roads improvement project. The shouldering was finished today. There is a request for a partial pay now, and the next payment request will be next month. Hass asked if there have been any washouts in the project area. Tessmer reported that there are no washouts, and the erosion control appears to be about 70% established. Tessmer also updated the Board about the 257th culvert, reporting that MNDOT has no objections to the proposed culvert, but the Sherburne County Ditch Inspector would require an extensive impact study. Lastly, Tessmer updated the Board about the project to correct the erosion and wear on the lake side of the Lake Fremont minimum maintenance road where people have been launching canoes, etc. causing the area to degrade. Engineer Davis sent plans to repair using timbers and steps, rip rap and turf to preserve access but also eliminate damage to the shoreline. The estimated cost is less than \$3,000. Hass stated that he would like to get quotes from a few local businesses before deciding if the work would be contracted out or would be done in house. The DNR does not require permitting if the project is outside of the OHW line.

1.7 Planning Commission Report: Hass - no report, did not attend the meeting.

1.8 Park Committee: no report, Kuker absent.

1.9 Road Report: Kelly provided the road report for the period May 15, 2023 through June 16, 2023:

Signage:

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

Street Signs, Various Locations – working with Kellie to place order for new street signs that have faded



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
JUNE 26, 2023

throughout the township.

Street Signs, Acorn Ridge – installed three new stop signs as directed by Town Board and Sgt. Wilson.

Illegal Dumping:

No report

Vehicles:

Chevy 3500 1 Ton Plow Truck – truck at CountySide, pending repair completion.

Truck 36 – failed DOT inspection. Repairs of rear axle seal leak and bad leaf springs scheduled for July 24.

Truck 39 – alternator replaced and was covered under warranty. Brakes were also replaced.

Truck 40 – passed DOT inspection. Pending oil change.

Truck 41 – passed DOT inspection. Pending oil change.

Truck 43 – passed DOT inspection.

Truck 44 – passed DOT inspection.

Skid Loader – been sweeping roads throughout township.

Grader – maintaining gravel roads.

John Deere Tractor – Brushes from Titan Machinery have been installed. Sweeping throughout Township.

Road Maintenance

Throughout township: Continuing to lay hot tar.

Woodlands Sub-Division: doing repair work with hot tar. Wes Davis to have prices for patches per foot.

Gravel Roads: Ongoing maintenance.

Fremont Minimum Maintenance Road: working with Wes Davis to finalize a plan for road erosion. Will require Board approval before moving forward.

245th Street: removed large Poplar tree that had died and was leaning into another tree.

120th Street: removed two large branches overhanging the street for safety reasons.

112th Street: removed fallen tree out of the ditch.

271st Street: removed fallen tree blocking roadway.

Shop Office

General Cleaning.

Sand Shed

Working on estimates for new Sand Shed.

Town Hall – Public Works Building

Midco phone/internet installation has been completed. IT people still working with Jody.

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

Finished paving.

1.12 Park and Cemetery Report: Aubart provided the following report: Reporting Period May 22nd, 2023 to June 23rd, 2023.



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
JUNE 26, 2023

Parks Maintenance:

Mowed both parks as well as cleaned weeds and branches from trails.

North Point –

Sugar Bush Preserve -

Cemetery Maintenance:

Livonia Township Cemetery – cut large pine tree from the south end of cemetery. Mowed grass and trimmed around markers and trees/shrubs. Replaced broken fence post on northeast corner. Marked two plots for headstones. Sold two plots.

Other Duties:

Hot tar applied on various roads.

Trimmed grass around guardrails

Road sweeping continued.

Cut leaning and downed trees on different roads.

Mowed Livonia Town Hall multiple times.

Worked on replacing sweeps on the three point road sweeper.

Attended ½ day of the Township Legal Seminar in Albertville.

Drove truck #43 in the Wild West Days parade.

*for more detailed information daily work logbook is available upon request.

2.1 Elk River Landfill: the prior rezone request for parcel #30-034-3401 approval was granted and completed by Sherburne County Board of Commissioners on 6/6/2023.

2.2 Elk River Landfill/Capital Land Group Application and Amendment and Zoning Change Request: Elk River Landfill and Capital Land Group have requested an Amendment to the Sherburne County Comprehensive Land Use Plan and an Amendment to Rezone the following properties: PID #30-034-2200, #30-034-2201, #30-30-523-0105, #30-523-0110, and #30-523-0115. The request would change the Comprehensive Land Use Plan for these parcels from General Rural to Heavy Industrial. The portions of these parcels that lie in the shoreland district for Rice Lake are not included in the request. The Amendment to Rezone the above listed properties would then change each of the listed properties from General Rural to Heavy Industrial, again excluding the portions of the properties that lie within the Shoreland District of Rice Lake. Discussion included that the expansion of Elk River Landfill is needed, the land use discussion for the parcels has been ongoing as the Elk River Landfill is reaching capacity in the current active location. The land is not served by city sewer and water, therefore does not meet commercial or light industrial requirements.

Board action for the Application Amendment to Comprehensive Land Use Plan Map: Spencer/Hiller unanimous by roll call vote to recommend approval for the request with the following comments – this Land Use change has been in discussion for over a year; the change is in the best interest of Livonia Township and the area; there is no sewer/water service near or on the parcels; the community and landfill need these changes for the Elk River Landfill to continue to function.

Board action for the Application to Rezone property: Hass/Hiller unanimous to recommend approval for the request with the following comments – no one wants a landfill in their backyard, however Elk River Landfill has done a good job with managing the existing landfill. It is in a good location and is the best location for the area and Sherburne County. The expansion area that requires these changes is the best location for landfill expansion.



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
JUNE 26, 2023

2.3 Elk River Landfill/Capital Land Group Application and Amendment and Zoning Change Request: Elk River Landfill and Capital Land Group have requested an Amendment to the Sherburne County Comprehensive Land Use Plan and an Amendment to Rezone the following properties: PID #30-027-3300, #30-027-3301, #30-27-3302, #30-027-3303, and #30-028-4410. The request would change the Comprehensive Land Use Plan for these parcels from General Rural to Industrial. The portions of these parcels that lie in the shoreland district for Rice Lake are not included in the request. The Amendment to Rezone the above listed properties would then change each of the listed properties from General Rural to Industrial, again excluding the portions of the properties that lie within the Shoreland District of Rice Lake. Discussion included that these parcels are between the requested parcel change to Heavy Industrial and residential properties.

Board action for the Application Amendment to Comprehensive Land Use Plan Map: Hass/Hiller unanimous to recommend approval for the request with the following comments – the request makes sense, residential development would not be allowed or desired this close to the Landfill; the change is good use for the land; the change can strengthen the township; the change keeps options open for future needs.

Board action for the Application to Rezone property: Hass/Hiller unanimous to recommend approval for the request with the following comments – the changes make the most sense while having a buffer between the landfill and existing homes. The Landfill expansion location will likely be in operation for 20-25 years at which time needs can be reassessed.

2.4 Request for Donation from Lake Fremont Lake Association/Membership: the Lake Fremont Lake Association was present at the May Board Meeting to request a donation to pay for a study of Lake Fremont's Carp population and invasive weed control possibilities. Also discussed was Chairman Hass's offer to join the Lake Association. Township Attorney Gilchrist provided information on the legal authority that we would have to make a donation for that use and to join the Lake Association. Gilchrist specified two possibilities for fund donations. One is by the request from the electorate at the Annual Meeting held in March. The other is addressed by MS Statute 103G.625. He also supplied information on the legal authority for the township to join the Lake Association. There is no legal authority to do that. Hass/Hiller unanimous to donate \$2,000 to be used for a study contracted for that purpose. Hammre to tell the Lake Association that the Township is not legally able to join the Association.

3.0 Open Forum: no one was present for Open Forum.

4.1 Clerk/Treasurer Report: Items of interest during the past month include: Town Hall keys, items still not returned from former Supervisor; Fire Station Rental Agreement has expired; working on conversion to MIDCO; Hammre contacted the Minnesota Secretary of State Office to request an extension for our submission deadline for our yearly financial audit while we wait for the Zimmerman/Livonia Fire Department audit to be completed, that is information that must be included in the Township Audit. The extension was granted to August 15, 2023.

4.2 Approve payment of claims: Hass/Spencer unanimous to approve payment of claims and payroll totaling \$275,840.84 as submitted from Bremer Bank, and to transfer \$275,000.00 from Savings to Checking to cover check numbers 21327 through 21357, and Electronic Fund Transfers (EFT) #154-156 (June) Federal, State, and PERA withholding tax.

4.3 Supervisor Reports: Hass – recommended that the authority to purchase limit for Clerk/Treasurer Hammre is raised to \$2,000 without Board approval. Hass/Spencer unanimous to approve. Hiller – the Township had not received a response from Sherburne County concerning the zoning document that Attorney Gilchrist prepared and submitted approximately one month ago. Hiller called Lynn Waytaschek to check on the progress. She had not received it, further checking revealed that it was still on County Attorney Heaney's desk waiting for review.



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWN HALL
JUNE 26, 2023

Hiller also reported that attorney Gilchrist has not yet received a reply from Elk River Landfill's attorney. Lastly, Hiller said that the Elk River Star News reported that there was a presentation to the Sherburne County Commissioners about the State of Minnesota's change to the Homestead Exclusion tax that could help some Livonia residents. Hiller contacted Commissioner Lisa Fobbe who explained the changes, and Fobbe said that Sherburne County Auditor Treasurer Diane Arnold is looking into the details. Hiller will follow up so that when details are finalized our residents can be notified. **Spencer** – reported that she attended the Couri & Ruppe Legal Seminar in Albertville. A lot of useful information was presented, and she encouraged all Supervisors to attend next year.

5.1 MNDOT Speed Study Request for 269th Ave – Randy Piasecki, City of Zimmerman Administrator requested that Livonia Township ask for a MNDOT Speed Study to determine if 269th Ave speed limit can be reduced as requested by residents. This section of 269th Ave is the maintenance responsibility of the City of Zimmerman under the statutory requirement to evenly share the maintenance responsibilities of border roads by assigning sections of border roads to each entity in a fair manner. The majority of the residences on the road are within Livonia Township. Hass stated that he would like the Livonia Board to wait to make a decision on the speed study request until the entire Board is present. This meeting has just 3 of the 5 Board members in attendance. Spencer/Hass/ unanimous to adjourn the meeting at 8:13 pm.

Approved this 24th day of July 2023.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer