

DENMARK TOWN BOARD MEETING MINUTES
January 2, 2007

SUPERVISORS PRESENT: John Kummer, Kathy Higgins, Gary Dixon, Jim Keller, Joe Moore.
Also Present: Attorneys Troy Gilchrist and Paul Reuvers and TKDA Engineer Cara Geheren

CALL TO ORDER: Meeting called to order @ 7:00 PM by Chair Kummer.

AGENDA APPROVAL: Higgins added A+ Auto. **Motion Moore/2nd Dixon to approve the agenda as amended. All in Favor. Motion Carried.**

CONSENT AGENDA APPROVAL: Kummer pulled 12/04/06 Board Meeting Minutes.
Motion Higgins 2nd Keller to approve remainder of consent agenda. All in Favor. Motion Carried.

HEARING DECISION/ZONING ACTIONS: NONE

PUBLIC COMMENT: NONE

BUSINESS ITEMS:

Rumpca Matter: Kummer stated that through a mediation process, the Board and Rumpca have reached an agreement. The designated access route for the pit is 60 feet East of the Magone property access driveway onto 80th Street, west to Oakgreen Avenue South, and then continuing north on Oakgreen Avenue South to 70th Street. Rumpca will improve Oakgreen Avenue South at their cost and will maintain the road for the life of the gravel pit. Denmark will plow the road and mow the ditches.

Motion Higgins/2nd Dixon to approve Resolution 2007-01 Resolution Approving Settlement Agreement With Rumpca Excavating as drafted.

All in Favor. Motion Carried. See addendum to minutes for full text of Resolution.

Shooting Range: Higgins reported receiving several complaints from residents regarding the intensification of use at the shooting range on Oakgreen.

Mike Rygh-owns neighboring acres. Has concerns of additional use of the range. Stated that if it goes back to the full status of a gun range and no conditional uses are put on it, it would be detrimental to the Township. Mr. Rygh asked Board to consider having an ordinance not allowing new shooting ranges in the Township, and stated that there should be limitations put on a conditional use permit for the current range.

Kummer stated that the future use of the gun range is permitted through the previous use of the gun range, because it was in use prior to the establishment of conditional use permits, therefore it is grandfathered in. Higgins stated that one question raised was whether or not the current ordinance dealing with intensification of use in existing non-conforming uses would be applicable here. That would require an amended CUP for intensification of use. Attorney-Denmark Township ordinance states that the Board could require that a conditional use permit be required for non-conforming uses, when there is an intensification of use. Shooting ranges are protected by Legislation as long as they comply with DNR standards. Local ordinances are able to regulate some aspects of a shooting range, but they are minimal. Attorney will review Township ordinances and advise Board on options.

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Local Board of Appeal & Equalization Training: For Denmark Township to continue handling property tax appeals, supervisors must attend Local Board of Appeal & Equalization Training. Dixon will attend training this year.

2007 Development Review Schedule: Clerk submitted 2007 Development Review Schedule for approval.

Motion Higgins/2nd Keller to approve 2007 schedule as submitted.
All in Favor. Motion Carried.

Kummer's Cliff-Final Warranty Inspection: Engineer reported that Kummer's Cliff final warranty inspection was conducted and recommended project acceptance and security requirements be fully released. **Motion Moore/2nd Keller to approve final warranty inspection and release of securities for Kummer's Cliff.**
Voting Aye-Moore, Dixon, Keller and Higgins. Voting Nay-none. Kummer abstained.
Motion Carried.

Legal Files: Township will retrieve all Township files from prior legal counsel.

Trash Hauler Licensing: Motion Higgins/2nd Moore to approve revision of 11/1997 Denmark Township Solid Waste Trash Haulers policy to include annual renewal fee of \$75. All in Favor. Motion Carried.

Motion Higgins/2nd Keller to approve Solid Waste Licensing/Renewal application to include \$75 renewal fee. All in Favor. Motion Carried.

TH 95: Engineer submitted report on the future design concept and access study for TH 95 to Board.

Purchase of personal PA system: Discussion on possibility of purchasing a specialized system for the Town Hall to be available for hearing impaired persons. Dixon will check out current Town Hall sound problems.

St. Croix Ridge: TKDA sent Riegel a letter on discrepancies of site plan. Met with contractor on site and set up plan to rectify problems. Work will not be done until next Spring. Engineer will submit written update on St. Croix Ridge to Township. Clerk to research status of Letter of Credit.

Suburban: Board discussion on unlocking Suburban Towing. Suburban has no Conditional Use Permit. Board consensus that current status of Suburban be reviewed.

Motion Keller/2nd Higgins to have Dixon inform Suburban that on Friday, 01/05/07, the doors will be locked; also to direct attorney to review Suburban matter and to have attorney and Board Chair correspond with Suburban to indicate doors will remain locked and should they wish to obtain a conditional use permit they would need to see the Town Board. All in Favor. Motion Carried.

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TKDA Planning Services Agreement: Attorney and TKDA Engineer are currently working on an updated agreement. Engineer will get a draft updated version for the next Board Meeting.

WMO Update: Engineer has provided Board with a review of the latest draft of WMO rules. Denmark Township preference is that WMO role be “review and comment” rather than “review & permit”. Denmark prefers continuing Washington County permitting for ISTS’s, rather than WMO permitting. Recommended removing that component from WMO rules. Board not in support of WMO requirement for infiltration basins. Discussion regarding Karst Topography and protecting groundwater resources, volume control, different types of stormwater management systems and maintenance of same. Discussion re: upcoming 01/10/07 Steering Committee Meeting with WMO Board. Several Board members expressed interest in attending the meeting. Clerk directed to post meeting so that other Board members could attend.

A+ Auto: A+ Auto Amended Conditional Use Permit has been revised to include the existing trailers sales business on the site which was covered by the original conditional use permit.

Motion Moore/2nd Dixon to approve adding the existing trailer sales business (Geisinger Trailer Sales) in the A+ Auto Amended Conditional Use Permit.

All in Favor. Motion Carried.

12/04/06 Minutes pulled from Consent Agenda: Kummer noted that the adjournment motion was repeated at end of the meeting and should be deleted.

Motion Higgins/2nd Keller to approve amended 12/04/06 Minutes. All in Favor. Motion Carried.

Motion Dixon/2nd Higgins to adjourn. All in Favor. Motion Carried.

Meeting adjourned @ 10:22 PM.

Becky Herman
Clerk/Treasurer

See Attached addendum: Resolution 2007-01