

DENMARK TOWN BOARD MEETING MINUTES
MAY 2, 2005

SUPERVISORS PRESENT: Jim Fitzpatrick, Kathy Higgins, John Kummer, Gary Dixon, Jim Keller

OTHERS PRESENT: Attorney Shoeberg, Engineer Geheren

CALL TO ORDER: Meeting called to order by Chair Fitzpatrick at 7:03 PM

AGENDA APPROVAL: Motion Keller/2nd Kummer to approve agenda. Motion carried.

CONSENT AGENDA APPROVAL:

Kummer pulled 04-05-05 Board minutes. Motion Higgins/2nd Keller to approve balance of consent agenda. Motion carried. Kummer made changes to minutes. Motion Higgins/2nd Keller to approve minutes as amended. Motion carried.

HEARING DECISIONS/ZONING ACTIONS: None

PUBLIC COMMENT:

Bill Krueger (Heritage Society) requested approval to place photos/plaque on walls at Town Hall. Keller volunteered to meet with group to come up with a specific plan. Higgins offered to assist.

BUSINESS ITEMS:

St. Croix Valley Trail Draft Master Plan: Washington County Parks staff presented overview of plan. Proposed Trail to be alongside roadway wherever possible. Discussion regarding typical use patterns of trails. Kummer- Raised concerns regarding parking at Point Douglas. Higgins- Questions raised regarding willing seller approach relating to larger entities. Reimbursement would be provided to public entities for cost of building trail. Unsure regarding use of Carpenter Nature Center land.

Public comment included:

Jim Neilson- Concerned that plans were presented without talking to private property owners.

Afton Alps- Concerned that County staff did not discuss proposal with them. Not interested in having the trail going through their property, due to current bike trails and recreation areas, as well as vandalism.

John Pontius- Concerned that county did not discuss with him.

Tony Sieben- (land on 87th) There is a gas line on the South side of the road and a farmers field on the North side.

Paul Stein- (land on Quadrant) Questions on buffers and Right of Way.

Resident- Concerns with the steepness and winding on Co. 21. Concerns of the trucks on 87th St.

Ann Skow- When will we be approached as a willing seller?

George Stoffel-(land on 21) concerns of the public parking wherever they want.

Leonard David-(owner of Point Douglas Marina) gave copy of letter to Board. Were not notified of meeting in Nov. Proposed trail plan would take value away from their land. Already have a parking problem there. View and privacy will be ruined as small as we are.

Joe Skow-are quadrant and 87th the only routes you have laid out? Does not feel this will increase everyone's property value.

Ann Skow- if you don't want it will you get it?

Rita Niederkorn- (land on Quadrant) Where is the petition we sent you? Opposed to trail on Quadrant.

George Stoffel- Will County condemn if there are only 2 non willing sellers?

DENMARK TOWN BOARD MEETING MINUTES
MAY 2, 2005

Ann Skow- does the Board have any say?

Paul Stein- On Right of Way there are drainage ditches. If on the path, then what? If a house is close, does that create legal problems in respect to a setback?

Karl Fritze- DT Bd passed a resolution, with respect to the trail; didn't this say it was against taking of private land?

Butch Davies- will we be notified of the County public hearing?

Board discussion to compile Board comments to the County. Board agreed to have the following included as formal comment to the County:

- Safety and traffic concerns regarding proposed Quadrant route and gravel pit traffic using 87th Street
- Board continues to oppose taking of private land.
- Denmark supports having trails, if a satisfactory arrangement has been reached between the public or private owner and Washington County.
- Any acquiring of additional Right of Way would be on a for sale basis, and not on a condemnation basis;
- Concern expressed regarding lack of discussion with affected property owners. The Township would encourage the County to look at 21 as an alternative.

Attorney will draft a resolution and present to the Board at the 5/5/5 meeting for review. Petition received will be attached to the resolution.

Homestead Estates: Discussion of preliminary plat proposal. Discussion re: rain gardens as proposed on recommendation of EOR. Board did not support all rain gardens as submitted in the proposal, due to engineering concerns regarding long term maintenance. Number of rain gardens reduced as recommended by engineer. Engineering recommendation for curb and gutter discussed. Board consensus that concrete curb also be installed along the road adjacent to all lots in the OSD portion of the project. Rural section road acceptable in the Stoffel portion of the development in areas with street grades under 4%. Rural section road will also be allowed along outlots A and B in areas with street grades under 4%. Motion Kummer/2nd Dixon to approve the preliminary plat contingent on the following: All 4/25/05 engineering and planning recommendations discussed tonight, the 9/23/04 wetland mitigation recommendation by Wash. Co. SWCD, except ownership of outlot A, which will be left open until determined by Board., and that it is not final until all ordinances have been adopted by the Township. Discussion-none. Motion carried. Higgins abstained.

Planning Commission Ordinance Amendment Text Approval: Motion Higgins/2nd Fitzpatrick to approve language as submitted by attorney, amending ordinance to have Town Clerk take Planning Commission Minutes. Motion carried.

Incorporation: Board continuing to gather information on pros and cons. Information would be sent to all the residents prior to a public meeting. Board will continue forward progress.

Proposed Ordinance Amendment-Business in Home: Resident requested guidance on how to use a private residence in a residential zoned area. Marty Vietoris then discussed rationale for inquiry. Board advised would not be possible under current zoning. Suggested considering a formal rezoning request for affected property.

DENMARK TOWN BOARD MEETING MINUTES
MAY 2, 2005

Proposed Ordinance Change-Accessory Structures: Higgins-Resident requested to subdivide property. Too many outbuildings on their property to meet Township code requirements. Proposal to change our ordinance to match County ordinance which is: Land may be subdivided with a minor or major subdivision into parcels of no less than five acres and retain the existing number and square footage of accessory structures on the site if they are part of a farmstead as existed on January 1, 2001. Board consensus to schedule Public Hearing before Planning Commission to amend Accessory Structure Ordinance.

WMO Billing: Billing received from WMO for \$3426 over amount Township had budgeted for/authorized. Shoeberg explained Township share of total billing is based on percentage of property valuation and total area for each participating member. Higgins requested to see an annual operating budget from the WMO as well as percentage calculations from County. Also requested a signed copy of the current Joint Powers Agreement. Shoeberg agreed to send it. Motion Dixon/2nd Keller to pay the WMO bill. Motion carried. Fitzpatrick abstained.

Website: Keller talked to Paul Stein. He proposed \$75/month to maintain and keep current the website. Keller also said he would continue to monitor website maintenance. Kummer also said he has a volunteer who would maintain it at no charge. Motion Keller/2nd Dixon to pay Paul Stein \$75/month and monitor it for a year or so. Discussion: Kummer- if we run into a problem, then he will give volunteer a call. Higgins- Could we set up the expectations that routine changes would be made without having to tell Paul to do that? Keller- that wouldn't be a problem. Motion carried. Kummer abstained.

LEGAL REPORTS:

Klopf- Shoeberg- Klopf reached a new agreement with the County. Within 60 days he would pay \$500 to the County. Attorney to follow up on payment.

Suburban- Trouble with Reuter and Babcock disputing over who owns the property. Sheriff's Dept. was called, to allow Babcock to get in to remove the rest of the vehicles. Left were tires in the front, some boxes of parts and 4 or 5 vehicles. Fitzpatrick-we still need to check to make sure all stuff is out of there. Attorney will recheck property with deputy.

Rumpca- Shoeberg-Arbitration is scheduled for May 24th at the Town Hall, to give the arbitrator the opportunity to be able to see the route. We need to determine who we're going to have from the board. It starts at 9:00. It may take the day. Best 2 candidates would be Fitzpatrick and Higgins because they were on the board. Also they have depositions already from the board members. It's important for the arbitrator to come out and look at the routes.

Higgins- to Shoeberg. Now that they are approved, do we send the settlement agreements to Meier and Femling? Yes.

ADJOURNMENT: Motion Kummer/2nd Dixon to adjourn. Motion carried.

Becky Herman
Clerk/Treasurer