

DENMARK TOWN BOARD MEETING MINUTES
January 5, 2009

SUPERVISORS PRESENT: Steve Kramer, Jim Keller, Kathy Higgins, Joe Moore and Gary Dixon

ALSO PRESENT: Attorney Gilchrist, Engineer Winter and Planner Farrington

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

AGENDA APPROVAL: No additions to Agenda

CONSENT AGENDA APPROVAL: Motion Moore/2nd Dixon to approve consent agenda which includes claims #9055-9074, PERA EFT 92494, payroll ending 01-01-2009 and financial reports.
All In Favor. Motion Carried 5-0

HEARING DECISION/ZONING ACTIONS: NONE

PUBLIC COMMENT: Dave Rowe questioned the reasoning for the panels on the walls and ceiling of the Town Hall. Panels were installed to help the acoustics.
Tom Lavelle not satisfied with the pitch on his driveway since Oakgreen was paved. Dixon will look into.

Paris Avenue Residents: Residents from St. Croix Ridge requested some direction regarding resolution of road maintenance on Paris Avenue. The Town has not taken over the road and the developer is not responding to the residents regarding maintenance of it.
Residents requested Town Attorney to draft document needed for submittal to Board to request the creation of a subordinate service district. If a district is created, the residents within the district would be responsible for the cost of any services requested. Board directed Attorney to draft requested document.

Denmark Comp Plan-Met Council Comments: Berry submitted comment memo from Met Council which requested that revisions be made to the Parks part of the plan. Specifically, the Met Council is requesting that properties which have been identified, but not yet acquired by Washington County, be outlined and designated that they are a proposed future acquisition for St. Croix Bluffs Regional Park in the Parks, Open Space and Trail Search Corridors Map as well as on the 2030 Planned Land Use Map. Dave Rowe, property owner of the 120 referenced acres, spoke to the Board, stating that he would not approve of his land being acquired for park use. Mr. Rowe stated that he had not been contacted by anyone in regards to the future use of his property, and was surprised by the designation of his property in any parks plan.
Planner recommended acknowledging that we recognize this area as being identified as a possible future parks area (marking the map as "proposed acquisition by Washington County for St Croix Bluffs expansion")
Planner will communicate with Met Staff regarding this issue.

Washington County comments: Keller, Higgins and Planner went to County Board requesting County revise original comment letter. County has agreed to revise their comment letter.

DENMARK TOWN BOARD MEETING MINUTES
January 5, 2009

2009 Financial Audit Agreement: Board received financial audit agreement from Oberloh & Associates for the year ended 12/31/2008. Township is required to have an annual outside audit. Audit for 2008 not to exceed \$3950. **Motion Moore/2nd Dixon to approve Oberloh & Associates to conduct a financial audit for the year ending 12/31/2008. Chair to sign agreement. All In Favor. Motion Carried 5-0.**

Homestead Estates Letter of Credit: Letter of Credit expired 12/01/2008. Engineer has contacted Frank Femling regarding renewal and is waiting for response.

Street Maintenance & Improvement Plan: Engineer Winter submitted a memo detailing Street Maintenance & Improvement Plans. Board will review and discuss at future meeting.

WMO Update: WMO Board is reviewing watershed districts.

Records Retention: Attorney submitted draft resolution of Records Retention policy to Board for review. Attorney noted that references to clerk will be changed to Clerk/Treasurer. **Motion Kramer/2nd Keller to adopt Resolution 2009-01, Adoption Of Records Retention Policy with noted changes. All In Favor. Motion Carried 5-0**

Addendum Resolution 2009-01 attached.

St. Croix Ridge Letter of Credit: Mr. Riegel has not performed under the terms of his developer's agreement; therefore the Attorney requested Board authorization to proceed with process to draw on the \$23,737.50 Letter Of Credit. Estimated cost for completing work in St. Croix Ridge is in excess of the Letter Of Credit. Letter Of Credit funds will be used to pay for improvements to the St. Croix Ridge project. **Motion Keller/2nd Kramer to authorize Attorney to proceed with process to draw on the Letter Of Credit in the amount of \$23,737.50. Chair to sign draft request. All In Favor. Motion Carried 5-0.**

9:34 PM **Motion Dixon/2nd Kramer to adjourn. All In Favor. Motion Carried 5-0**

Becky Herman
Denmark Township Clerk/Treasurer

Addendum Resolution 2009-01

DENMARK TOWN BOARD MEETING MINUTES
January 5, 2009

**DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2009-01**

**RESOLUTION ADOPTING THE GENERAL RECORDS
RETENTION SCHEDULE FOR MINNESOTA TOWNSHIPS**

WHEREAS, Denmark Township (the "Town") creates and comes into possession of government records in the normal course of conducting the Town's business;

WHEREAS, under Minnesota Statutes, section 138.225, government records may not be destroyed except by the authority of the state's records disposition panel;

WHEREAS, the state's records disposition panel, established pursuant to Minnesota Statutes, section 138.17, allows for the destruction of government records by local governments pursuant to a schedule adopted by the local government and approved by the panel, provided the destruction is accomplished in accordance with the schedule and state law;

WHEREAS, the Town Board has not previously adopted a records retention schedule for the Town; and

WHEREAS, the Town Board determines adopting a records retention schedule is in the Town's best interests to help ensure the preservation of government documents while respecting the practical limitations of storage space, administrative time, and costs associated with attempting to indefinitely retain all such documents.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby adopts the Minnesota Township General Records Retention Schedule (as found on the website of the Minnesota Association of Townships, a copy of which is on file in the Town Clerk-Treasurer's office)(hereinafter referred to as the "Schedule"), as it may be amended, with the following clarifications and modifications:

1. Documents listed on the Schedule with an "N/Y" indication under the "Archive" column will be treated as though they had an "N" indication and will not be archived;
2. The list of documents on the Schedule shall be interpreted broadly to reduce the number of documents considered not on the Schedule. The Town recognizes the Minnesota Township General Records Retention Schedule has not been updated for a number of years and so, to the extent a government document is not included in that schedule, the Town shall refer to and apply the General Records Retention Schedule for Minnesota Cities as it may be updated and amended from time to time with respect to the particular document. If a governmental record in the Town's possession is not found in either schedule, the Town will either amend its schedule to list the document or it will submit an Application for Authority to Dispose of Records (PR-1 Form) to receive authority before destroying it;
3. The Town is subject to the Data Practices Act (the "Act") and nothing in this Resolution or the Schedule modifies the application of the Act to the Town's government records. Any government record in the Town's possession classified by the Act as not public shall not be made available to the public except as provided by the Act and when they are disposed of in accordance with the Schedule they shall be destroyed in a way that prevents their contents from being determined;

DENMARK TOWN BOARD MEETING MINUTES
January 5, 2009

4. The Town considers the preservation of "government records" as defined in Minnesota Statutes, section 138.17, subd. 1 (b)(1) in accordance with the Schedule as sufficient to satisfy its obligation under Minnesota Statutes, section 15.17 to preserve records as necessary to provide a full and accurate knowledge of the Town's official activities. Documents and data that do not constitute "government records" shall not be subject to this Schedule and the Town may keep or destroy such items as it determines is appropriate or as may otherwise be required by law;
5. This Schedule applies only to original documents and data. Non-originals shall be retained or destroyed as the Town determines is appropriate without regard to the Schedule;
6. The Town shall retain records using such methods and in such locations as it determines is most appropriate under the circumstances and in accordance with its obligations under law. The Town does not adopt and shall not be bound to the "Location" column in the Schedule;
7. Records identified in the Schedule as archival must be preserved and may be transferred to the State Archives or other appropriate repository with the specific, written permission of the State Records Disposition Panel as needed;
8. The Town Board may amend this schedule at such times in the future as it determines is necessary; and
9. Government records in electronic format are stored on the Town's computers and such data is backed up on CD (or similar technology) on a regular basis.

BE IT FURTHER RESOLVED, the Clerk-Treasurer is authorized and directed, at such times as are convenient, to destroy all government records in accordance with the Schedule and to create and retain a report on all such destruction activities which lists the types of records destroyed; and

BE IT FINALLY RESOLVED, the Clerk-Treasurer is authorized and directed to send a copy of this Resolution together with notification of the Town's adoption of the Schedule to Minnesota Historical Society (State Archives) for review and approval.

Adopted this 5th day of January, 2009.

BY THE TOWN BOARD