

DENMARK TOWN BOARD MEETING MINUTES
November 3, 2008

SUPERVISORS PRESENT: Steve Kramer, Jim Keller, Kathy Higgins, Joe Moore and Gary Dixon
ALSO PRESENT: Attorney Gilchrist, Engineer Geheren and Planner Farrington
CALL TO ORDER: Meeting called to order @ 7:00 PM by Chair Higgins

AGENDA APPROVAL: Higgins added Cottage Grove Comp Plan. **Motion Keller/2nd Dixon to approve agenda as amended.**
All In Favor. Motion Carried. 5-0

CONSENT AGENDA APPROVAL: Keller pulled 10/06/08 Board minutes. **Motion Keller/2nd Moore to approve balance of the consent agenda which includes claims #9001-9017, PERA EFT 86987, payroll ending 11/01/2008 and financial reports.**

All In Favor. Motion Carried 5-0

10/06/2008 Minutes- Denmark Comp Plan, Washington County Comments. Page 3, Paragraph 3. Board directed only the Planner (without 2 Board members) to contact County Staff regarding comments on Township Comp Plan. **Motion Keller/2nd Kramer to approve 10/06/2008 Board Meeting minutes as amended.** All in Favor. Motion Carried 5-0

HEARING DECISION/ZONING ACTIONS: NONE

PUBLIC COMMENT: NONE

Open Space Inspection Fees: Residents and developers from Homestead Estates, St. Croix Estates and Eagle's Watch present. Signed petitions were submitted for Town record. Residents not in agreement with the \$500 annual fee charged to them for inspections of their Open Space and do not feel that the inspections are necessary every year.

Board-According to the Development Agreements, homeowners are responsible for the maintenance of the open space. The open space is private, so residents of the developments benefit from the open space, rather than all Township residents. When the developments were being considered, density bonuses were given for the purpose of preserving open space. Along with the preservation of open space and the conservation easements, there were requirements that certain criteria be met and that things remained functional, that easements were clear and that the land was being used as it was meant to be used.

Annual inspections were required to ensure these things. There have been problems with storm water issues in the Town, therefore, the inspections are important and need to remain in place.

Engineer-Inspections included storm water features, functioning of ponds, no erosion issues, and the use of open space as identified by the Development Agreements and conservation easements. If an inspection indicates that something is in "poor condition", a recommendation for maintenance would be given to the developments; to prevent the possibility of failure and a need to replace the systems. Other communities closer to the metro have specific inspection requirements of their storm water features that are placed on them by the MN Pollution Control Agency. They are required to do annual inspections of ponds and also inspect 20% of their outfalls every year. The WMO may also have the same requirements, so annual inspections could be mandated by them also.

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Attorney-part of the development process did include density bonuses for the preservation of open space. Inspections are an ongoing obligation. Board consensus to not change any aspect of inspections at this time.

Sheriff's Report: Deputy reported minimal concerns in the Town, citations mostly related to speeding.

Denmark Comp Plan-Washington County Comments:

Planner spoke with County staff regarding County comments on Denmark's Comp Plan. Planner submitted 10/28/08 memo to Board, which included proposed changes to the land use and transportation segments of the draft plan per Planners discussion with County Staff, and also a draft letter to the County Commissioners regarding County comments.

Board consensus to approve submission of letter and supporting documents to the County Board with adjustments on data regarding the actual number of density units being removed from potential development due to Land & Water Legacy program. Higgins and Planner will review acreages and calculate densities. Also added to letter will be a request that the County map be updated to match the Township's existing zoning map, which accurately reflects the actual zoning and densities in the Town. LSCWMO comments received on the Denmark Comp Plan- WMO does not have approval authority on the Comp Plan. They do on the surface water management plan. Board directed Planner to add language to the Comp Plan to reflect that it is the Township's intent to adopt the LSCWMO Watershed Management Plan by reference.

Board consensus to attend County Board Meeting when Denmark's letter is discussed. Planner will make request to be on County Board Meeting agenda and will attend with some Board members.

Cottage Grove Draft Comp Plan: *Town received a request for review and comment regarding Cottage Grove's draft comp plan. Board authorized Planner Farrington to review map, transportation system and overall policies on behalf of the Town, and prepare comments on draft Plan.* Planner submitted 10/27/08 memo to Board regarding her review of the Cottage Grove draft Comp Plan and did not find anything that would be at odds with Denmark Township's Comp Plan, and therefore believes that a "no comment" letter to Cottage Grove would be appropriate. The Planner also recommends that the Township keep aware of any master planning efforts made by Cottage Grove for the Transition Planning Area and keep aware of the pace of development in staging areas. Planner directed to prepare and send reply letter.

WMO Update: Keller reported that LSCWMO Board is reviewing process regarding dissolution.

Outstanding Items:

Acoustic Panels- Panels will be installed in November by Klem and Son.

Outside Planter Bed- A temporary insulated planter bed will be installed at the Northeast corner of the Town Hall to help prevent the pipes in the wall and underground from freezing.

Legal Updates:

Records Retention- Clerk has researched and submitted materials to attorney necessary for Records Retention Policy. Attorney requested Board to direct additional legal research on the handling of electronic records. Attorney to handle with the simplest approaches necessary. Attorney will report to the Board on findings.

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Snaza/Rase/Suburban- Court has scheduled a trial for the matter on January 22, 2009.

St. Croix Ridge- Engineer Geheren submitted 11/03/08 memo to Board regarding review of outstanding issues for St. Croix Ridge. TKDA did a storm water management analysis that had been requested from Jeff Riegel for some time. Analysis verified that ponds as constructed meet both overall rate and water quality control for the site. However, water will pond outside of the existing easements for both the westerly and easterly ponds. Re: the westerly pond, ponding may occur between the pond and the cul-de-sac in the front yard of the existing home to the south of the pond. Re: the easterly pond, ponding will occur outside of the easement at the rear of the lot to the north of the pond. Drainage easements would make certain that property owners would not be able to place fill or construct any permanent structures that would negatively impact storm water management. Engineer recommended contacting affected property owners to review these situations and explore the option of acquiring additional easement from the landowners.

Minor corrections to the base course need to be completed and bituminous wearing course placed. The estimated construction cost is \$29,000-\$37,000. Price range reflects uncertain oil market.

Board consensus to request developer to increase Letter Of Credit to \$50,000.

Rumpca- Original Conditional Use Permit application did not contain a detailed level of landscaping and erosion control plans. Engineer stated that the original submission requirements didn't define specific standards for an erosion control plan, as they do today. Planner stated that the County requires a specific landscaping plan to be approved by the County. Planner sent 10/14/08 letter to Rumpca identifying items requiring their attention (Crusher location, site storm water management and erosion control, access route and landscape plan).

9:50 PM Motion Dixon/2nd Moore to adjourn. All In Favor. Motion Carried 5-0

Becky Herman
Denmark Township Clerk/Treasurer