

DENMARK SPECIAL MEETING MINUTES Re: LSCWMO  
March 11, 2009

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

**SUPERVISORS ABSENT :** Joe Moore

**CALL TO ORDER:** Meeting called to order @ 6:45 PM by Chair Higgins  
Purpose of meeting-to review and ratify LSCWMO dissolution.

Board reviewed LSCWMO Resolution 2009-01 Recommending Dissolution of the LSCWMO. Attorney Gilchrist has also reviewed the documents. Board in agreement that dissolution of the organization is in the best interests of Denmark Township: annual expense to residents reduced; duplicative administrative costs will be eliminated; same job can be done more efficiently and effectively; township will remain under jurisdiction of one district only (South Washington Watershed District).

Board reviewed Denmark's draft resolution to ratify dissolution of LSCWMO.

**Motion Keller/2<sup>nd</sup> Kramer to adopt Denmark Resolution 2009-03 Ratifying Dissolution Of The LSCWMO And Supporting The Washington County Petitions To Expand South Washington Watershed District And Valley Branch Watershed District.** Voting YES- Higgins, Keller, Kramer and Dixon. Voting NO-none. Motion Carried 4-0

Board thanked Jim Keller and Kathy Higgins for their involvement and efforts representing Denmark Township on the LSCWMO Board.

6:55 PM **Motion Kramer/2<sup>nd</sup> Keller to adjourn.** All In Favor. Motion Carried 4-0

Becky Herman  
Denmark Township Clerk/Treasurer

Addendum Resolution 2009-03

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**TOWN OF DENMARK  
WASHINGTON COUNTY, MINNESOTA**

**Resolution No. 2009-03**

**RESOLUTION RATIFYING DISSOLUTION OF THE LOWER ST. CROIX WATER  
MANAGEMENT ORGANIZATION AND SUPPORTING THE WASHINGTON  
COUNTY PETITIONS TO EXPAND SOUTH WASHINGTON WATERSHED  
DISTRICT AND VALLEY BRANCH WATERSHED DISTRICT**

**WHEREAS** the Board of Commissioners of the Lower St. Croix Watershed Management Organization (the LSCWMO) did on March 11, 2009, adopt Resolution Number 2009-01 recommending the dissolution of the LSCWMO (the Dissolution Resolution) consistent with joint powers agreement entered into by the Town of Denmark, City of Afton, City of Cottage Grove and City of Hastings (collectively, the Parties) on August 16, 2005 (the Agreement), revising and effectively replacing an October 1, 2003, joint powers agreement,;

**WHEREAS** the Dissolution Resolution is consistent with the discussions that have occurred at meetings of the Board of Commissioners and of the parties to the Agreement and supports the division of the territory of the LSCWMO in accordance with the plan of division and map developed by the LSCWMO and Washington County, in consultation with South Washington Watershed District and Valley Branch Watershed District, attached to and incorporated into this Resolution as Exhibit A, as it may be corrected for minor errors discovered, if any;

**WHEREAS** the Agreement requires two-thirds of the voting Parties to ratify the Dissolution Resolution within 90 days of its adoption to effect the dissolution of the LSCWMO; and

**WHEREAS** if the two-thirds of the voting Parties ratify the Dissolution Resolution, Washington County intends to petition the Board of Water and Soil Resources to request the enlargement of South Washington Watershed District and Valley Branch Watershed District to include the territory of the LSCWMO consistent with the dissolution plan and Exhibit A, as may be corrected for minor errors discovered, if any.

**NOW THEREFORE, BE IT RESOLVED** that the Town Board hereby:

1. Ratifies the Dissolution Resolution adopted by the Board of Commissioners of the LSCWMO on March 11, 2009, and authorizes the Board of Commissioners of the LSCWMO to make such arrangements and enter into such agreements as may be necessary to wind up the operations of the LSCWMO and to transfer the obligations, duties and operations of the LSCWMO as appropriate to the individual Parties,

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Washington County, South Washington Watershed District, Valley Branch Watershed District or another capable public entity.

- 2. Supports the petitions Washington County will submit to the Minnesota Board of Water and Soil Resources for the enlargement of the South Washington Watershed District and the Valley Branch Watershed District in accordance with Exhibit A, as may be corrected for minor errors discovered, if any, and encourages the Minnesota Board of Water and Soil Resources to approve the petitions;

**BE IT FURTHER RESOLVED**, if the Dissolution Resolution is not supported by a sufficient number of the Parties to the Agreement to achieve the dissolution, or if BWSR does not approve the enlargement petitions with the division of land as proposed in the dissolution plan and Exhibit A, the LSCWMO shall not be dissolved and will continue to perform its duties and obligations consistent with the Agreement; and

**BE IT FINALLY RESOLVED** that the clerk is hereby authorized and directed to provide a copy of this Resolution to the Board of Commissioners of the LSCWMO and to Washington County.

The question was on the adoption of the resolution and there were 4 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
HIGGINS	X		
KELLER	X		
KRAMER	X		
DIXON	X		

Upon vote, the Chair declared the Resolution adopted.

Dated: March 11, 2009

I, BECKY HERMAN, Clerk/Treasurer of the Town of Denmark, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the Town of Denmark and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this 11th day of March, 2009.

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Becky Herman, Clerk/Treasurer