

Denmark Township Board Minutes February 7, 2005  
Approved

**SUPERVISORS PRESENT:** Peg Powers, Jim Fitzpatrick, Kathy Higgins, and John Kummer.

**OTHERS PRESENT:** Clerk/Treasurer – Tracy Fritze; Attorney – Kevin Shoeberg; Engineer - Cara Geheren.

**CALL TO ORDER:** Chair Powers called meeting to order at 7:01 pm.

**AGENDA APPROVAL:**

- Shoeberg added Paul Brabec under Legal Reports.
- Higgins added Valley Paving.
- Higgins added Board of Review Training.
- Higgins added Planning Commission vacancies.
- Higgins added ordinances update.
- Higgins added financial reports for the annual meeting.
- Motion Fitzpatrick/2<sup>nd</sup> Kummer to approve agenda as amended. Motion carried.

Officer Stoffel Report - a total of 155 were issued in January. Thefts have been down. ATV complaints have been up - complainants can remain anonymous but leave enough information so Sheriff can contact them to get more information. Must have a valid driver's license to cross the road with ATV.

**CONSENT AGENDA APPROVAL:**

- Higgins pulled minutes.
- Motion Higgins/2<sup>nd</sup> Fitzpatrick to approve remaining consent agenda items as presented. Motion carried.
- Minutes - reviewed changes; inserted specific verbiage; spelling error.
- Motion Fitzpatrick/2<sup>nd</sup> Kummer to approve minutes as amended. Motion carried.

**HEARING DECISIONS:**

- None.

**PUBLIC COMMENT:**

- Joe Knapp - Eagles Watch - any update? Cara - requested info from Shamrock, received some info from Joe Knapp. Still need more from Shamrock (info on distribution system. Has requested again on 1/25/05. Has not heard back as of today. Cara has ¾ of the information needed. Shoeberg will contact Mr. Stanton tomorrow and request again. Once info is received she will complete a report.

**BUSINESS ITEMS:**

- Complaint 04-12 Commercial Business in Residential Area. Higgins reviewed complaint. Received complaint about a commercial business within a residential area on 122<sup>nd</sup> Street. Higgins contacted Dennis O'Donnell at Washington County. He was pretty adamant that a CUP not be allowed. Suggested an interim permit with the goal of phasing out over a very specific time period. Higgins contacted Meier as well and shared that information with him. Denmark also received a petition from the neighboring property owners (15) requesting that the area be restored to agriculture. Shoeberg - we don't have anything in our ordinances that would allow for an interim permit. Either they qualify for a CUP or they don't. Feels Township could have an agreement in the form of a resolution with Mr. Meier; this would not be a CUP. Kummer - would incorporating help in this matter? Yes and no because the business would not have to go to the County but our ordinances would have to support it as well. Kummer - supports a resolution to give a reasonable amount of time for him to find an alternative location for the business. Powers - what kind of conditions would apply to the business during this interim period? Mr. Meier made some suggestions at the last meeting. Shoeberg - suggests 2 board members have a meeting with both parties to come up with potential resolutions and come back to the full board with report/resolution. Kummer and Fitzpatrick both volunteered to meet with the parties. They will present a draft agreement at the March Board Meeting.

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- WMO Procedure. What authority does the WMO have? They can only make recommendations until rules are approved. Soil & Water has been reviewing for Washington County. Higgins - wants to make sure that money that was allocated from Denmark is not going to pay for these reviews. Fitzpatrick - money is being billed back to clients. Shoeberg - Each community will likely be asked to make changes to their ordinances once the WMO rules are in place. If the community does not want to change their ordinances, the WMO may change their rule accordingly - the goal is to be consistent. Denmark will have the ability to review/comment the WMO rules before they are final. Is there any obligation for the application to follow the WMO recommendation? Township Engineer may require one or all of the WMO recommendations as one of her requirements.
- Town Hall Mowing Bids/Township Ditch Mowing Bids. Kummer explained his minor changes to the 2 mowing bid legal notices. Motion Kummer/2<sup>nd</sup> Fitzpatrick to approve ads as amended and the letting of both mowing bids.
- Roads. Afton has bonded to blacktop all their gravel roads this summer. Denmark shares the maintenance of 60<sup>th</sup> Street between Neal and Oakgreen. Afton would like Denmark to blacktop this portion at an approximate cost of \$120,000. It is one of the least traveled roads within the Township. Cara - cost seems reasonable. Wondering what kind of financing Afton would consider. That road is way down on Denmark's need list. Kummer will follow through with Afton to see if they would cover Engineering costs, their financing options, etc. but explain that it is not a high priority for Denmark. Kummer has identified a couple of projects - overlaying Neal between 80<sup>th</sup> & 90<sup>th</sup> (most heavily travel gravel road); improving 110<sup>th</sup> Street east of St. Croix Trail; Neal between 122<sup>nd</sup> & 110<sup>th</sup>. Would like TKDA to come up with cost estimates for these projects. Cara - Neal is a top priority, 110<sup>th</sup> has really deteriorated in recent years. Motion Kummer/2<sup>nd</sup> Fitzpatrick to approve TKDA to prepare preliminary cost estimates for 2005 Road Projects.
- Potential Election Judges for March Township Election. Motion Higgins/2<sup>nd</sup> Fitzpatrick to approve list of potential election judges as presented. Motion carried.
- 2004 Township Reporting Form Approval. Motion Higgins/2<sup>nd</sup> Kummer to approve 2004 Township Reporting Form as presented. Motion carried.
- S&S Marine Escrow Account. Fritze seeking direction on how to collect escrow balance of \$328.40. Shoeberg recommends collecting money from Crystal Pierz Marine and have them collect from Mr. Bates. If they choose not to pay, Denmark may revoke the CUP. Kummer will pay a visit to Crystal and explain situation. If necessary we will draft a letter to them as well.
- Valley Paving. Shoeberg reviewed history of payment issue. Valley Paving is looking for some more money. Denmark's position has not changed.
- Ordinance Update. Chapters 1 - 4 presented in final draft format. Everyone to review as soon as possible.
- Board of Review Training. Higgins attended training. Certification is good for 3 or 4 years.
- Planning Commission Vacancies. Two terms are expiring - Grote and Moes. Positions are being advertised. Powers volunteered to assist with interviewing. Kummer may be available as well.
- Financial Report for Annual Meeting. Fritze to email once done.

#### **LEGAL REPORTS**

- Klopf - Shoeberg spoke with Judge; hopefully will have an answer soon.
- Suburban - Shoeberg handed out copy of motion that will be submitted this week.
- Rumpca - still trying to agree on an arbitrator that both sides are happy with. Mr. Clinton still has not informed Shoeberg if they are hiring an engineer.
- Brabec - Shoeberg has not heard anything on this. Time period is going to run out during February. Recommends denying unless an extension is received. Motion Fitzpatrick/2<sup>nd</sup> Higgins to deny Brabec application unless extension is received. Motion carried.
- Davison - they are still out of town.

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- Eagles Watch - Higgins - had requested a written opinion on the management of open space but has not received. Shoeberg will provide for the upcoming meeting.
- Incorporation - will have financial numbers from Kevin Corbid this week. Shoeberg will mail the different options for city set-up to the board.

**ADJOURNMENT**

- Motion Fitzpatrick/2<sup>nd</sup> Higgins to adjourn at 8:56 pm. Motion carried.

Tracy Fritze, Denmark Clerk/Treasurer