

DENMARK TOWN BOARD MEETING MINUTES  
April 2, 2012

**SUPERVISORS PRESENT:** Kathy Higgins, Steve Kramer, Jim Keller, John Kummer, Joe Moore

**ABSENT:** None

**STAFF PRESENT:** Attorney Troy Gilchrist, Engineer Ryan Stempski

**CALL TO ORDER:** Meeting called to order @ 7:02 PM by Chair Higgins

**AGENDA APPROVAL:** Higgins added CoC Application and Outstanding bill, Kummer added Ditch Mowing Quote. **Motion Moore/2<sup>nd</sup> Keller approval of agenda as amended. All In Favor. Motion Carried 5-0.**

**CONSENT AGENDA APPROVAL:** Claims pulled. Kummer added Claim #9832 Dennis Thurmes 200 gophers \$500.00. **Motion Moore/2<sup>nd</sup> Kramer approval of consent agenda items which include 03/05//2012 Board Meeting Minutes, Claims #9814-9832, EFT payments- PERA 206508, MN Revenue Tax 0037224960, Federal Tax 71063577, payroll ending 04/01/2012 and financial reports. All In Favor. Motion Carried 5-0.**

**HEARING DECISIONS/ZONING ACTIONS:** None

**PUBLIC COMMENT:** Denmark Township Historical Society. Wayne Boyd, President of the Historical Society addressed the Board and gave an update on the Society's progress regarding the purchase of the Valley Schoolhouse. Society is requesting that the Township participate in this endeavor in some way. Jim Keller appointed as liaison to Historical Society.

**BUSINESS ITEMS:**

**Election of Chair, Vice-Chair:** Keller nominated Higgins for Chair/Moore 2<sup>nd</sup>. **Motion Keller/2<sup>nd</sup> Moore to appoint Higgins as Chair. Voting Yes-Keller, Moore, Kummer, Kramer. Abstained-Higgins. Motion Carried 4-0.** Kummer nominated Keller as Vice-Chair/Kramer 2<sup>nd</sup>. **Motion Kummer/2<sup>nd</sup> Kramer to appoint Keller as Vice-Chair. All In Favor. Motion Carried 5-0.**

**Designate Official Newspaper of Record:** Currently Hastings Star Gazette, also Pioneer Press when directed by Board-electors recommended keeping same. **Motion Moore/2<sup>nd</sup> Kramer to designate Hastings Star Gazette, also Pioneer Press when directed by Board, as official newspaper of record. All In Favor. Motion Carried 5-0.**

**Designate Official Posting Place:** Currently Denmark Town Hall-electors recommended keeping same. **Motion Keller/2<sup>nd</sup> Moore to designate Denmark Town Hall as official posting place. All In Favor. Motion Carried 5-0.**

**Designate Official Bank:** Currently Vermillion State Bank. **Motion Moore/2<sup>nd</sup> Kramer to designate Vermillion State Bank as official Township Bank. All In Favor. Motion Carried 5-0.**

**Gopher Bounty:** Currently \$2.50 per gopher-electors recommended keeping same. **Motion Kummer/2<sup>nd</sup> Kramer to set gopher bounty at \$2.50 per gopher. All In Favor. Motion Carried 5-0.**

**Supervisor Salary:** Currently \$70.00 per meeting and \$300.00 per month chair-electors recommended keeping same. **Motion Moore/2<sup>nd</sup> Keller to set supervisor salary at \$70.00 per meeting and \$300.00 per month chair. All In Favor. Motion Carried 5-0.**

Date & Site of 2013 Annual Meeting- Tuesday, March 12, 2013 7:00 PM @ Denmark Town Hall.

DENMARK TOWN BOARD MEETING MINUTES  
April 2, 2012

**Town Hall Mowing Quotes:** Contract based on written quotes. Estimated contract value-\$1645.00 based on 3 yr avg. Quote from Precision Landscaping- \$200.00 per mowing, 1 or 3 years. Quote from Mabry Companies- \$120.00 per mowing, 1 or 3 years. **Motion Kramer/2<sup>nd</sup> Moore to award Town Hall mowing contract to Mabry Companies at a rate of \$120.00 per mowing, for a 3 year term, subject to execution of contract.**  
**All In Favor. Motion Carried 5-0.**

**Roads:**

**Ditch Mowing-** Contract made in open market. Estimated contract value-\$11,692.50 based on 3 yr avg. Quote from Tri-County Services-\$75.00 per hour. Tri-County mowed ditches in 2011 at same rate. **Motion Moore/2<sup>nd</sup> Keller to award ditch mowing contract for a 1 year contract term to Tri-County Services at a rate of \$75.00 per hour, subject to execution of contract.** **All In Favor. Motion Carried 5-0.**

**Dustcoat-** Contract based on written quotes. Estimated contract value-\$13,685.04 based on 3 yr avg. Quote from Envirotech (Dustcoating, Inc)-\$.728/gal. Quote from Luhman's Construction-\$.78/gal. Dustcoating, Inc. has applied Dustcoat to Denmark roads for a number of years. **Motion Moore/2<sup>nd</sup> Kramer to award 2012 Dustcoat contract to Envirotech(DCI) at a rate of \$.728/gal., subject to execution of contract.**  
**All In Favor. Motion Carried 5-0.**

**Gravel-** Contract based on written quotes. Estimated contract value-\$12,604.27 based on 3 yr avg. Quote from Rumpca-\$7.73/ton delivered. Quote from Bryan Rock-\$9.50/ton delivered. **Motion Moore/2<sup>nd</sup> Keller to approve purchase of gravel from Rumpca Excavating at a rate of \$7.73/ton delivered.**  
**All In Favor. Motion Carried 5-0.**

**Summer Road Maintenance-** Contract based on written quotes. Estimated contract value-1 yr \$13,799.67, 3 yr \$41,399.01-based on 3 yr avg. Quote from Wagner Grading-\$87.00 per hr 3 yr contract. Quote from Tri-County Svc.-\$78.50 plus \$2.00 per hr fuel surcharge for fuel over \$4.00/gal. Tri-County also submitted proposal for reclaiming of gravel on shoulder at \$85.00 per hr in conjunction with acquisition of the summer roads contract, or at \$100.00 per hr without the summer roads contract, if the Board so desired the reclamation. Gravel reclamation helps keep standing water off the road, puts 30 yds of gravel to the mile back on the road, reducing the cost and amount of new gravel purchase and facilitates ditch mowing as it reshapes the shoulder by eliminated the ridge on the edge of the road. Reclamation is done once in the spring and hasn't been done for a number of years. **Motion Moore/2<sup>nd</sup> Kramer to award summer maintenance contract made by written quotes to Tri-County Services at a rate of \$78.50/hr plus a \$2.00/hr fuel surcharge for fuel over \$4.00/gal. for a 3 year contract term, subject to execution of contract.** **All In Favor. Motion Carried 5-0.**

Gravel reclamation will be done according to roads supervisor direction.

Contractor will notify clerk in writing regarding billing rate that includes fuel surcharge and will reduce rate accordingly when fuel costs are under \$4.00/gal.

**Road Engineer Update:** Due to the joint purchasing program with Cottage Grove, Denmark is realizing a reduced unit price for 2012 crack sealing and street striping. Sealcoat bids will be opened 04/19/12 by Cottage Grove.

**Wetland Conservation Act:** SWWD is requesting entities within the watershed boundary to delegate LGU status to them. Draft resolution submitted for Board review. **Motion Keller/2<sup>nd</sup> Moore to adopt Resolution 2012-05 Resolution Regarding The Administration Of The Wetland Act Of 1991.** **All In Favor. Motion Carried 5-0.**

**HRFA Joint Powers Agreement:** Members of the Hastings Rural Fire Association include the Townships of Denmark, Vermillion, Nininger, Ravenna, Marshan and the City of Vermillion. Current Articles of Association and By-Laws were adopted in 1982. Gilchrist represents HRFA and recommended to HRFA Board that a JPA be adopted. The Association's representatives have been working on a Joint Powers Agreement to better reflect how the Association currently operates. Board reviewed draft agreement. Question re: length of the agreement. Attorney-agreement is perpetual, but provision included should a member wish to withdraw. Is there a monetary value/benefit the Town is receiving as

DENMARK TOWN BOARD MEETING MINUTES  
April 2, 2012

vs. if Town contracted directly with Hastings? Attorney- generally collective bargaining has greater negotiating leverage. Would the agreement allow the association to actively talk with other fire departments on behalf of the Township? Attorney-each member has options regarding withdrawal of parts or all of their territory. If the association does enter into a 5 year contract with Hastings, Hastings would have to agree to release a member from the contract. Release from the contract would not negate any financial obligations set in the contract. Liability- JPA is recognized by Insurers, league of cities and association of Townships and is insurable. Attorney's recommendation to the HRFA Board would be to obtain insurance. JPA would put Township in a position to limit Town's liability. **Motion Keller/2<sup>nd</sup> Moore to approve the HRFA Joint Powers Agreement as submitted.**  
**All In Favor. Motion Carried 5-0.**

**Nitrate Testing:** The Washington Co Dept of Health in partnership with the Washington Conservation District and the MN Dept of Agriculture will offer a free nitrate water-testing clinic at the Denmark Town Hall on June 4, 2012 from 4-7 PM. Clerk received Board approval to post information received from WCD and Sheriff Dept. on the website. Information will be sent out in a newsletter and posted on the website.

**O'Connor Prairie Grant Amendment:** The current state cost share contract for O'Connor's Park will expire on 09/30/2012. WCD is requesting the Town sign a cost-share assistance contract amendment extending the end date for the contract to 12/31/2012. Keller will contact Jyneen Thatcher at WCD regarding future work at the Park. **Motion Kramer/2<sup>nd</sup> Moore to authorize signature to amend the contract to extend the end date to 12/31/2012.** All In Favor. Motion Carried 5-0.

**Certificate of Compliance:** Received a CoC application for an Ag accessory Structure at Fresh Earth Farms- Oakgreen Ave. Applicant request is to put up a hoop structure for produce on the property. Process requires a 5 day waiting period for Board review via email. Board reviewed the application. **Motion Keller/2<sup>nd</sup> Moore to waive the 5 day application waiting period as the application has been reviewed by the Board.** Motion Carried 5-0.

**Outstanding Bill:** Outstanding bill owed to the Town. Discussion regarding Board process-Attorney recommendation to set up a process which includes noticing and certification of service charges on property taxes. Process would include Town sending a letter of notice to the applicant requesting payment be made with a deadline date. If necessary, follow up letter from attorney with notification of certification of service charges on property taxes, followed by resolution made by Board for certification of charges on property taxes. Attorney will draft appropriate letter forms.

**Road Tour:** On site road tour scheduled for Thursday, April 12, 2012 at 4 PM.

**Supervisor Portfolio Meeting:** Board portfolio workshop scheduled for Monday, April 16, 2012 at 5 PM.

**Legal Updates:** Attorney has drafted an application document for Special Events licensing. Attorney has incorporated the Special Events fees into the proposed ordinance amendments.

9:00 PM **Motion Moore/2<sup>nd</sup> Kramer to adjourn.** All In Favor. Motion Carried 5-0.

Becky Herman  
Denmark Township Clerk/Treasurer

Addendum Resolution 2012-05

DENMARK TOWN BOARD MEETING MINUTES  
April 2, 2012

**DENMARK TOWNSHIP  
WASHINGTON COUNTY, MINNESOTA  
Resolution No. 2012-05**

**A RESOLUTION REGARDING THE ADMINISTRATION  
OF THE WETLAND ACT OF 1991**

**WHEREAS**, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local governmental unit (LGU) to implement this law by adopting the rules and regulations promulgated by the Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation;

**WHEREAS**, BWSR is requesting notification of an LGU's decision adopting or excepting administrative responsibility for another LGU in accordance with Minnesota Rules, part 8420.0200, subpart 1.B, which requires each local government unit to acknowledge in writing to the BWSR that it is assuming its responsibilities under the WCA; and

**WHEREAS**, the LGU is responsible for following the WCA rules as stated in Minnesota Rules, part 8420.0200 and as otherwise provided in law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of Denmark Township hereby delegates the administrative responsibility as the LGU to South Washington Watershed District for the WCA for that area of the Township included within the boundary of the South Washington Watershed District within the guidelines as set forth by the WCA rules.

Adopted this 2<sup>nd</sup> day of April, 2012.

**BY THE TOWN BOARD**