

DENMARK TOWN BOARD MEETING MINUTES
September 2, 2008

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

ABSENT: Gary Dixon

ALSO PRESENT: Attorney Gilchrist, Engineers Geheren & Winter and Planner Thompson

CALL TO ORDER: Meeting called to order @ 7:43 PM by Chair Higgins

FIRE & EMERGENCY SERVICES: Mike Schutt, Hastings Fire chief gave a presentation on Fire and Ambulance Services being provided to Denmark Township. Information on the differences between Advanced Life Support & Basic Life Support, training requirements for staff, mutual aid agreements with surrounding communities, how insurance ratings are determined, statistics on Denmark's use of Fire & Ambulance services, etc. were discussed in detail. Information will be provided to the township for inclusion in future newsletters.

AGENDA APPROVAL: Motion Keller/2nd Kramer to approve agenda.

All In Favor. Motion Carried. 4-0

CONSENT AGENDA APPROVAL: Moore pulled the 08/04/08 minutes. Motion Keller/2nd Moore to approve balance of consent agenda which includes claims #8946-8964, PERA EFT 81887, payroll ending 09/01/2008 and financial reports.

All In Favor. Motion Carried 4-0

Corrections to 08/04/08 minutes. Town Hall mowing proposal: spraying @ \$295 per application, not acre. 2008 Street Projects: add resident's names to comments and add Moore comment on accuracy of road counts. WMO: Met Council has approved the LSCWMO plan amendment and the Denmark Township surface water management plan. Pulled Claims: regarding the motion on paying the ditch mowing claim, vote should reflect- voting for: Dixon, Kramer, Keller and Moore-voting against: Higgins. Motion Moore/2nd Kramer to approve the 08/04/08 minutes as amended. All In Favor. Motion Carried 4-0

HEARING DECISION/ZONING ACTIONS: NONE

PUBLIC COMMENT: Tony Sieben requested that the Board look into a weeds policy for the ditches in addition to the ditch mowing policy. George Stoffel stated that there were tree saplings growing in the ditches on Neal between 80th and 90th Streets.

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BUSINESS ITEMS:

2009 Levy Certification: Electors approved the following 2009 budget and levy recommendation at the 09/02/08 continuation of the Annual Meeting:

	ANNUAL BUDGET	GOV'T AIDS	OTHER REVENUE	FROM SAVINGS	CERTIFY LEVY	% BUDGET CHANGE	% LEVY CHANGE
GENERAL	153,875		36,361	0	117,514		
SALARIES	63,985	10,000	0	0	53,985		
ROAD & BRIDGE	547,150		17,500	300,000	229,650		
FIRE	124,838		400	0	124,438		
DITCH & TRASH	18,300		0	0	18,300		
PARK & REC	28,720		0	28,720	0		
2009 TOTALS	936,868	10,000	54,261	328,720	543,887	42.5%	6.9%

Motion Keller/2nd Kramer to certify the 2009 levy to the County in the amount of \$543,887 as presented. All In Favor. Motion Carried 4-0

Town Hall Mowing: Kramer reported that Precision Landscaping dropped their mowing rate from \$175 to \$150 per mowing.

Town Hall Acoustics: Board received information on sound testing based on the physical measurements and pictures of the Town Hall which were sent to Aurolex Acoustics.

Motion Moore/2nd Kramer to purchase (16) acoustic panels from Dascom Company in the amount of \$2487, per their proposal, and to authorize Kramer to make arrangements for installation and freight charges, not to exceed \$1200. All In Favor. Motion Carried 4-0

Rumpca-Engineering Update:

Location of erosion control pond- Engineer Geheren indicated that the proposed location of the erosion control pond is the appropriate location for where it should be, downstream from the excavation area. Additional erosion control measures will need to be put in place once excavation begins in the site. Pete Young from the Conservation District has also reviewed the plan and found it to be appropriate. Board consensus is that proposed location for the erosion control pond is appropriate.

Location of crusher- proposed location would just be the starting location. Engineer Winter indicated that this would be the appropriate location for best screening purposes. Once excavating begins, the crusher would begin to move into the site. Attorney stated that the CUP indicates that the Board shall approve the location of the crusher. Criteria for crusher location includes screening of operation, equipment placed at lowest elevation in order to be as far away from neighbors property as possible and equipment placement done to minimize the impact upon surrounding neighbors. Kramer noted that the proposed crusher location, road to the crusher and excavation site would be a change from the original plans. Engineer Winter indicated that the road change would require tree removing and flattening of the hill. Engineer Geheren stated that Rumpca acknowledged these were changes from

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the original plans and would comply with the Board's directives. Board consensus that crusher location remains as proposed in original plans as submitted on the original site plans and environmental assessment report.

Motion Keller/2nd Kramer to approve the original proposed crusher site near the end of the installed haul road and authorizing staff to provide future approval for crusher site relocation as needed provided they meet with the requirements of the Conditional Use Permit. All In Favor.

Motion Carried 4-0

Keller addressed the issue of not seeing actual erosion control, landscape and reclamation plans. Higgins suggested engineer contact the County on their handling of these issues. Board directed the engineer and attorney to work on the following plan issues: erosion control, landscape and reclamation plans. Also to be identified are specific items which need to be in place during the administration of the conditional use permit.

Per the Denmark Township/Rumpca Excavating settlement, all claims which have been or could have been raised are dismissed with prejudice without an award of damages, attorney's fees or costs to either side. Therefore, after reviewing each charge regarding the Rumpca account with the Town, the amount that should be dismissed is \$29,914.26. The balance on the account in the amount of \$976.04 to date, will be billed to Rumpca Excavating, and reflects costs associated with the administration of the 01/28/2007 Amended Conditional Use Permit.

Motion Higgins/2nd Keller to write off \$29,914.26 from the Rumpca account and to bill the account balance of \$976.04 to date to Rumpca Excavating. All In Favor. Motion Carried 4-0

Ballot Question Language Approval: Attorney has approved and submitted the following title and question for Board approval regarding the Town question which will appear on the November 2008 ballot:

**TOWN QUESTION
WHETHER TO MOVE THE
TOWN ELECTION TO NOVEMBER**

Shall the Town of Denmark conduct its general elections on the First Tuesday after the first Monday in November of even numbered years?

Motion Kramer/2nd Moore to approve the title and language of ballot question as submitted. All In Favor. Motion Carried 4-0

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Engineering-Staffing Recommendations: Engineer Geheren submitted resumes for both Senior (\$118 hr) and Graduate Engineers (\$68 hr) for Board review. Engineer Winter has had experience with street and utility reconstruction, permit and private development reviews and general engineering tasks. Winter expressed enthusiasm for the opportunity to work with the Town. Board consensus to have TKDA Graduate Engineer Chris Winter work as Denmark project engineer with back up from Town Engineer Cara Geheren. Board thanked Engineer Geheren for her services.

Schedule Board of Canvass: Board of Canvass scheduled for 11/05/2008 @ 6:00 PM.

WMO: WMO passed resolution approving Cottage Grove surface water management plan. Future of WMO is in discussions, at Afton's request. Keller and Higgins will keep Board informed of options.

Snaza/Rase/suburban: 30 day CUP non compliance notice sent out. Bob Alsop (Kennedy Graven) will file motion for court revocation of the CUP, prohibit the operation of business at the site, clean up of property, confirm use of the \$2500 enforcement fund, awarding of attorney costs and clarification that owner cannot reapply for a CUP for the property for 2 years and get Judge's clarification on allowed uses of the property. Board consensus to proceed with enforcement process.

St. Croix Ridge: Engineer found no written approval on revising the required conditions of the Development Agreement. Regarding paving, Riegel is proposing that the Town release him from the Development Agreement in exchange for the \$23,738 Letter of Credit, or give him additional time. Attorney recommends no agreement release and indicated that the Town has the following options: give Riegel additional time, use Letter Of Credit funds for road work, utilize a court order, or use Letter Of Credit and assessment for wear course and pond. Attorney and Engineer will continue working on the outstanding issues.

11:17 PM **Motion Kramer/2nd Moore to adjourn.** All In Favor. Motion Carried 4-0

Becky Herman
Denmark Township Clerk/Treasurer