

DENMARK TOWN BOARD MEETING MINUTES
JUNE 6, 2005

SUPERVISORS PRESENT: Kathy Higgins, Gary Dixon, and Jim Keller

ABSENT: Jim Fitzpatrick and John Kummer

OTHERS PRESENT: Attorney Shoeberg, Engineer Geheren

CALL TO ORDER: Meeting called to order at 7:10 PM by Chair Keller

CONSENT AGENDA APPROVAL: Keller pulled May Board Minutes to correct a date. Motion Dixon/Higgins 2nd to approve remainder of consent agenda. Motion carried. Discussion of Board Minutes. Keller questioned 5/5/05 date Shoeberg presented to Board for review (St Croix Valley Trail Draft resolution). Date is correct and stands uncorrected. Higgins added Road bids to agenda.

Engineer directed by Board to open and read Road bids:

Ace Blacktop-\$189,915.00 included Bid Bond and Addenda Acknowledgement.

Bituminous Roadways-\$197,722.50 included Bid Bond. No Addenda Acknowledgement.

Hardrives-\$199,899.10 included Bid Bond and Addenda Acknowledgement.

McNamara-\$218,597.00 included Bid Bond and Addenda Acknowledgement.

Midwest Asphalt-\$199,676.00 included Bid Bond and Addenda Acknowledgement.

Tower Asphalt-\$189,710.00 included Bid Bond and Addenda Acknowledgement.

HEARING DECISIONS/ZONING ACTIONS:

Afton Apple Amended CUP. Higgins gave report from Planning Commission. Planning Commission recommended approval of Amended CUP subject to conditions.

Public comments-Valda VanAlstine: feels this is a well-managed business and they keep neighbors well informed of Business activity. Keller questioned wouldn't catering and a bakery fall into a commercial zone and not in an Ag area. Dixon stated he thought bakery and catering activities possibly be for the future and not right now. Femling-believes wedding Business would go hand in hand with orchard and may do bakery and catering at some time but wants to be covered for future activities. Norm Strohfus: urges Board to approve Amended CUP and not to nit pick details so as not to set ourselves up for future litigation as Business would be covered by licensing statutes. Higgins- believes the business is seasonal business. Recollection of why Board required amended CUP application was to assure codes were followed for health & safety, adequacy of parking facilities, toilet facilities, fire safety, etc. Supports approval of Amended CUP. Keller-Catering and Bakery and up to 50 events a year is different than the original 12 events. This changes the original scope of things. Higgins- understood projections to be long-range to prevent necessity of applicant coming back for another amended CUP. Motion Higgins/2nd Dixon to approve the Amended Conditional Use Permit subject to the following:

1. All facilities, equipment and food preparation shall meet applicable County and State regulations and be as permitted by Washington County.
2. Applicant obtain/maintain all applicable food licenses from Washington County.
3. Sales/event building occupancy not exceed 299 people unless appropriate permits and building Code provisions are met for greater occupancy levels.
4. Washington County will need to review and comment on the safety of the driveway access points to/from 90th Street for the business use. Traffic conditions should be monitored on a regular basis and the applicants be responsible for making traffic safety improvements as directed by Washington County.

Motion carried.

Specialized Acres 2nd Addition. Higgins gave report from Planning Commission. Planning Commission recommended approval of Major Subdivison subject to conditions. Requested that Board review staff recommendation requiring blacktop on temporary cul-de-sac. Discussed with engineer. Board concurred that temporary cul-de-sac should be gravel surface. Motion Higgins/2nd Dixon to approve Major Subdivision subject to the following:

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1. The existing temporary cul-de-sac on Margo Avenue be removed in conjunction with the extension of the cul-de-sac.
2. Final grading, drainage, erosion control and street plans be as approved by the Township.
3. The applicants enter into a development agreement with the Township to cover public improvements.
4. Wells and septic sites be as approved and permitted by Washington County.
5. Gravel surface acceptable for temporary cul-de-sac.

Motion Carried.

Zoning Ordinance Amendment/Accessory Structure. Planning Commission recommended approval of Ordinance Amendment changing acreage requirement from 10 acres to 5 acres and allowing a farmstead to keep existing structures. Attorney explained changes in ordinance. Motion Dixon/2nd Higgins to approve Ordinance Amendment. Motion carried.

PUBLIC COMMENT: Pat and Anna Quinn-Currently have a business in Auto Repair and have an interest in the Suburban property for their business. Inquired how to proceed. Attorney told them to first find out who actually owns the property and then apply for a conditional use permit. Frank Femling-Would like to know when the Ordinance Reviews will be completed. He is waiting to proceed.

BUSINESS ITEMS: Cara reviewed bids. Low bidder Tower Asphalt. Motion Higgins/2nd Dixon to award bid to Tower Asphalt in the amount of \$189,710.00. Motion carried.

Davison Cartway-Attorney explained the options. One going over the current driveway, and the other would be parallel. Motion Higgins/2nd Dixon to direct Shoeberg to write letters to all parties explaining the options. Motion carried. Higgins requested copies of letters sent to both Davison & Skow.

Town Hall Painting-Keller suggested advertising for bids to paint Town Hall. Dixon would like to contact contractor and hold him accountable for work. Dixon asked attorney for assistance. Shoeberg stated Sentence to Serve painted this building before and they may do it for free. Higgins believes contractor should be held accountable. Keller has been trying to contact contractor for a year or so. Keller checked with Sherwin Williams and they never sold paint for this building. Keller and Dixon to follow up.

LEGAL REPORTS:

Klopf-nothing new

Suburban- Attorney sent letter to Suburban establishing deadline of Wednesday, 06/08/05 for completion of cleanup. Attorney to update Board members of status as of Wednesday deadline. Higgins requested copy of deadline letter for township files.

Rumpca-Arbitration hearing held May 24th with arbitrator. Decision expected within two weeks. Higgins received request from resident regarding notification of arbitrator's decision. Board agreed that outcome would be posted at Town Hall. Higgins inquired if Township would receive written decision from arbitrator. Shoeberg said yes.

Attorney brought to Board's attention that minutes had not been approved when they were pulled. Motion Keller/2nd Higgins to approve minutes. Motion carried.

Higgins asked for authorization for Clerk to register for classes as determined appropriate to meet Township needs. Motion Higgins/2nd Keller to approve further training up to a cost of \$200.00. Meeting reimbursement to be included. Motion carried. Keller noted he wants Newsletter discussion at next Board meeting. Peg Powers gave proposed schedule for Website updates to Board.

8:15 pm: Motion Keller/2nd Dixon to adjourn. All in favor. Motion carried.

Becky Herman
Clerk/Treasurer

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