

DENMARK TOWN BOARD MEETING MINUTES
February 1, 2010

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

ABSENT: Joe Moore

STAFF PRESENT: Attorney Gilchrist

CALL TO ORDER: Meeting called to order @ 7:06 PM by Chair Higgins

AGENDA APPROVAL: Higgins added sunken boat and charitable gambling request. **Motion Dixon/2nd Keller to approve agenda as amended. All In Favor. Motion Carried 4-0.**

CONSENT AGENDA APPROVAL: Higgins pulled claims for approval. **Motion Keller/2nd Kramer to approve balance of consent agenda which includes 01/04/2010 Board minutes, PERA EFT 128564, payroll ending 02/01/2010 and financial reports. All In Favor. Motion Carried 4-0.**

Pulled Claims-clerk submitted additional claim (#9323) for MN NCPERS Life insurance in the amount of \$16.00. **Motion Keller/2nd Dixon to approve payment of claims #9303-9323. All In Favor. Motion Carried 4-0.**

HEARING DECISION/ZONING ACTIONS: None

PUBLIC COMMENT: Resident inquiry on information regarding Town ordinances and policies on dog kennels/boarding.

BUSINESS ITEMS:

Animal Humane Society: Animal Humane Society is requesting Town enter into an agreement regarding Impound Housing Services for 2010. Attorney recommended a more formal agreement and submitted draft agreement for Board review. **Motion Keller/2nd Kramer to approve Animal Impound Housing Services Agreement as submitted by Legal. All In Favor. Motion Carried 4-0.** Dixon will deliver agreement to Animal Humane Society.

Red Rock Corridor: Keller reported that the corridor is advancing. Plan is for a 30 mile transportation corridor originating in Hastings and travelling through the union depot in St. Paul and on to downtown Mpls.

Code Enforcement: Ongoing inspections on residential property regarding code enforcement. Owner is working with Inspector to clean up property.

Planning Commission Interviews: There is one vacancy on the Planning commission (Pat Liligren). The position has been advertised. Deadline to apply is 02/25/10. Interviews will be scheduled at the 03/01/10 Board meeting.

Sunken Boat: Update re: sunken boat in St Croix River. Information received by Town indicates that the Corp Of Engineers, DNR and County do not appear to have concerns regarding boat. EPA has removed hazardous materials on the boat.

Charitable Gambling Request: Ruffed Grouse Society has requested Board acknowledgement of charitable gambling at The Point on 03/29/2010. **Motion Kramer/2nd Dixon to approve Ruffed Grouse Society for gambling permit as submitted. All In Favor. Motion Carried 4-0.**

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Board Of Audit: Present- Supervisors Higgins, Keller, Kramer and Dixon. Absent- Supervisor Moore. Clerk submitted receipt and disbursement registers totaling \$580,092 in revenues and \$423,633 in expenditures for 2009. Year end account balances submitted as follows: checking account-\$114,669.19, general savings account-\$604,902.81, Cable Restricted account-\$5002.50 and Park/Recreation Restricted account-\$237,527.95. Total monies \$962,102.45. Statement of Receipts, Disbursements and Balances (Schedule 1) for all Township accounts and account balances for the year ending 12/31/2009 were entered into the record.

Check range for all checks disbursed 01/01/2009 through 12/31/2009, #9554 through #9833.

Board pulled the following claims at random for review:

Check #9555 Claim 9056 Approved 01/05/09 Claimant- XCEL Energy
Check #9957 Claim 9071 Approved 01/05/09 Claimant- MN Dept. Of Revenue
Check #9627 Claim 9117 Approved 04/06/09 Claimant- QWest
Check #9654 Claim 9141 Approved 05/04/09 Claimant- Steve Herman
Check #9730 Claim 9201 Approved 09/08/09 Claimant- Rivertown Newspaper Group
Check #9762 Claim 9229 Approved 10/05/09 Claimant- Sentry Systems
Check #9777 Oct Payroll Approved 10/05/09 Claimant- Kathleen Higgins
Check #9831 Dec Payroll Approved 12/07/09 Claimant- Becky Herman

Motion Keller/2nd Dixon to approve claims audited during the Board Of Audit. All in Favor. Motion Carried 4-0

Motion Keller/2nd Kramer to approve 2009 receipt/disbursement reports (\$580,092 in revenues and \$422,633 in expenditures) and 2009 year end account balances totaling \$962,102 as submitted. All In Favor. Motion Carried 4-0 Financial reports will be submitted for the annual meeting.

LEGAL REPORTS:

Herman Lot Line Adjustment: County is requiring Gordon Herman Lot Line Adjustment to adjust property description to include small portion of parcel to be consistent with old survey. Attorney submitted draft amendment for Board review. **Motion Keller/2nd Dixon to approve amendment to the Gordon Herman Lot Line Adjustment amending the survey (exhibit A) and the property description (exhibit D) as submitted by legal. All In Favor. Motion Carried 4-0.**

Attorney will get amended document to surveyor for applicant signature. Chair and Clerk to sign.

Updating Ordinances: Attorney and Planner continue to review and update ordinances.

8:30 PM **Motion Dixon/2nd Keller to close meeting and go into closed session under attorney-client privilege (13D.05) to discuss BWSR litigation. All In Favor. Motion Carried 4-0.**

9:15 PM **Motion Kramer/2nd Dixon to reopen Board Meeting. All In Favor. Motion Carried 4-0.**

Report on closed session regarding BWSR litigation. The closed session was attended by Board Supervisors; Keller, Kramer, Dixon and Higgins and also Town Attorney Gilchrist. Board received updated information and discussed the matter in litigation with Attorney Gilchrist. The closed session was held for the purpose of meeting with the Town's attorney pursuant to the attorney-client privilege under Minn. Stat. § 13D.05, subd. 3(b) to discuss matters related to the current litigation in Denmark Township and City of Cottage Grove v. Minnesota Board of Water and Soil Resources, Valley Branch Watershed District, South Washington Watershed District and Dan Belka.

9:17 PM **Motion Dixon/2nd Kramer to adjourn. All In Favor. Motion Carried 4-0.**

Becky Herman
Denmark Township Clerk/Treasurer