

DENMARK TOWN BOARD MEETING MINUTES  
February 6, 2006

**SUPERVISORS PRESENT:** John Kummer, Kathy Higgins and Jim Keller.

**ABSENT:** Jim Fitzpatrick and Gary Dixon

**OTHERS PRESENT:** Attorney Shoeberg, Engineer Geheren

**CALL TO ORDER:** Board Meeting called to order at 7:00 PM by Chair Kummer.

**AGENDA APPROVAL:** Keller added mowing contract, Trash Hauling and Meier. Higgins added Town Hall Use. Attorney added Homestead Estates. Kummer deleted MnDOT Road Weight Project. Motion Higgins/2<sup>nd</sup> Keller to approve Agenda as amended. Motion Carried.

**CONSENT AGENDA APPROVAL:** Motion Keller/2nd Higgins to approve Consent Agenda. Motion Carried.

**HEARING DECISIONS/ZONING ACTIONS:** **Denmark Township Ordinances.**

Kummer reviewed issues identified at the 1/23/06 Public Hearing.

1. Ditch slope: Engineer not comfortable with 1:5 slope. This would spill out of the Right of Way. Engineer would support 1:4 slope. Kummer would support maximum 1:4 and shallower where allowed, for mowing and maintenance safety. Referencing page 3-23 section 10.1 (4), Board consensus-1:4 back slope.
2. Gravel (class 5 vs. class 2): Engineer not opposed to allowing both. Kummer not opposed to allowing both under pavement, but not on a gravel road. Referencing page 3-23 section 10.1 (5), 100% crushed limestone will be deleted.

Board noted various printing errors in the draft. Planner confirmed map is accurate.

Motion Higgins/2nd Keller to adopt ordinances as amended.

Ayes: Keller, Kummer, Higgins Nays: None

Motion Keller/2nd Higgins to approve summary for publication.

Ayes: Keller, Kummer, Higgins Nays: None

**PUBLIC COMMENT:**

Susan Horn: Inquired of provisions in the new ordinances that secured open space. Open space has conservation easement and options of who holds the easement. Options include Homeowner, individual, non-profit and combination. Board determines which option is used on a case by case basis.

**BUSINESS ITEMS:**

**TH 95 Report:** Kummer and Geheren attended MnDOT meeting which addressed 20-30 year future plans for Highway 95. MnDOT's plan is for TH95 to be a 4 lane minor arterial road, and they would like a general consensus of identifying their Right of Way need. Another meeting has been set for 2/22/06-Kummer and Geheren will report on information gathered.

**Denmark Road Maintenance:** Road contract with Wagner Service expired on 2/6/06. In order to not have the next contract expire in the winter, the Township would need to hire a contractor now, to operate on a monthly basis. Gordon Herman will maintain the Township roads at an hourly rate of \$65 an hour. In March we will advertise for bids. In April we will award the bid. Contract will be effective May, and run for 2 or 3 years. Motion Higgins/2nd Keller to approve temporary contract with Gordon Herman at \$65 an hour. Motion Carried unanimously.

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**Featherstone Escrow Balance Refund:** Bruce Featherstone requested release of Escrow balance. The site was visited by John Kummer and TKDA. They noted that the County has allowed the guardrail to be modified which has improved accessibility somewhat. However, based on the property iron that was located in the field, it does not appear that the driveway meets the 5' minimum side yard setback. In addition it is not clear that the property can be readily accessed by emergency vehicles. Trees and brush remain piled up down the hill. At this point in time, it is unclear what options are available to resolve these issues. At a minimum, the exact location of the property line should be determined and adjustments made, if possible, to ensure that the driveway meets the side yard setback. The trees should be removed from the hillside and appropriate erosion control measures established. Mark Holmes (fire dept.) visited the site and looked at the access for emergency vehicles. Driveway as it is now not acceptable. Recommends 16 ft width and 13 ft height clearance. Applicant should show that driveway can support a minimum of 55,000 lbs. Concerned about emergency vehicles ability to turn into driveway. Washington County issued the permit and approved an 8 foot width. Discussion re: communicating with County about township driveway standards. Featherstone states distance from edge of retaining wall to property line is 17.5 feet. Consensus that property lines need to be identified and certified. Attorney to check with Joe Lux (Washington County) and Mark Holmes.

**Reynolds Driveway Access:** Attorney presented sketch of 2004 approved and current proposed easement. Reynolds is requesting to use New driveway access off of St. Croix Trail over Xcel easement rather than access Board had previously approved. Xcel has approved proposed new driveway on their easement. Higgins requested written statement that only 2 homes on entire Reynolds property would be allowed to use the driveway. Kummer requested guarantee that the County is okay with it. Board requested copies of old survey, updated survey and all correspondence pertaining to new proposal. Attorney to provide to Township.

**Approve Potential Election Judges:** Clerk submitted the following list of potential election judges for the March 14, 2006 election, for Board approval: Marilyn Suchy, Jeannine Wagner, Bill Krueger, Jean Boyd, Lyla Davies, Anna Quinn and Bob Woodford. Motion Keller/2nd Higgins to approve potential judge list as submitted. Motion Carried unanimously.

**Town Hall Rental-Historical Society:** Bill Krueger requested Board to waive the rental fee for Denmark Township civic groups such as the Historical Society and Denmark 4-H groups. Motion Keller/2nd Higgins to modify current policy to waive rental fee for Denmark Township Historical Society and local 4-H groups. Motion Carried unanimously.

**Emergency Preparedness:** Moved to March Agenda.

**WMO Rules Steering Committee meeting report:** Geheren and Higgins represented Denmark at WMO Steering Committee Meeting. Engineer submitted report with overview and recommends scheduling workshop with Board to discuss and come up with direction/policy recommendation back to WMO.

**Board of Audit:** Clerk submitted 2005 budget reports showing receipts totaling \$610,428 and disbursements totaling \$535,326. Summary financial information to be prepared for submission at annual meeting. Actual receipts and disbursements registers submitted for the record.

Board pulled the following claims at random for review:

Check #8150	Claim #7919	Amt \$261.38	Claimant-Wash. County	Approved 01/04/05
Check #8180	Claim #7940	Amt \$947.22	Claimant- Ingraham	Approved 02/08/05
Check #8338	Claim #8073	Amt \$124.17	Claimant- Barton	Approved 07/12/05

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Check #8345 Claim #8080 Amt \$6209.80 Claimant- Dustcoating Approved 07/12/05  
 Check #8400 Claim #8119 Amt \$305.64 Claimant- Xcel Energy Approved 09/13/05  
 Check #8488 Claim #8189 Amt \$150.00 Claimant- Postmaster Approved 12/06/05  
 Check # 8150 to Washington County was less than attached invoices. Clerk directed to investigate payment amount.

Motion Higgins/2nd Keller to approve receipts/disbursements information and claims audited (pending report) during Board of Audit. Motion carried.

**Mowing Contract:** Keller requested new mowing contract to include tree trimming. Current contract is a 3 year. No action to be taken until current contract expires.

**Trash Haulers:** Keller inquired re: status on trash hauling licenses and fees. Just received copies of existing hauler's licenses from attorney's office. Will compare to current haulers. Higgins reported that internal policy needs revision and that Township is in process of revising. Need to put in place mechanism for collection of annual fees. Higgins will report on progress.

**Homestead Estates:** Frank Femling requested final plat approval. Board consensus was that too many changes have been made since the original plat and Board would like to review. Special meeting to review Planner's report, Engineer's report and Development Agreement will be scheduled, subject to completion of all materials requested for review.

**Town Hall Use Policy:** Clerk received a request to rent the Town Hall for a political campaign. Current policy allows for civic and non-profit use, and does not allow for Commercial use. Board stated a political campaign would be considered commercial. Board agreed to keep policy as is and not allow political use at any level.

**LEGAL REPORTS:**

**Suburban:** Attorney inspected outside of building. Locks were on the gate. Some items of personal property were there. Attorney will reinspect property with Sheriff this week.

**Rumpca:** No decision on non binding arbitration has been made.

**117th Street Plat:** Attorney met with Dwyer. Brought sketches for Board review. Public hearing for platting 117th and Osprey could be in March.

**Meier:** Attorney has not heard from Meier's attorney. Township has not received signed agreement. Kummer will try to contact Meier.

Board reviewed Outstanding Items List.

Board scheduled workshop meeting for LSCWMO review and Homestead Estates review- February 15, 2006 at 6:00 PM.

Motion Keller/2nd Higgins to adjourn. Motion Carried. Meeting adjourned at 9:55 PM

Becky Herman  
Clerk/Treasurer