

DENMARK TOWN BOARD MEETING MINUTES  
March 5, 2007

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

**Also Present:** Attorney Troy Gilchrist

**Absent:** Joe Moore

**CALL TO ORDER:** Meeting called to order @ 7:00 PM by Chair Kummer.  
Sheriff's office submitted Township violation report.

**AGENDA APPROVAL:** Higgins added Comp Plan. Kummer re-ordered agenda items to accommodate residents in attendance waiting for certain business items. **Motion Keller/2nd Higgins to approve the agenda as amended.** All in Favor. Motion Carried.

**CONSENT AGENDA APPROVAL:**

**Motion Keller/2nd Higgins to approve consent agenda.** All in Favor. Motion Carried.

**HEARING DECISION/ZONING ACTIONS: REISSNER VARIANCES**

Jim/Jean Reissner proposing new construction of a 3 bedroom cabin and a garage to replace the existing cabin at 15335 110<sup>th</sup> Street Lane South. Reissners are requesting variances from the following: Lot Size, Public Road Frontage, Front Yard Setback, St. Croix River High Water Level Setback, Buildable Area and Slopes 12% or Greater. Higgins reported that at the public hearing, architect Knutson had stated that plans had been submitted to Dennis O'Donnell (Washington County) and Molly Shodeen (DNR). Architect stated that all suggested changes from Washington County and DNR had been incorporated into current plans. Board in agreement with Planning Commission recommendation.

**Motion Higgins/2<sup>nd</sup> Dixon to approve the following variances for the Reissner Cabin:**

**Lot Size, Public Road Frontage, Front Yard Setback, St. Croix River High Water Level Setback, Buildable Area and Slopes 12% or Greater, based on the following findings:**

- 1. The subject property cannot be redeveloped for residential use without the variances.**
- 2. The lot size, buildable area, and road frontage are unique conditions of the property due to the size and dimensions of the existing lot.**
- 3. There is no portion of the lot that would allow for a structure conforming to the front yard and OHW setback requirements.**
- 4. The proposed garage location is the only feasible location on the site, and necessitates excavation into the slope of 12%.**
- 5. The proposed cabin replaces the existing cabin and decreases impervious surface. Granting of the variances would not cause alteration of the essential character of the locality.**

**And subject to the following conditions:**

- 1. That the cabin, garage, and associated improvements are made consistent with the plans dated December 21, 2006.**
- 2. That the exterior of the cabin and garage be earth or summer vegetation tones.**
- 3. That the existing storage building be removed.**

DENMARK TOWN BOARD MEETING MINUTES  
March 5, 2007

4. **That all of the existing trees on the site are preserved, and that disturbed land is seeded, sodded, or landscaped with vegetation after construction.**
5. **That the silt fence be established (as shown on the grading plan) prior to the Applicant's commencing construction activities, and the silt fence be maintained throughout the duration of construction until turf has been established.**
6. **That the Applicant submits a detailed grading plan for review in conjunction with the issuance of a building permit.**
7. **That a permit from Washington County Department of Health and Environment be obtained for the sewage treatment system.**

All in Favor. Motion Carried.

**PUBLIC COMMENT:** NONE

**BUSINESS ITEMS:**

**Charitable Gambling:**

Mike Brown is requesting approval for charitable gambling by Missi-Croix Grouse Society at the Point on 03/26/07. **Motion Higgins/2<sup>nd</sup> Dixon to approve Missi-Croix Grouse Society Charitable Gambling at the Point.** All in Favor. Motion Carried.

**TKDA Planning Services Agreement:** Attorney has reviewed the contract and needs to make some changes. Will have ready for Board review in April.

**Resolution 2007-03 Animal Control Fee:** Board reviewed Resolution 2007-03, a resolution establishing a fee of \$75 charged to the owner of a picked up dog. **Motion Dixon/2<sup>nd</sup> Keller to adopt Resolution 2007-03, a Resolution Establishing Fees Related To The Regulation And Keeping Of Dogs.** All in Favor. Motion Carried.

**Tax Forfeited Parcel:** Township acquired a tax forfeited parcel of land on Pt. Douglas Drive in 2003. State has requested a statement from the Township that the property is being used as stated in the deed. Attorney reported that within 3 years from the conveyance, the Township must put the land to use as either a park or trail corridor, purchase it at the present appraised value as determined by the County Board (market value \$7800 and lot is unbuildable) or reconvey it back to the State. **Motion Keller /2<sup>nd</sup> Higgins to direct Attorney Gilchrist to draft a resolution to reconvey the parcel back to the State.** All in Favor. Motion Carried.

**Water Contamination:** Higgins reported on concerns by Township residents on water contamination. Discussion Re: Township well testing. Keller reported that the Town Hall well was tested on 01/29/07 for 7 of the PFC chemicals including PFPA and there was no detection of contamination. Keller will review costs of well testing and information from MN Dept. of Health, and serve as the Board member responsible for keeping current on recent groundwater contamination reports.

DENMARK TOWN BOARD MEETING MINUTES  
March 5, 2007

**Planning Commission Vacancy Appointment:** Higgins reported that one application was received for the Planning Commission vacancy (Pat Lilligren). Application was received after the deadline. Board options; to appoint current applicant or to re-advertise the position. **Motion Keller/2<sup>nd</sup> Dixon to reappoint Pat Lilligren to the Planning Commission.**  
**Ayes: Higgins, Dixon and Keller Nays: None Abstain: Kummer**

**PA System:** Dixon reported he has received an estimate of \$970 for a hearing assist kit. The kit has one receiver and 4 personal transmitters which tie into the existing audio system at the Town Hall. Dixon will report to residents at the annual meeting for feedback.

**WMO Update:** WMO set up steering committee meeting to discuss proposed rules. Approved additional funds for additional work by EOR on rules. Also approved an increase in funds for a new water monitoring program. Concern expressed about additions to current year activity of unbudgeted items. The original Joint Powers Agreement specified that Denmark would pay the Hastings share of the WMO Budget. Cost to Denmark for this has been in excess of 19,000 for the first three years. Board in support of attempting to renegotiate this portion of the Joint Powers Agreement so that this cost for the Hastings piece of the budget would be allocated equally to Afton, Cottage Grove & Denmark. Discussed Administrative portion of WMO Budget, which is being allocated on a formula basis resulting in Denmark paying 67% of Administration costs. Board consensus that since all three cities need the Administrative services and benefit from them, the Board would prefer that the cost is allocated equally. Attorney stated that the Joint Powers Agreement states that the terms of the agreement can be renegotiated. Keller and Higgins will propose to the WMO Board that these items be considered and request that the JPA be re-negotiated.

**Web Page:** Discussion on options for website. Township is in need of more space on site. Current server host Qwest is unable to supply more. Keller suggested that RFP's be let to obtain services of someone for the web page. To bring suggested RFP to April Board Meeting for consideration.

**Comp Plan Update:** Board authorized TKDA to put together a scope of work, cost estimate, and suggested processes for completing the required update. Keller would like survey put out again. Higgins reported that Planner was unable to attend this month's meeting to present his proposal. Update moved to April Agenda.

**Request for applicants for the Washington County Groundwater Advisory Committee:**  
Keller is interested and will make application for appointment.

**Proposed Ordinance Amendments:** Attorney directed to draft language for proposed ordinance amendments discussed last month, to be submitted to Planning Commission for a public hearing.

**Motion Dixon/2<sup>nd</sup> Higgins to adjourn.** All in Favor. Motion Carried.  
Meeting adjourned at 9:16 PM.

Becky Herman  
Denmark Township Clerk/Treasurer