

**Denmark Township Annual Meeting  
March 8, 2005**

**Call to order:** Meeting called to order at 8:05 p.m.

**Pledge of Allegiance:** Pledge of Allegiance said.

**Select Moderator:** It was moved and seconded to have Steve Herman as moderator for the annual meeting.

**Read 2004 Annual Meeting Minutes:** 2004 Annual meeting minutes were reviewed by the public rather than read aloud. Al Gorgus moved to accept the Annual Meeting Minutes of 2004. Greg Schmidt. 2<sup>nd</sup>. Motion carried.

**Gopher Bounty:** (currently at \$2.50) Steve Biscoe moved to leave gopher bounty at \$2.50. Gordon Herman 2<sup>nd</sup>. Motion carried.

**Legal Paper:** (currently Hastings Star Gazette) Tony Seiben moved to leave the Hastings Star Gazette as Denmark Township's legal paper. Jim Herman 2<sup>nd</sup>. Motion carried.

**Conditional Use Permit Review:**

- Keller reported on a problem with lights shining into residents' homes from a business located on Hwy. 61. He said the problem would be taken care of.
- Shoeberg reported the Township had revoked the permit for Suburban Towing. It has taken court action to clean the property. The property should be cleaned up by the end of March, 2005. Board Supervisors have been monitoring the progress. The owner has been directed to pay attorney's fees.
- Tiller CUP is reviewed every five years. Both Washington County and Denmark Township have a full hearing regarding the renewal. Powers stated if there are any complaints to put them in writing.
- Don Slaten asked about status of the Rumpca gravel pit located on 80<sup>th</sup> St.: Shoeberg reported the permit was denied by the Town Board, appealed to District Court, and overturned in the Minnesota Court of Appeals. He has worked with the applicant regarding two issues: 1) what main route the trucks would travel-the applicant prefers a different route than what had been proposed; and 2) applicant is contesting the engineer's fees. Township and Rumpca have agreed to Binding Arbitration to resolve the matter. Pat Kelley, Maplewood city attorney will be the arbitrator. It is anticipated a decision will be made by the end of March, 2005.

**Incorporation Update:**

Powers provided a recap of past information regarding incorporation: Township could petition to have a certain type of city structure; Board would like to see five person Council, with one being a weak mayor; annual meeting would be retained; and the financial aspect would include a major increase in the budget for police protection by the Washington County Sheriff (\$42,000 for part time, \$82,000 for fulltime). There would also be a cost for prosecution for gross misdemeanors: at present Washington County manages the court issues. Atty estimates fines recovered would offset costs of prosecution. There would also be incidental costs to incorporate, i.e. a one-time cost of \$10,000 to apply, cost

of \$10,000 for planning, \$20,000 legal fees, etc. Powers explained that a home assessed at \$300,000 would pay \$54.06 a year for a part-time sheriff, or \$105.57 a year for a full-time sheriff to patrol the Township. Citizen comments as follows:

- Gordon Herman spoke against incorporation. He said it would cost too much money. Nobody wants to annex us. There are small townships trying to unincorporate.
- Al Gorgus spoke against incorporation. He says this popped up seven years ago and a decision was made to not incorporate.
- Don Slaten spoke against incorporation. He said no city around us wants to annex us. It would be cost prohibitive for Hastings to annex us.
- Joe Moore spoke against incorporation. He feels the public will have nothing to say about it.
- Valda Van Alstine said the Township government has to become more efficient before we take on any more challenges.
- John Kummer agreed that he would like to see more things done before tackling incorporation. He said the only possible city that would want to do annex Denmark is Cottage Grove and they signed a letter supporting our position. We would benefit by incorporating because we would get out from under development from Washington County. He gave an example of Lake Elmo spending money trying to remain rural only to have the Metropolitan Council interfere.
- There were questions about more density, commercial development, getting unannexed if the Township had decided to go forward with it, and who makes the final decision about incorporation or not to incorporate. Mr. Shoeberg responded that once legal proceedings have started, and the petition is withdrawn, the Township may be able to pull out. However, if the legal proceedings have been completed, it may be very difficult to rescind the decision. He said the Township Board would have the final vote on the matter of incorporation.
- There was additional discussion about other townships that had incorporated and are having problems. For example, the City of Grant's population had increased, and they had not set aside additional funding for road improvements. Moderator Herman suggested the Board schedule a meeting with Council Members from the City of Grant.
- Powers said she doesn't know how incorporating would improve or harm Denmark Township. The Township has become extremely busy, with only a part-time clerk and five board members. A decision will have to be made. In addition, New Scandia Township is proceeding with their incorporation. They decided to pursue incorporation to gain more control. Incorporation will not change dual jurisdiction that much. The Township would still require reviews from Washington County.
- Shoeberg said that any application, i.e., land splits or a variance, would not require both Township approval and Washington County approval. He also said the Comprehensive Plan would be used as is, and the ordinances would remain the same as per the Metropolitan Council. If there were any changes, the application would have to go through the new city council. A public hearing would be held.
- Powers asked Shoeberg what the difference is between a city and a township.
- Shoeberg responded that Denmark Township is already operating as a city. There is no difference between a city and a township except for the planning.
- Powers asked if rezoning would require input from the Metropolitan Council.

- Shoeberg responded there are no similarities between Lake Elmo and Denmark Township. Denmark does not have water and sewer. The Metropolitan Council determined that Lake Elmo had to be studied because of needed improvements.
- Eileen Weber asked if Shoeberg would be the attorney representing the Township if incorporation took place. Powers responded yes. The attorney serves at the pleasure of the Board. Weber moved to conduct a straw vote of the public in attendance to see if they are for incorporation or if they are undecided. Pat Lilligren amended the move pointing out that a great deal more education is needed before a straw vote is conducted. Slaten 2nd. Motion carried. A show of hands showed 23 in favor; 9 opposed; 23 undecided.
- Slaten suggested sending a questionnaire to Township residents, and holding a public meeting. He would like to see it held for a vote as a referendum to the general public before the Board makes their final decision. Paul Stein suggested sending a survey.
- Higgins said Board intends to hold a public meeting. She said the Board needs more specific details on costs, lists of pros and cons, and contacting other cities. Supervisor Keller agreed to with obtaining additional information. The people want this.
- Seiben moved to have the general public polled at a public meeting whether to go forward or not to go forward with annexation. Slaten 2<sup>nd</sup> for a point of discussion only. A vote taken by a show of hands was unanimous in favor of having a public meeting, with 1 opposed.

### **Supervisor Reports:**

#### Higgins:

- Reported on fire services and fire rates. She said Denmark belongs to the Hastings Rural Fire Association (HRFA). HRFA includes Ninninger, Ravenna, Marshan, Vermillion Township, City of Vermillion, and Denmark. HRFA purchases fire services from the City of Hastings. Each township's percentage share of total fire bill is based on assessed total taxable market value. All Sheriff's cars in Washington County are equipped with defibrillators and all deputies have EMT training.
- Higgins also reported the Township has three new fire wardens: Steve Herman, Doc Schneider, and Higgins. Steve is primary. Requests to be routed to him first. Higgins thanked Mr. Don Weiland for serving as Township Fire Marshall for the past several years.

#### Kummer:

- Road complaints - Morgan Ave. is in need of some major improvement.
- Pruning needs to be done in road right-of-way. Will do a portion on an annual basis.
- Fire signs - driveways need to be identified for fire and police protection. Contact him for a fire sign
- Ditch mowing - Township has extended contracts
- Road improvements – repair Neal Ave. between 80<sup>th</sup> and 90<sup>th</sup> St.; 110<sup>th</sup> and 120<sup>th</sup>, and 110<sup>th</sup> east of St. Croix Trail (the worst part will be repaired)
- Road tour – has been scheduled.
- Thanked Steve Biscoe, Jim Herman and Gordon Herman for road training.

Powers:

- Reported the Township's playground needs bases installed and picnic tables replaced. She said this is important to have these issues completed by the end of 2005 as Denmark Township is a liaison with the City of Hastings for the PITS program.
- Powers reported compiling the Township Newsletter represents a substantial amount of hours. She thanked Jean Boyd and Jim Cran for assisting her.
- Powers reported on the PITS program. She explained the program is for children under age 12 and will continue this summer, Monday through Wednesday. The cost to the Township is \$1,350. Trained youth leaders work with the kids and they all have access to the building.

### **Other Business:**

There was discussion about having access to the Township's minutes earlier than the next scheduled Township Board meeting. Gordon Herman moved to have the unapproved minutes inserted into the Township's website within 72 hours. Charles Brown 2<sup>nd</sup>. Motion carried.

There was discussion about hiring a full-time Town Clerk. Higgins responded additional information is needed. Susan Horn suggested hiring a part-time administrator as Township issues are becoming more complex.

Valda Van Alstine thanked Board Supervisors for expending so much time and effort on township issues.

Keller presented a plaque to out-going Town Board Supervisor Peg Powers for her service on the Board, and thanked her for her fortitude and dedication.

### **Election Results:**

Moderator Herman read election results: 323 people voted; Steve Kramer received 158 votes; Gary Dixon received 162 votes; Kathy Higgins received 236 votes, with 19 write-ins.

### **Adjourn/Recess**

Steve Biscoe moved to recess to September 2005 for purposes of adopting the levy Mr. Schmidt 2<sup>nd</sup>.

Minutes submitted by: Interim Township Clerk Pamela Monno.