

DENMARK TOWN BOARD MEETING MINUTES
April 3, 2006

SUPERVISORS PRESENT: John Kummer, Kathy Higgins, Gary Dixon, Jim Keller, Joe Moore.

OTHERS PRESENT: Attorney Shoeberg, Engineer Geheren

CALL TO ORDER: Meeting called to order @ 7:03 PM by Vice Chair Kummer.

CONSENT AGENDA APPROVAL: Motion Keller/2nd Higgins to approve consent agenda.
Motion Carried.

HEARING DECISION/ZONING ACTIONS:

DLO Excavating-Amended Conditional Use Permit- Harald Eriksen/Yaggy Colby presented for DLO Excavating. Applicant is proposing new storage/office building with additional parking. Planning staff recommended approval with conditions. Applicant revised driveway plans from 24 ft wide to 16 ft wide per engineering/planning recommendation. Yaggy/Colby will submit new grading and site plans to the Township. Discussion re: fact that proposed new building is on a separate lot of record. Higgins stated that because 2 lots were involved, it would be acceptable to have 2 driveways. Motion Higgins/2nd Keller to approve DLO Excavating Amended Conditional Use Permit, allowing DLO the discretion of putting in the driveway of their choice, (either 16 or 24 ft width bi-directional), subject to 03/27/06 conditions recommended by the Planning Commission:

1. All exterior storage be screened in accordance with Town Code Chapter 2, Part 3 section 1.4 and 1.10.
2. Heavy duty silt fence shall be installed at the limits of grading. All erosion control devices shall be in place prior to any construction and shall be maintained until viable turf cover is established as approved by the Township Engineer.
3. Final grading and drainage shall be completed in accordance with the Grading Plan dated 3/01/06.
4. Septic and well be as approved by Washington County. All in favor. Motion Carried.

Kirk-Minor Subdivision/Variances- Jode Kirk submitted to Board new site plan and soil tests for both proposed parcels. He withdrew the variance on lot size allowing the existing barn and also the variance for Withdrew variance request to allow oversize barn to remain on parcel. Has decided to remove existing barn. Applicant withdrew variance request to allow 3 parcels to share one driveway. New plan shows that Proposed Parcel A will have a separate driveway, Existing driveway will provide access to Parcel B and the adjoining property. Planner recommended the 2 Indian Burial Mounds on the property be protected by a permanent easement. Planner also recommended alternate septic sites. Higgins reported that the Planning Commission supported the additional driveway alongside the existing one, negating the need for a variance. Kirk will clearly delineate the driveways with trees and separation will be 10 feet. Motion Higgins/2nd Keller to approve Kirk Minor Split, subject to the following conditions:

1. Park dedication be paid in cash for one new lot.
2. Primary and secondary septic locations that conform to Washington County and State requirements be identified for both parcels prior to final approval of the subdivision by Washington County.

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3. Burial mounds be protected with an easement. The mound easement should be in a form acceptable to the Township and the easement should be recorded as part of the recording of the subdivision documents. Burial mounds to be clearly delineated with fencing during construction for preservation purposes.
 4. Existing shed on Parcel B located within sideyard setback area be removed from Parcel B or a variance be granted to allow it to remain.
 5. Private driveway easement agreement be revised to reflect that it applies to Parcel B & the adjoining property. Easement agreement to include ongoing maintenance plan. Agreement be as approved by the Township.
 6. Erosion control, grading plan and setbacks to be in conformance with township regulations prior to the issuance of building permits.
- All in favor. Motion Carried.

PUBLIC COMMENT: None

BUSINESS ITEMS: Higgins added Zoning Issue and Scheduled Burn. Kummer added Engineer/legal interpretation of MnDOT response on MnDOT Resolution. Keller added Neal Avenue, Crystal Pierz Marine and MnDOT Open House. Attorney added Appointments for staff Engineer/Attorney/Planner.

ELECTION OF CHAIR/VICE CHAIR: Higgins/2nd Dixon to nominate Kummer as Chair. No other nominations. Ayes-Keller, Higgins, Moore and Dixon . Naves-none. Abstain-Kummer. Kummer/2nd Dixon to nominate Higgins as Vice Chair. No other nominations. Ayes-Keller, Kummer, Moore and Dixon. Naves-none. Abstain-Higgins.

STAFF APPOINTMENTS: Motion Higgins/2nd Keller to retain professional staff as follows: Engineering/TKDA, Attorney/Shoeberg and Planning/Hoisington Koegler Group. All in favor. Motion Carried.

ROAD MAINTENANCE BIDS: Bids opened for summer/winter road maintenance:

- Herman Farms & Contracting: \$2500 guarantee included. Bid amount \$65/hour for summer and winter road maintenance.
- Wagner Services: \$2500 guarantee included. Bid amount \$60/hour for summer road maintenance. No winter road maintenance bid included.

Discussion re: fact that request for bids included both summer and winter road maintenance. Atty advises that Wagner Services bid for summer road maintenance not in conformance with advertised bid specs.

Motion Moore/2nd Dixon to award contract to Herman Farms & Contracting at the rate of \$65 per hour on Summer and Winter road maintenance for a 3 year time period to begin on May 1, 2006.
All in Favor. Motion Carried.

GRAVEL BIDS: Township received 2 bids for gravel.

- Bryan Rock-\$8.05/ton (100% limestone).
- Soderberg-\$7.15/ton (modified 100% crushed limestone).

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Discussion re: difference in materials bid. (100% crushed limestone vs modified 100% crushed limestone Motion Keller/2nd Dixon to accept gravel bid from Bryan Rock for \$8.05/ton.

Ayes-Keller, Dixon, Higgins and Moore. Nays-Kummer. Motion Carried.

Kummer opposed from a fiscal standpoint. Kummer suggested that if the Township, in the future, would elect to overlay existing gravel roads, this material would work fine for a base material.

DUSTCOATING: Township has received only 1 bid so far. Item moved to May Agenda for purpose of obtaining 2nd bid.

SUPERVISOR JOB RESPONSIBILITIES: Supervisor duties were discussed at the 3/29/06 workshop. They are as follows:

Gary Dixon: Town Hall Maintenance/Park/Recreation
Town Hall Mowing
Animal Control/Gopher Bounty
Playgrounds in the Summer Program

Jim Keller: Conditional Use Permits
Recycling Grant/Washington County
Township Website
Denmark primary representative to Lower St. Croix WMO
Board Liaison to Red Rock Rail Corridor Representative

Kathy Higgins: Denmark alternate representative to Lower St. Croix WMO
Represent Denmark on Hastings Rural Fire Association
Board liaison to Township Planner
Board liaison to Township Building Inspector
Board liaison to Planning Commission

John Kummer: Roads & Bridges
Board liaison to Township Engineer
Fire Signs
Ditches - Mowing & Junk

Joe Moore: Township Newsletter
Weed Inspection
Roads
Fire Signs

PLAYGROUNDS IN THE SUMMER (PITS): Received 2006 contract for Denmark Township to sponsor PITS at the Town Hall. The program dates are June 12 through August 4 from 9:30 am-3:30 pm., on Mondays and Fridays. Motion Dixon/2nd Higgins to approve 2006 PITS contract at a cost of \$1350. All in favor. Motion Carried.

ESCROW REFUNDS/WRITE OFFS:

Motion Higgins/2nd Keller to Refund/Write off the following escrow accounts:
Verizon Wireless-refund \$185. John Hermann-write-off \$8.

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Rynders, Carolyn/Perry-refund \$31. Rossing/Held-write-off \$8.
Radke, Harlow/Ruth-refund \$196.78. Patton/Vujovich-refund \$430.67.

All in favor. Motion Carried.

Board discussion re: policy direction on handling future escrow charges. When the Township has been provided with final documents for any escrow, staff will be notified that a 60 day period is in effect to complete all billing relevant to the account.

EMERGENCY PREPAREDNESS: Keller has sent in application. Will update Board.

PLANNING COMMISSION APPOINTMENTS: 2 Applicants were interviewed on 3/15/06. Reviewing committee recommends reappointment of Don Schneider and Bob Barr for another 3 year term. Motion Higgins/2nd Dixon to reappoint Donald Schneider and Bob Barr for the term of March 2006 through March 2009. All in favor. Motion Carried.

WMO REPRESENTATION: Motion Kummer/2nd Dixon to appoint Keller as primary and Higgins as alternate Denmark Representatives on the LSCWMO. All in favor. Motion Carried.

NEWSLETTER: Moore is handling the Newsletter. Information to be added in the newsletter includes: weeds, Supervisor Portfolios, PITS Schedule, Planning Commission Appointments, and Roads projects. Newsletter may be published quarterly.

FIRE BILL: Higgins submitted information on upcoming fire bill. Bill will be due May 1st, before the next scheduled board meeting. Higgins estimated that Denmark's portion of the bill will be \$65,404.34. Requested authorization for clerk to pay bill when received. Motion Keller/2nd Dixon to approve payment of fire bill, when received in the amount of up to \$67,000. All in Favor. Motion Carried.

SUBURBAN: Mr Babcock requested Suburban be moved to the May Agenda. Board understanding is that the property will remain locked. Dixon reported that the gates have been locked and opened on a daily basis. All but two cars outside have been removed. Seven vehicles remain inside, three tires out front. Suburban has posted \$10,000 cash, which will remain in escrow until agreement has been reached and property cleaned up.

MnDOT: Kummer requested clarification of MnDOT's response to the Township Resolution concerning Maycrest and Specialized Acres. Engineer stated that MnDOT restated their position and that Specialized Acres 3 could proceed without being subject to MnDot's earlier access requirements.

ZONING ISSUE: Higgins raised question about township code requirements for Administrative lot splits. Potential conflicts between township ordinance & state statues. Board policy is to require Park Dedication fee on all lot splits. Board directed Attorney to revise language in the ordinances and send to Board for review.

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SCHEDULED BURN: Higgins gave notice that a home on Neal Ave will be burned by the Lower St Croix Valley Fire Dept, in conjunction with the Hastings and Cottage Grove Fire Depts. as a training session sometime at the end of May. All necessary permits have been applied for.

NEAL AVENUE: Keller requested legal info on whether the Township had to take Neal Ave back from the County. Attorney has checked and will send memo to Board when State's response is received. Because Afton and West Lakeland are also involved, Engineer will assess condition of Denmark Township portion of Neal Avenue when she assesses West Lakeland's portion-will keep Board updated.

CRYSTAL PIERZ MARINE: Keller is working with the manager on CUP compliance.

Board reviewed Outstanding Items List.

LEGAL REPORTS:

Rumpca: Hearing is set for April 17, 2006. All parties involved have had access to Township records.

Motion Higgins/2nd Dixon to adjourn. Motion Carried. Meeting adjourned @ 9:21 PM.

Becky Herman
Clerk/Treasurer