

DENMARK TOWN BOARD MEETING MINUTES  
February 4, 2019

**SUPERVISORS PRESENT:** Kathy Higgins, John Strohfus, Ron Simon, Shawn Racine, Karen Herman

**ABSENT:** None

**STAFF PRESENT:** Attorney Gilchrist (Kennedy-Graven), Engineer Stempski (Focus)

**CALL TO ORDER:** Meeting called to order @ 7:00 PM by Chair Higgins

**AGENDA APPROVAL:** K Higgins added Curbside Recycling. **Motion J Strohfus/2<sup>nd</sup> S Racine approval of Agenda as amended.** Voting Yes- J Strohfus, S Racine, R Simon, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 5-0-0.

**CONSENT AGENDA APPROVAL:**

**Motion J Strohfus/2<sup>nd</sup> S Racine approval of Consent Agenda items which include Minutes 01/07/2019 Board Meeting, Claims #11278-11295, EFT payments- PERA 496572, MN Tax 0951411648, Federal Tax 80312113, payroll ending 02/01/2019, Financial Reports.** Voting Yes- J Strohfus, S Racine, R Simon, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 5-0-0.

**HEARING DECISIONS/ZONING ACTIONS:** None

**PUBLIC COMMENT:** Debbie and Jim Eilers expressed concerns regarding the commercial bus business located at 120<sup>th</sup>/Hwy 61. Concerns included noise/odor created by busses idling early in the morning and the generator running at night and sometimes during the day. Bus lights shining into their backyard early and for extended periods of time and some evenings. Building lights shining toward their house all night. Removal of many of the trees which provided year round screening which resulted in increased highway noise and a clear view of Hwy 61/Hwy 95. Residents are requesting that the generator be moved, property sufficiently fenced/screened and lights turned downward.

K Higgins commented that removal of some trees on the business property was legal and was not addressed in the Conditional Use Permit screening requirements.

J Strohfus noted that at this time, the commercial district is in fuller operation than it used to be, and the neighbors are noting those changes. Board consensus to have code enforcement review.

**Motion J Strohfus/2<sup>nd</sup> S Racine to have code enforcement review the issue for CUP and Ordinance compliance.** Voting Yes- J Strohfus, S Racine, J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 5-0-0.

**BUSINESS ITEMS:**

**Transfer Park/Rec Restricted Funds to General Fund for reimbursement of 2018 Park/Rec Expenditures for O'Connor Park:** 2018 expenditures paid by the General Fund for improvements to O'Connor Park include removal of trees/fill in holes, construction of parking lot. Total expense \$22,897.85. **Motion K Herman/2<sup>nd</sup> R Simon to transfer \$22,897.85 from the Park/Rec Restricted Savings Account to the General Fund for reimbursement of 2018 expenditures for O'Connor Park Improvements.** Voting Yes- K Herman, R Simon, S Racine, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 5-0-0.

**60<sup>th</sup> St Intersection/Afton Road Swap:** Afton and Denmark are in discussions regarding swapping the segments of 60<sup>th</sup> St that both have been maintaining. Currently, Afton maintains the Neal to Hwy 95 segment and Denmark maintains the Oakgreen to Neal segment. Afton is proposing to maintain the Oakgreen to Neal segment, and Denmark would maintain the Neal to Hwy 95 segment. The proposal came about, because property on the Afton side (north side) of 60<sup>th</sup> is being developed and Afton will be requiring the developer to pave a portion of the road. Since Trading Post Road runs into 60<sup>th</sup>, Afton would like the paving to continue onto 60<sup>th</sup> heading west. Afton would then maintain the Oakgreen to Neal segment.

Denmark has authorized a one-time lump sum payment of \$5000 to Afton to cover costs of designing the "T" intersection for the safety improvements at 60<sup>th</sup>/Oakgreen. Afton forwarded a design proposal from their Engineer which reflects a significantly higher cost. Afton is now asking who will be responsible to pay for the actual construction costs of the "T" intersection.

J Strohfus noted the following options before the Board:

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1. Get WSB (Afton's Engineer) to commit to doing a design not to exceed \$5000 as already authorized.
2. Cost share the design up to \$10,000 total with Afton. Denmark portion not to exceed the approved \$5,000.
3. Omit any intersection change at all and proceed with as-is paving using the current curve design.
4. Omit any intersection change and the entire read swap proposal altogether.

J Strohfus also noted that we are unsure of when Afton intends on paving- 2019 or 2020. J Strohfus will contact Afton to set up meeting to discuss of options.

Reclaim/overlay of Oakgreen (70<sup>th</sup>- 60<sup>th</sup>)- bids likely to Board in April.

**MRCCA Ordinance:** MRCCA rules are in place. DNR is in the process of developing a model ordinance, notification schedule for LGU ordinance updates and guidance materials to help local governments develop their MRCCA ordinances consistent with the MRCCA rules and adopted MRCCA plans. Attorney noted that the Town still has the option to draft their own ordinance. The "model" ordinance is just an example ordinance that can be used by LGA's to adopt the MRCCA rules and create an ordinance for adoption. DNR has created an advisory group for municipalities to take part in. K Higgins and R Simon are interested in attending.

**Schedule Portfolio Workshop:** Portfolio Workshop scheduled for Wednesday, February 27, 2019 @ 6PM.

**Animal Humane Society Agreement:** Denmark has an agreement with AHS for Animal Impound Services. They have changed their policy and will no longer collect any city/town fees. They have also increased their rates. The admin fee will be \$21 for those animals that are reclaimed and the fees for cats/dogs will be \$190, and \$45 for other domestic animals. AHS sends out their generic agreement. Town Attorney prepares a Town Agreement on behalf of the Town.

**Motion R Simon/2<sup>nd</sup> S Racine to approve 2019 Animal Impound Housing Services Agreement, with the updated rates. Voting Yes- R Simon, S Racine, J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 5-0-0.**

**Hwy 95 State Condemnation:** Town was named in property that is being condemned related to HWY 95 reconstruction project. Town's interest is that the property is in Ag Preserve program. Attorney noted that the Town is not titled in the property but is recognized because of the Ag Preserve status on the property. The Disclaimer of Interest is to affirm that the Town is not desiring to claim anything on the condemned property and will stop any further involvement of the Town in the process. Town Attorney recommends approval of signing the Disclaimer. **Motion K Herman/2<sup>nd</sup> S Racine to approve signing the Disclaimer of Interest for Parcel 38. Voting Yes- K Herman, S Racine, J Strohfus, R Simon, K Higgins. Voting No- None. Abstaining- None. Motion Carried 5-0-0.**

**Curbside Recycling:** County sent out a survey regarding a new program to implement recycling organics. Also being asked is the opinion of how it would be funded. Bags provided by Recycling & Energy at no cost to residents, residents pay part of the cost of bags and service, or residents pay the full cost of bags and service. Board consensus for Town Chair to answer survey saying that the Town does not want to commit the Town or the Town residents to the proposed expense.

**Legal Updates:** Property on 120<sup>th</sup> concerning trucking business being operated beyond the scope of the non-conforming commercial activities that were allowed on the property. Attorney has received no response from the property owner's Attorney.

### **BOARD OF AUDIT 2019:**

Chair Higgins opened Board of Audit.

Year ending 12/31/2018.

Supervisors Present- K Higgins, K Herman, J Strohfus, R Simon, S Racine. Absent- None.

#### **2018 Statement Of Finances**

Year end account balances submitted as follows: checking account-\$276,707.09, general savings account-\$178,781.52, Cable Restricted account-\$10,626.78, and Park/Recreation Restricted account-\$220,376.48. Total cash balance \$686,491.87.

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2018 Revenues received by Denmark Township total \$545,777.59. 2018 Expenditures made by Denmark Township total \$567,982.21. Receipt and Disbursement Registers, Statement of Receipts, Disbursements and Balances (Schedule 1) for all Township accounts and account balances for the year ending 12/31/2018 were entered into the record.

Check range for all checks disbursed 01/01/2018 through 12/31/2018, #12023 through #12316.

Board selected the following claims at random for audit/review:

Check #12176	Payroll	\$ 2771.82	Approved 07/02/18	Claimant- Becky Herman
Check #12222	Claim 11190	\$ 1204.75	Approved 09/06/18	Claimant- WSB & Associates
Check #12111	Claim 11106	\$ 165.90	Approved 05/07/18	Claimant- CenturyLink
Check #12216	Claim 11184	\$ 142.90	Approved 09/06/18	Claimant- Jeannine Wagner
Check #12223	Claim 11191	\$ 138.13	Approved 09/06/18	Claimant- Tennis Sanitation
Check #12309	Claim 11262	\$ 1000.00	Approved 12/03/18	Claimant- MRI
Check #12024	Claim 11038	\$ 180.45	Approved 01/18/18	Claimant- XCEL Energy
Check #12027	Claim 11041	\$ 5466.20	Approved 01/18/18	Claimant- Washington County Road & Bridge
Check #12307	Claim 11260	\$ 16.00	Approved 12/03/18	Claimant- NCPERS Group Life Ins.
Check #12228	Claim 11196	\$ 16.00	Approved 09/06/18	Claimant- NCPERS Group Life Ins.

**Motion S Racine/2<sup>nd</sup> K Herman approval of the 2018 Statement of Finances- \$545,777.59 Revenues, \$567,982.21 Expenditures, year-end account balances totaling \$686,491.87 as submitted.**

**Voting Yes- S Racine, K Herman, J Strohfus, R Simon, K Higgins. Voting No- None. Abstaining- None. Motion Carried 5-0-0.**

**Motion R Simon/2<sup>nd</sup> S Racine to approve 2018 claims randomly audited during the Board Of Audit.**

**Voting Yes- R Simon, S Racine, K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 5-0-0.**

Clerk's statement of finances and all financial records will be submitted for the annual meeting.

9:55 PM **Motion K Herman/2<sup>nd</sup> S Racine to adjourn February Board Meeting.** Voting Yes- K Herman, S Racine, R Simon, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 5-0-0.

Becky Herman

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Denmark Township Clerk/Treasurer

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Denmark Township Chair