

DENMARK TOWN BOARD MEETING MINUTES
February 6, 2017

SUPERVISORS PRESENT: Kathy Higgins, K Herman, John Strohfus

ABSENT: J Moore

STAFF PRESENT: Attorney Gilchrist (Kennedy-Graven), Planner Perdu (WSB)

CALL TO ORDER: Meeting called to order @ 7:05 PM by Chair Higgins

AGENDA APPROVAL: K Higgins added Critical Area and Poepl Plat Modification.

Motion K Herman/2nd J Strohfus approval of agenda as amended. Voting Yes-K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

CONSENT AGENDA APPROVAL: K Higgins pulled claims. **Motion K Herman/2nd J Strohfus approval of Consent Agenda items which include Minutes 01/03/2017 Board Meeting, EFT payments- PERA 405814, MN Rev. Tax 0027383104, Federal Tax 82704940, payroll ending 02/01/2017. Voting Yes- K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.**

HEARING DECISIONS/ZONING ACTIONS:

Haines Conditional Use Permit (CUP) 12590 127th St S

PID 06.026.20.42.0005 Property Owner- Daved, LLC. Applicant Robert Haines present.

Applicant is requesting a conditional use permit to allow light industrial for machining, welding, fabrication, warehousing with limited truck transportation. Company builds industrial automation equipment and control systems for clients. Current business has 15 employees. Applicant does intend on cleaning/updating the property including landscaping. Other than company's vehicles, no other vehicles will be stored on the property. Well is good. As a condition of the sale, there will be a new septic system installed.

Planner- Applicant proposed to use the existing building, so the current footprint of the building will not change. Parking area is not proposed to change. Any landscape plan would need to be submitted to the Town for review. Planner submitted 01/11/17 report with recommended conditions.

Planning commission recommended approval of the Conditional Use Permit with certain conditions.

Motion J Strohfus/2nd K Herman to adopt Resolution 2017-05 Approving A Conditional Use Permit To Conduct Certain Light Industrial Operations On The Property Located At 12590 127th Street S (Haines). Voting Yes- J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Motion K Higgins/2nd K Herman to adopt Resolution 2017-06 Revoking All Prior Conditional Use Permits For The Property Located At 12590 127th St S. Voting Yes- K Higgins, K Herman, J Strohfus. Voting No-None. Abstaining- None. Motion Carried 3-0-0.

Solar Ordinance Amendment

01/19/17 a public hearing was held and the Planning Commission reviewed the proposed amendment and recommended the following changes to the 2/5/17 draft. Total area covered on a ground system shall not exceed 1000 sq ft unless the Town Board approves a larger coverage area. The proposed ordinance would expressly allow personal use for residential/commercial properties on roof and ground subject to standards in all zoning districts for personal consumption as an accessory use. The proposed ordinance would prohibit commercial solar systems (generating electricity for the purpose of selling it to the grid). Public hearing noted no comments from the public regarding for or against positions on the proposed ordinance. Comments were made expressing the doubt of the effectiveness of solar energy. Planning commission expressed concern regarding prohibiting commercial solar systems. A majority of the Planning Commission Members noted that if a landowner wanted to use their property for this purpose, they should be allowed to. The Planning Commission on a vote of 3-1 forwarded the solar ordinance to the Board with a recommendation that it not be adopted.

K Higgins- Two letters received objecting to the passage of the ordinance. Received comments from resident who current has ground solar on property which does not meet the 50 ft setback, which would be required if the ordinance were adopted.

K Herman- Noted that the Planning Commission discussion included member's comments questioning why the allowance of commercial solar gardens on Agricultural property couldn't be a feasible option. K Herman asked if future of solar could be looked at again by Denmark. Attorney indicated that as things evolve, there is always an opportunity to amend any ordinance.

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J Strohfus- asked if the Town has received any applications or heard of any coming forward. None.
Board reviewed the solar survey.

Discussion- Higgins raised question regarding 50 ft setback from property lines vs. using current building setbacks (side 20 ft-back 50 ft-front 40 ft), in response to the resident inquiry.

J Strohfus brought forward discussion regarding amending the proposed ordinance language to reflect setback be consistent with current building setbacks. Attorney noted that the Board could amend the motion to remove #3, page 3 [No portion of the accessory solar electric system shall be placed within fifty (50) feet of a property line].

Motion J Strohfus/2nd K Herman to amend the ordinance by removing #3, page 3 [No portion of the accessory solar electric system shall be placed within fifty (50) feet of a property line.

Voting Yes- J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Motion J Strohfus/2nd K Herman to adopt Ordinance 2017-01 Amending The Denmark Township Development Code Regarding Solar Electric Systems.

Voting Yes- J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Motion K Herman/2nd J Strohfus to adopt Resolution 2017-07 Approving summary Language For Publication Of Ordinance 2017-01. Voting Yes- K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Temporary Healthcare Dwellings Ordinance

State Statute requires allowance of Temporary Family Healthcare Dwellings. Town ordinance already has language pertaining to Temporary Family Healthcare Dwellings. Planning commission forwarded the proposed opt out ordinance to the Board with a recommendation to adopt. Board reviewed 2/5/17 draft ordinance.

Motion J Strohfus/2nd K Herman to adopt Ordinance 2017-02 Amending The Denmark Development Code To Opt-Out Of The Requirements Regarding Temporary Family Health Care Dwellings as drafted. Voting

Yes- J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Motion K Herman/2nd J Strohfus to adopt Resolution 2017-08 Approving Summary Language For Publication Of Ordinance 2017-02. Voting Yes- K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Public Comment: Resident stated that the reason solar is being pushed nationwide, is that the Federal Government mandated that power companies have 10% of their power generated by renewable sources within 10 years. By banning commercial solar in Denmark, solar will not be stopped, all that will be done is that it will limit property owners in Denmark from making money on their property. Ban will not stop the subsidies; it will just hurt people here who are trying to save their small farms.

BUSINESS ITEMS:

Homestead Estates Road Vacation- 7:49 PM Chair K Higgins Opened Public Hearing

The petitioner is proposing to replat Homestead Estates Phase 2 into a single lot. Preliminary Plat approval was given at the 1/3/17 Board Meeting. A condition of the approval is the vacation of the roads/easements. Request from Ben Granley is to vacate a portion of 77th St S between St Croix Trail Lane and St Croix Trail, the end portion of 78th St S and the vacation of the drainage and utility easements dedicated around the existing lots within the petitioner's property. Main drainage and utility easement that runs through to property east to west will remain. Plat has been revised to reflect 77th St S will be split evenly between the petitioner's property and the property to the north.

Public Comment- None.

7:55 PM Public Hearing Closed. Board reviewed 12/19/16 draft resolution.

Attorney noted that item #1 should be amended to reflect that the vacation effective date be revised to "are hereby vacated effective as of final approval and recording of the plat. Attorney also noted that any revisions/corrections/legal descriptions are the applicant's responsibility.

Motion J Strohfus/2nd K Herman to adopt Resolution 2017-09 Approving The Vacation Of A Portion of 77th St S And Drainage And Utility Located Within The Plat Of Homestead Estates, with the revision of item #1, changing [effective as of the date of this resolution] to [effective as of the date of the recording of the

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final plat]. Voting Yes- J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Granley Homestead Estates Final Plat Approval (Phase 2 replat)- PID's 10.027.20.32.0003, 09.027.20.41.0007, 09.027.20.41.0014, 09.027.20.41.0013, 10.027.20.32.0004, 10.027.20.32.0005 Request is for final plat approval for a replat of a portion of Homestead Estates (Phase 2), creating 1 lot from 6 existing lots, vacating the property line easements along the 5 lots, and vacating 77th St S (St Croix Tr Ln S to St Croix Tr S) and a portion of the cul-de-sac of 78th St S. The cul-de-sac on the north end of the property will remain in place for future use if necessary. Preliminary Plat approval granted on 1/3/17. Road Vacation approval granted on 2/6/17. Changes made since the preliminary plat 77th St vacation to include even center of road split for both south and north properties. County is requiring parcels adjacent to the subject property be shown on the plat with outlined hashed borders. Applicant interested in beginning construction of new home.

Motion J Strohfus/2nd K Herman to adopt Resolution 2017-10 Granting Final Approval For The Re-Platting Of A Portion Of The Homestead Estates Plat. Voting Yes- J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Hidden Valley Acres Drainage & Utility Easement Vacation- 8:09 PM Chair Higgins opened Public Hearing. Lots 2,3,4 Block 1

Hidden Valley Acres 2nd Addition Preliminary and Final Plat approval granted 1/3/17. The replatting creates appropriate drainage and utility easements on the 3 newly created lots. Approved plat conditions that the drainage and utility easements be vacated.

Attorney noted that item #1 should be amended to reflect that the vacation effective date be revised to "are hereby vacated effective as of final approval and recording of the plat.

Public Comment- None

8:12 PM Public Hearing closed. Board reviewed 1/6/17 draft resolution.

Motion J Strohfus/2nd K Herman to adopt Resolution 2017-11 Approving The Vacation Of Drainage And Utility Easements Located Within The Plat Of Hidden Valley Acres with the revision of item #1, changing [effective as of the date of this resolution] to [effective as of the date of the recording of the final plat]. Voting Yes- J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Ordinance Amending The Denmark Development Code Regarding The Platting Of Minor Subdivisions:

Board reviewed 2/5/17 rough draft of proposed ordinance. Previous ordinance allowed minor subdivisions without requirement of platting. County amended their ordinance in 2008 to require all subdivisions be platted. Town also amended their ordinance to be consistent with the county. Effective January 1, 2017, County has given Township authority for Subdivision Ordinance. Board consensus to not require platting for a minor subdivision (3 or fewer lots). Attorney will redraft the ordinance amendment for a public hearing.

Critical Area: K Higgins attended DNR meeting for Critical Area. Final rules have been published. DNR is timing the effective date to correlate with the Comp Plan updates, and establishing a timeline of 2019-2021 for completion of ordinance amendments. Funding has been requested in State budget to provide funding to local governments for ordinance changes. League of MN Cities will post additional information on their website.

Poepl Plat Modification: Dave Dupay presented Board with corrected plat. MNDOT did not purchase any of the property because it was all prescriptive right-of-way, which would mean that the property owner has more land than originally thought. The new Resolution amends Resolution 2017-01 by replacing the original final plat with a corrected final plat that includes the additional land.

Motion K Herman/2nd J Strohfus to adopt Resolution 2017-12 Amending Resolution 2017-01 Regarding The Final Plat Of Morgan Farm Lots. Voting Yes- K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Pulled Claim: Clerk added Claim #10865 French's HTG/AC \$120.00 for furnace repair on 2/6/17.

Motion K Herman/2nd J Strohfus approval to pay claims #10847-10865. Voting Yes- K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

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LEGAL REPORTS: Zoning complaint at this time regarding compliance with accessory structure. Will prepare ordinance regarding platting for public hearing. Officer training on hold for Planning Commission and Board. Attorney noted that staff is developing a track list/process regarding follow through on applications. K Higgins- Washington County has had their solid waste/recycling consultant review the 1997 Town Solid Waste Ordinance for updating. Town Attorney will review recommended changes to red flag for possible legal issues. Attorney recommended outreach to the licensed haulers for feedback on possible ordinance revisions/changes.

BOARD OF AUDIT:

8:55 PM Regular Board Meeting recessed. Chair Higgins opened Board of Audit.

Board Of Audit: Year ending 12/31/2016.

Supervisors Present- K Higgins, K Herman, J Strohfus. Absent- J Moore.

2016 Statement Of Finances

Year end account balances submitted as follows: checking account-\$393,059.99, general savings account-\$349,932.01, Cable Restricted account-\$10,638.93, and Park/Recreation Restricted account-\$158,402.17. Total cash balance \$912,033.10.

2016 revenues received by Denmark Township total \$1,006,678.71. 2016 expenditures made by Denmark Township total \$625,329.89. Receipt and Disbursement Registers, Statement of Receipts, Disbursements and Balances (Schedule 1) for all Township accounts and account balances for the year ending 12/31/2016 were entered into the record.

Check range for all checks disbursed 01/01/2016 through 12/31/2016, #11486 through #11742.

Board selected the following claims at random for review:

Check #11489	Claim 10633	\$ 22.77	Approved 01/04/16	Claimant- Tennis Sanitation
Check #11612	Claim 10731	\$356.94	Approved 07/05/16	Claimant- Becky Herman
Check #11655	Claim 10764	\$257.16	Approved 09/06/16	Claimant- Cynthia Krueger
Check #11658	Claim 10767	\$325.41	Approved 09/06/16	Claimant- Marilyn Suchy
Check #11731	Claim 10820	\$289.44	Approved 12/05/16	Claimant- Marilyn Suchy
Check #11741	Payroll	\$1024.30	Approved 12/05/16	Claimant- Kathleen Higgins

Motion K Herman/2nd J Strohfus to approve claims randomly audited during the Board Of Audit, 2016 Statement Of Finances- \$1,006,648.96 in revenues and \$625,329.89 in expenditures and 2016 year end account balances totaling \$912,033.10 as submitted. Voting Yes- K Herman, J Strohfus, K Higgins.

Voting No- None. Abstaining- None. Motion Carried 3-0-0.

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

9:10 PM Board of Audit adjourned. Regular Board Meeting reconvened.

Higgins received proposal from WSB regarding possibility of assigning a different planner to the Township. Proposed rate for new planner will be less than current planner's rate. Board consensus to proceed with change.

9:12 PM **Motion J Strohfus/2nd K Higgins to adjourn. Voting Yes- J Strohfus, K Higgins, K Herman.**
Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Becky Herman

Denmark Township Clerk/Treasurer

Denmark Township Chair

Addendum Resolutions 2017-05, 2017-06, 2017-07, 2017-08, 2017-09, 2017-10, 2017-11, 2017-12
Addendum Ordinances 2017-01 and 2017-02

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DENMARK TOWNSHIP WASHINGTON COUNTY, MINNESOTA RESOLUTION NO. 2017-05 RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO CONDUCT CERTAIN LIGHT INDUSTRIAL OPERATIONS ON THE PROPERTY LOCATED AT 12590 - 127th STREET SOUTH

WHEREAS, Robert Haines, on behalf of Manufacturing Engineering Resources, Inc., ("Applicant") submitted an application to Denmark Township ("Town") for a conditional use permit for offices, light manufacturing, warehousing, and distribution associated with its business for property owned by Daved, LLC located at 12590 – 127th Street South (PID: 06.026.20.42.0005) and as legally described in the attached Exhibit A ("Property");

WHEREAS, the Denmark Township Planning Commission held a public hearing on the requested conditional use permit on January 19, 2017, during which it heard from the Applicant and the public regarding the application;

WHEREAS, the Planning Commission acted to forward the application to the Town Board with a recommendation that the requested conditional use permit be issued with certain conditions; and

WHEREAS, the Town Board reviewed the Planning Commission's recommendation at its meeting on February 6, 2017, allowed for additional comments from the Applicant and the public, and hereby finds and determines as follows:

- a. The report submitted to the Town from the Town's Planner dated January 11, 2017, including, but not limited to, the findings contained therein, is incorporated herein by reference ("Planner's Report"). The proposed permit conditions contained in the Planner's Report are replaced with the conditions contained in this Resolution;
- b. The Property is currently zoned Commercial/Industrial-CI and the Applicant proposed to use the existing approximately 16,500 square foot building on the Property to locate its business, which involves machine manufacturing and automation services, and its offices (collectively, the "Proposed Uses");
- c. The Proposed Uses would include light industrial use for offices, machining, welding, fabrication, warehousing, and limited truck transportation;
- d. The Proposed Uses are allowed in the zoning district with the issuance of a conditional use permit;
- e. The Proposed Uses are subject to the requirements of the Denmark Township Development Code ("Ordinance"); and
- f. The Town Board determines the Proposed Uses are in harmony with the general purposes and intent of the Ordinance, and the Town's Comprehensive Plan, provided they are conducted in accordance with the requirements of the Ordinance and the conditions established herein.

NOW, THEREFORE, BE IT RESOLVED, that, based on the record of this matter, the Planner's Report, and the findings and determinations contained herein, the Town Board of Denmark Township hereby approves and issues a conditional use permit to allow the Proposed Uses within the existing building on the Property provided the Applicant complies with, and remains in compliance with, all of the following conditions and limitations:

1. Scope. The uses allowed are warehousing, distribution, light manufacturing and offices to allow for operation of Manufacturing Engineering Resource. Accessory uses associated with light manufacturing on the site may also include a retail sales room, loading area on the west wide of the structure, and outdoor storage of vehicles as stated below in #4.

Accessory structures may be constructed with the appropriate building permit, per those permitted in Chapter Two, Part 3, Section 1.2 (4).

Any alteration of the use of the Property, or of any plans submitted related to those uses, including, but not limited to, expansion of the use beyond what is allowed by this CUP, shall not be permitted unless an amended Conditional Use Permit is issued by the Town Board.
2. Permits. The Applicant shall comply with all applicable federal, state, and local laws, rules, regulations, and ordinances and shall obtain any additional permits or permissions that may be required including, but not limited to, obtaining approval from Washington County of the septic system located on the Property for the Proposed Uses. No alterations or expansions of the existing building shall occur unless all required permits are obtained.
3. Landscaping. A landscape plan shall be submitted, demonstrating compliance with the landscaping and screening requirements of Chapter Two, Part 3, Section 1.10 Screening.
4. Outdoor Storage. Outdoor storage shall be limited to vehicles utilized by the company and shall not include other materials used in the operation.
5. Signage. Before putting up any signage, the Applicant must obtain a permit from the Town and the sign must conform to Ordinance requirements.
6. Lighting. Lighting at the facility shall comply with the performance standards related to lighting in the Ordinance.
7. Waste. The waste receptacle for the facility shall be located inside the structure or enclosed with an opaque fence.
8. Representations. All representations, written and oral, made by the Applicant and the Applicant' agents and representatives to the Town contained in and concerning the application must have been true, complete, and accurate at the time they were made.
9. Costs. The Applicant shall pay all planning, engineering and legal fees and costs incurred by the Towns for processing this approval application. In the event any fees are outstanding they will be paid by the Applicant within fourteen (14) days of receiving a bill from the Town. In the event the fees are not paid, this approval shall terminate automatically upon recording of a Notice of Nonpayment by the Town.
10. Inspections. The Town, its officers, and consultants may enter the Property, after providing reasonable notice to the Applicant or Owners, at all reasonable times to conduct inspections for the purpose of ensuring compliance with this approval. Prior notice to inspect the Property is not required in the event of an emergency.
11. Revocation. The violation of any terms or conditions of this permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The Applicant shall be given written notice of any violation and reasonable time to cure the violation before a revocation of the permit may occur. Adherence to the terms of this permit shall be monitored on a complaint basis.

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- 12. Binding. The permit and its conditions are binding on the parties, their successors and assigns, and shall run with the Property, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership, until the permit is revoked as provided herein. The obligations of the Applicant under this permit shall also be the obligations of the current and any subsequent owners of the Property.
- 13. Only Permit. This permit supersedes and replaces any other permits previously issued by the Town, and all such previous permits shall be repealed by the Town Board by separate action.
- 14. Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this permit shall automatically be deemed acceptance of, and agreement to, the terms and conditions of the permit without qualification, reservation, or exception.
- 15. Amendments. Any alteration or expansion of Proposed Uses, or the alteration of any plans submitted related to the Proposed Uses, shall not be allowed unless an amended conditional use permit is obtained from the Town.

Adopted this 6th day of February, 2017 BY THE TOWN BOARD

DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
RESOLUTION NO. 2017-06
RESOLUTION REVOKING ALL PRIOR CONDITIONAL USE PERMITS
FOR THE PROPERTY LOCATED AT 12590 - 127TH STREET SOUTH

WHEREAS, the Town Board of Denmark Township ("Town") has previously issued conditional use permits for the property located at 12590 - 127th Street South, Hastings, Minnesota (PID: 06.026.20.42.0005) and which is legally described in the attached Exhibit A ("Property");

WHEREAS, Robert Haines, on behalf of Manufacturing Engineering Resources, Inc., ("Applicant") submitted an application to Denmark Township ("Town") for a conditional use permit for offices, light manufacturing, warehousing, and distribution associated with its business to be operated within the existing building on the Property ("Current CUP");

WHEREAS, conditional use permits were previously issued for the Property for businesses previously operated on the site ("Prior CUPs");

WHEREAS, the Town Board approved and issued the Current CUP for the Property by adopting Resolution No. 2017-05 at its February 6, 2017 meeting;

WHEREAS, in order to avoid the confusion that can result from multiple conditional use permits for various business activities on the same property, the Town Board has adopted a practice of revoking all past conditional use permits issued for a property when it is asked to issue a new or amended conditional use permit for the property in favor of a single conditional use permit that encompasses the business activities currently proposed for the property;

WHEREAS, the Applicant is amenable to the revocation of the prior conditional use permits on the Property, and such revocation was made a condition of the Current CUP approved for the Property; and

WHEREAS, this Resolution is intended to put future purchasers of the Property on notice that as of the date of this Resolution the only conditional use permit that exists for the Property is the Current CUP issued by the Town Board at its meeting on February 6, 2017.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of Denmark Township as follows:

- 1. All Prior CUPs approved by the Town Board of Denmark Township prior to February 6, 2017 for the Property located at 12590 - 127th Street South, Hastings, Minnesota, and legally described in the attached Exhibit A, are hereby revoked. All such Prior CUPs are no longer valid and may not be relied on to support any particular use of the Property.
- 2. The Town Clerk-Treasurer is hereby authorized and directed to record this Resolution against the Property in the office of the County Recorder/Registrar of Titles.
- 3. The Town Board Chair, Town Board Members, and Town staff and consultants are hereby authorized and directed to take any additional steps and actions that may be necessary or convenient in order to accomplish the intent of this Resolution.

Adopted this 6th day of February, 2017. BY THE TOWN BOARD

DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2017-07
RESOLUTION APPROVING SUMMARY LANGUAGE
FOR PUBLICATION OF ORDINANCE NO. 2017-01

WHEREAS, on February 6, 2017 the Town Board of Denmark Township ("Town") adopted "AN ORDINANCE AMENDING THE DENMARK DEVELOPMENT CODE REGARDING SOLAR ELECTRIC SYSTEMS", Ordinance Number 2017-01 ("Ordinance");

WHEREAS, the Ordinance adds language to the Town's development code to expressly allow accessory solar electric systems and to prohibit commercial solar electric systems within the Town;

WHEREAS, Minnesota Statute, section 368.01, subdivision 21 allows the publication of a summary of an ordinance instead of publishing the entire ordinance; and

WHEREAS, the Town Board determines that publishing the full text of the Ordinance is not reasonably feasible and that publication of a summary is sufficient to clearly inform the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby determines to publish the following summary language, which is hereby approved, in lieu of publishing the full text of the Ordinance:

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WASHINGTON COITY, MINNESOTA
Ordinance No. 2017-01

AN ORDINANCE AMENDING THE DENMARK
DEVELOPMENT CODE REGARDING SOLAR ELECTRIC SYSTEMS

The Town Board of Denmark Township adopted Ordinance No. 2017-01 to expressly allow accessory solar electric systems, defined as a solar electric system established for the primary purpose of meeting all or part of the electric energy needs of a building or use located on the same site, and to prohibit commercial solar electric systems, defined as a solar electric system established for the primary purpose of generating electricity and selling it directly to a third party (e.g. electric utility company), in the Town. Accessory solar electric systems are allowed in all zoning districts, provided they comply with the standards established in the ordinance. The Ordinance is effective immediately and a copy can be obtained on the Town's website, at the Washington County Law Library, the Dakota County Hastings Branch Library, and can be obtained by contacting the Town Clerk-Treasurer.

Becky Herman
Clerk-Treasurer

BE IT FINALLY RESOLVED, that the Town Clerk is hereby authorized and directed to:

- (1) Publish the above summary of the Ordinance once in the Town's official newspapers;
- (2) Maintain a copy of the full Ordinance at the Town Hall;
- (3) Place a copy of the full Ordinance at the Dakota County Hastings Branch Public Library;
- (4) Place a copy of the full Ordinance at the Washington County Law Library;
- (5) Record a copy of the ordinance amending the development code with the County Recorder's office; and
- (6) Place the Ordinance in the Town Ordinance Book within 20 days together with a copy of the affidavit of having published the approved summary language.

Adopted this 6th day of February, 2017. **BY THE TOWN BOARD**

DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2017-08
RESOLUTION APPROVING SUMMARY LANGUAGE
FOR PUBLICATION OF ORDINANCE NO. 2017-02

WHEREAS, on February 6, 2017 the Town Board of Denmark Township ("Town") adopted "AN ORDINANCE AMENDING THE DENMARK DEVELOPMENT CODE TO OPT-OUT OF THE REQUIREMENTS REGARDING TEMPORARY FAMILY HEALTH CARE DWELLINGS", Ordinance Number 2017-02 ("Ordinance");

WHEREAS, the Ordinance adds language to the Town's development code to opt-out of the regulations enacted as part of Minnesota Statutes, section 462.3593;

WHEREAS, Minnesota Statute, section 368.01, subdivision 21 allows the publication of a summary of an ordinance instead of publishing the entire ordinance; and

WHEREAS, the Town Board determines that publishing the full text of the Ordinance is not reasonably feasible and that publication of a summary is sufficient to clearly inform the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby determines to publish the following summary language, which is hereby approved, in lieu of publishing the full text of the Ordinance:

DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Ordinance No. 2017-02
AN ORDINANCE AMENDING THE DENMARK DEVELOPMENT
CODE TO OPT-OUT OF THE REQUIREMENTS REGARDING
TEMPORARY FAMILY HEALTH CARE DWELLINGS

The Town Board of Denmark Township adopted Ordinance No. 2017-02 to include the following language into the Denmark Township Development Code:

2.51 Temporary Family Health Care Dwellings. Pursuant to authority granted by Minnesota Statutes, section 462.3593, subdivision 9, the Town opts-out of the requirements of Minnesota Statutes, section 462.3593, which defines and regulates Temporary Family Health Care Dwellings.

The Ordinance is effective immediately and a copy can be obtained on the Town's website, at the Washington County Law Library, the Dakota County Hastings Branch Library, and can be obtained by contacting the Town Clerk-Treasurer.

Becky Herman
Clerk-Treasurer

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BE IT FINALLY RESOLVED, that the Town Clerk is hereby authorized and directed to:

- (1) Publish the above summary of the Ordinance once in the Town's official newspapers;
- (2) Maintain a copy of the full Ordinance at the Town Hall;
- (3) Place a copy of the full Ordinance at the Dakota County Hastings Branch Public Library;
- (4) Place a copy of the full Ordinance at the Washington County Law Library;
- (5) Record a copy of the ordinance amending the development code with the County Recorder's office; and
- (6) Place the Ordinance in the Town Ordinance Book within 20 days together with a copy of the affidavit of having published the approved summary language.

Adopted this 6th day of February, 2017. **BY THE TOWN BOARD**

**DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2017-09
RESOLUTION APPROVING THE VACATION OF A PORTION
OF 77TH STREET SOUTH AND DRAINAGE AND UTILITY LOCATED
WITHIN THE PLAT OF HOMESTEAD ESTATES
DENMARK TOWNSHIP, WASHINGTON COUNTY, MINNESOTA**

WHEREAS, Denmark Township ("Town") received a petition from Marsh Holdings LLC ("Petitioner"), which was also signed by Thomas G. Stoffel, Richard Bresnahan, Katharane Bresnahan, Tim Chapeau, Heidi Chapeau, and Frank Femling, requesting the vacation of certain drainage, utility, and right-of-way easements located on Lots 2 and 3, Block 3 and Lots 3, 4, 5 and 6 Block 5, Homestead Estates, Washington County, Minnesota ("Petitioner's Property");

WHEREAS, the Petitioner's Property was proposed to be developed as the second phase of the two phased development proposed for the plat;

WHEREAS, the Petitioner is proposing to replat the Petitioner's Property into a single residential lot, which requires the vacation of the drainage and utility easements dedicated around the existing lots within the Petitioner's Property (collectively the "D&U Easements"), the portion of 77th Street South located between St. Croix Trail Lane South and St. Croix Trail South (said portion hereinafter referred to as "77th Street"), and the end portion of 78th Street South (said portion hereinafter referred to as "78th Street"), all as shown on the map attached hereto as Exhibit A and described in the attached Exhibit B;

WHEREAS, none of the road or drainage and utility easements dedicated within the Phase II portion of the plat have been built or used for the purposes for which they were dedicated, except for the large drainage and utility easement that crosses the Petitioner's Property from the northwest to the southeast and which is not being vacated as part of this process;

WHEREAS, the Town Board has the authority, pursuant to Minn. Stat. §§ 462.358, subd. 7 and 368.01, subd. 25 to vacate easements dedicated to the public within a plat, including those for drainage and utility purposes as well as for roads;

WHEREAS, the road easements proposed for vacation do not terminate at or abut upon public water;

WHEREAS, the Town Board held a public hearing on February 6, 2017 after providing at least two weeks' published and posted notice and mailing notice to all owners within the plat at least 10 days before the date of the public hearing;

WHEREAS, the proposed vacation was reviewed by the Town Engineer and no concerns were identified with respect to drainage, utilities, or transportation; and

WHEREAS, the Town Board finds that the vacation of the D&U Easements, 77th Street, and 78th Street, as shown on the attached map, is in the interest of the public as it will allow the Petitioner's Property to be developed for low density residential purposes, rather than remaining undeveloped.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of Denmark Township as follows:

1. The D&U Easements, 77th Street, and 78th Street, as described above, are hereby vacated effective as of the recording of the replat of the described lots into a single lot.
2. The Town Board determines that no damages are owed for this vacation as any claimed damages are offset by the benefits derived from the vacation.
3. The Town Clerk-Treasurer is hereby authorized and directed to prepare and file a notice of completion of this vacation for presentation to the County Auditor and recording in the office of the County Recorder.

Adopted on this 6th day of February, 2017. **BY THE TOWN BOARD**

**DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2017-10
RESOLUTION GRANTING FINAL APPROVAL FOR THE
RE-PLATTING OF A PORTION OF THE HOMESTEAD ESTATES PLAT**

WHEREAS, Ben Granley ("Applicant") submitted an application to Denmark Township ("Town") for a minor subdivision to reconfigure six (6) existing platted lots into one (1) new lot;

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WHEREAS, the property included in the proposed re-platting into a minor subdivision was identified as Phase II of the plat of Homestead Estates (PIDs 10.027.20.32.0003, 09.027.20.41.0007, 09.027.20.41.0014, 09.027.20.41.0013, 10.027.20.32.0004, 10.027.20.32.0005) and is legally described in the attached Exhibit A (collectively, the "Property");

WHEREAS, the proposed minor subdivision is to be named HOMESTEAD ESTATES PHASE II and the survey of said plat is attached hereto as Exhibit B;

WHEREAS, the Planning Commission reviewed the preliminary plat at a duly noticed public hearing held on December 19, 2016, and recommended approval with certain conditions;

WHEREAS, the Town Board adopted Resolution 2017-3 on January 3, 2017, which is incorporated herein by reference an attached as Exhibit C, granting preliminary approval of the Plat subject to certain conditions ("Preliminary Approval Resolution");

WHEREAS, the Applicant has met the conditions of the Approval Resolution;

WHEREAS, the Town Board considered the final plat request at its meeting held on February 6, 2017; and

WHEREAS, the Town Board hereby finds and determines as follows:

- a. The Property is currently zoned Rural Residential (RR) and the allowed density within this District is eight (8) dwelling units per forty (40) acres;
- b. The Property contains approximately 32.5 acres;
- c. The proposed minor subdivision is subject to the requirements of the Denmark Township Development Code ("Development Code"), Chapter Three, Section 6;
- d. The Applicant submitted a complete application and related submittals to seek approval to re-plat the Property as a minor subdivision;
- e. The proposed subdivision of the Property qualifies as a minor subdivision under Chapter Three, Section 6.1 of the Development Code, but given the complexities involved in the proposed re-platting of the Property the Applicant is required to seek separate preliminary and final approvals;
- f. The Planner's Report (WSB Project No. 02048-370) dated December 19, 2016 developed for the requested minor subdivision, including its findings, is incorporated herein by reference. The recommended conditions in the Planners Report are superseded by the conditions contained in this Resolution;
- g. St. Croix Trail Lane South constitutes an over-length cul-de-sac under the Development Code. The Town had previously issued a variance to allow it to remain until such time as Phase II of the development was built, which would have involved the construction of 77th Street South to provide an alternative access to the lots in the plat. The Town Board remains cognizant of the need to avoid over-length cul-de-sacs, but in this case it would be impractical to require the construction of an entire street over what will become a single lot simply to provide a secondary access to lots that have been served by the over-length cul-de-sac for many years;
- h. The Applicant will be required to construct 78th Street South to Town specifications as the road is required to provide public road access to Lots 9 and 10, Block 5, Homestead Estates;
- i. The Applicant agrees to accept the obligations under the covenants recorded for Homestead Estates with respect to all six (6) lots of the Property rather than attempting to amend the covenants to recognize the reduction of the lots into a single lot. The re-platting of the Property into one (1) lot does not alter the Applicant's obligations under the covenants as the owner of six (6) lots;
- j. Per the Applicant's petition, a portion of 77th Street South, a portion of 78th Street South, and the drainage and utility easements dedicated around the lots that are being eliminated by this action have been vacated;
- k. Because the minor subdivision does not result in any additional lots, the payment of a park dedication fee is not required; and
- l. The Applicant is required to enter into a development agreement with the Town as required by Chapter Three, Section 6.2 of the Development Code.

NOW, THEREFORE, BE IT RESOLVED, that the Denmark Town Board, based on the Planner's Report, the record of this matter, and the findings and determinations made herein, does hereby approve the above described minor subdivision of the Property as proposed in the plat attached hereto as Exhibit B, conditioned on compliance with all of the following:

1. County Approval. The plat must be submitted and approved by Washington County, to the extent required.
2. Development Agreement. The Applicant shall enter into a development agreement with the Town in a form acceptable to the Town Attorney for the minor subdivision no later than 60 days from the date of the Resolution granting final plat approval.
3. Plat Corrections. The Applicant shall be responsible for making any other corrections or changes to the plat as may be needed to comply with Washington County's requirements and to put it in recordable form.
4. 78th Street South. The Applicant shall be responsible, at its own cost, for constructing 78th Street South as shortened. The construction shall be completed within nine (9) months of the date of this resolution unless a different timeline for completion is established in the development agreement.
5. St. Croix Trail Lane South. At such time as the property located to the north of this Property is developed, as determined by the Town Board, the Applicant shall be responsible, at its own cost, for removing the temporary cul-de-sac currently existing at the end of St. Croix Trail Lane South and for constructing the remaining portion of the road through to and including the platted cul-de-sac.
6. Road Specifications. All required road construction shall be done in accordance with the specifications and standards approved by the Town Engineer and in accordance with the development agreement;

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7. Covenants. The Applicant shall assume the responsibilities of each of the six (6) lots of the original Phase II portion of Homestead Estates under the covenants. This condition is intended to avoid the burden shifting that would otherwise occur under the covenants by eliminating five (5) lots, but is not otherwise intended to speak to the obligations or rights under the covenants. Nor does this condition make the Town responsible for administering or enforcing the covenants.
8. Engineering Considerations. All Engineering Considerations described in the staff report dated December 13, 2016 are met.
9. Primary Drainage Easement. The existing drainage easement that provides for drainage through and across the property shall be retained.
10. Septic System. Washington County Department of Public Health and Environmental must approve the proposed septic system and its location per the most recent requirements of the Washington County Septic Code.
11. Density. The Property was originally approved for six (6) density units as part of the plat of Homestead Estates. The total density for the Property, including all land being included in the plat, is six (6) density units. As of the date of this Resolution, none of the density units have been used, but the Applicant does intend to build a home on the resulting single lot.
12. Representations. That all representations, written and oral, made by the Applicant and his agents and representatives to the Town contained in and concerning the application must have been true, complete, and accurate at the time they were made;
13. Compliance. The Applicant shall comply with the requirements of the Development Code, the terms, conditions, and requirements contained within the development agreement, and shall comply with, and obtain all other permits required by, all other applicable federal, state, and local laws, rules and regulations.
14. Fees. The Applicant shall pay all planning, engineering and legal fees and costs incurred by the Town for processing and acting on its application. In the event the escrow provided with the application is not sufficient to fully reimburse the Town, the Applicant shall be required to pay such additional amount within fourteen (14) days of receiving a bill from the Town. In the event the fees are not paid, this approval shall terminate automatically upon recording of a Notice of Nonpayment by the Town.
15. Inspections. The Town, its officers, and consultants may enter the Property, after providing reasonable notice to the Applicant or Owners, at all reasonable times to conduct inspections for the purpose of ensuring compliance with this approval. Prior notice to inspect the Property is not required in the event of an emergency.

BE IT FINALLY RESOLVED, the Town Board Chairperson and the Town Clerk-Treasurer are hereby authorized to execute the development agreement for this minor subdivision on behalf of the Town once it is in a form acceptable to the Town Attorney.

Adopted this 6th day of February, 2017. **BY THE TOWN BOARD**

DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2017-11
RESOLUTION APPROVING THE VACATION OF
DRAINAGE AND UTILITY EASEMENTS LOCATED
WITHIN THE PLAT OF HIDDEN VALLEY ACRES
DENMARK TOWNSHIP, WASHINGTON COUNTY, MINNESOTA

WHEREAS, Denmark Township ("Town") received a request from John and Jill Heinbuch ("Petitioners"), owners of Lots 2, 3, and 4, Block 1, Hidden Valley Acres, Washington County, Minnesota ("Petitioners' Property");

WHEREAS, the Petitioners proposed to replat the Petitioners' Property to reconfigure three (3) existing lots into three (3) new lots which requires the vacation of the drainage and utility easements dedicated around the existing lots (collectively the "D&U Easements"), as shown on the map attached hereto as Exhibit A and described in the attached Exhibit B;

WHEREAS, the proposed replatting creates appropriate drainage and utility easements on the three (3) newly created lots;

WHEREAS, the Town Board has the authority, pursuant to Minn. Stat. §§ 462.358, subd. 7 and 368.01, subd. 25 to vacate easements dedicated to the public within a plat, including those for drainage and utility purposes as well as for roads;

WHEREAS, pursuant to its own motion, the Town Board held a public hearing on February 6, 2017 after providing at least two weeks' published and posted notice and mailing notice to all owners within the plat at least 10 days before the date of the public hearing;

WHEREAS, the proposed vacation was reviewed by the Town Engineer and no concerns were identified with respect to drainage, utilities, or transportation;

WHEREAS, the Town Board considered the preliminary and final plat request at its meeting held on January 3, 2017, and approved the plat on the condition that the D&U Easements be vacated; and

WHEREAS, the Town Board finds that the vacation of the D&U Easements, as shown on the attached map, is in the interest of the public as it will allow the Petitioners' Property to be developed for low density residential purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of Denmark Township as follows:

4. The D&U Easements, as described above, are hereby vacated effective as of the recording of the replat of Lots 2, 3, and 4, Block 1, Hidden Valley Acres, Washington County, Minnesota.
5. The Town Board determines that no damages are owed for this vacation as any claimed damages are offset by the benefits derived from the vacation.
6. The Town Clerk-Treasurer is hereby authorized and directed to prepare and file a notice of completion of this vacation for presentation to the County Auditor and recording in the office of the County Recorder.

Adopted on this 6th day of February, 2017. **BY THE TOWN BOARD**

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DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2017-12

RESOLUTION AMENDING RESOLUTION NO. 2017-01
REGARDING THE FINAL PLAT OF MORGAN FARM LOTS

WHEREAS, on January 3, 2017 the Town Board adopted Resolution No. 2017-01 granted preliminary and final approval for the plat of Morgan Farm Lots based on the application submitted by James and Annalise Poepl ("Applicants") for their property located at 12713 Morgan Avenue South (PIDs 06.026.20.41.0001, 06.026.20.44.0004, 06.026.20.43.0024, 06.026.20.43.0007);

WHEREAS, the approval was for a minor subdivision involving the reconfiguration of four (4) existing tracts of land into three (3) new lots;

WHEREAS, since the adoption of the approval resolution, the Applicants learned that they had more land than they had originally thought, and so the final plat needs to be corrected to reflect the additional land, all of which is under the right-of-way for 127th Street South; and

WHEREAS, the Applicants have submitted to corrected plat, which is attached hereto as Exhibit A, and the Town Board finds the change has no effect on its approval.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of Denmark Township as follows:

1. Resolution No. 2017-01 is hereby amended by replacing the original final plat with the attached corrected final plat that includes the additional land.
2. No other changes to the approval resolution are intended.
3. The Town Clerk-Treasurer is authorized and directed to include the corrected final plat in any documents to be recorded with the County regarding this matter and to take such other actions as may be needed to reflect the correction.

Adopted this 6th day of February, 2017. **BY THE TOWN BOARD**

DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Ordinance No. 2017-01
AN ORDINANCE AMENDING THE DENMARK TOWNSHIP
DEVELOPMENT CODE REGARDING SOLAR ELECTRIC SYSTEMS

The Board of Supervisors of the Town of Denmark ordains:

Article I. Definitions. Chapter One, Section 2 the Denmark Township Development Code is hereby amended by adding the following new definitions:

Photovoltaic (PV) Device: A system of components that generates electricity from incident sunlight by means of the photovoltaic effect, whether or not the device is able to store the energy produced for later use.

Solar Energy: Electromagnetic energy transmitted from the sun (solar radiation).

Solar Electric System: A set of photovoltaic devices whose primary purpose is to collect solar energy and convert (and possibly store) it into electric power by means of any combination of collecting, transferring, or converting solar-generated energy.

Solar Electric System, Commercial: A solar electric system established for the primary purpose of generating electricity and selling it directly to a third party (e.g. electric utility company).

Solar Electric System, Accessory: A solar electric system established for the primary purpose of meeting all or part of the electric energy needs of a building or use located on the same site.

Article II. Zoning Use Index. The list of permitted uses in Chapter Two, Part 1, Section 7.1 of the Denmark Township Development Code is hereby amended by adding the following:

USE	C	AP	A2	RR	SFE	CI
Accessory Solar Electric System	P	P	P	P	P	P
Commercial Solar Electric System	N	N	N	N	N	N

Article III. The Denmark Township Zoning Ordinance is hereby amended by adding the following Section 2.395 to Chapter Two, Part 3, Section 2 as follows:

2.395. **Solar Electric Systems.** Commercial solar electric systems are prohibited within the Town. Accessory solar electrical systems are permitted in all zoning districts as an accessory use to the principal use of the property. All accessory solar electrical systems shall comply with the following standards.

- (1) **Required Permits:** The placement or expansion of an accessory solar electric system requires the issuance of a building permit.
- (2) **Other Requirements:** The placement of an accessory solar electric system shall require compliance with the electrical code and all other applicable codes and requirements.
- (3) **Performance Standards:** Accessory solar electric systems must comply with the following requirements:
 - (A) An accessory solar electric system placed on a roof shall comply with all of the following:
 1. The panels shall be mounted parallel to the plane of the roof.

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2. Except for agricultural buildings and commercial buildings in the AP, A-2, and CI Districts, the panels shall not extend more than two (2) feet above the plane of the roof and shall not be located any closer than three (3) feet from any side, top, or bottom edge of the roof;
 3. In the AP, A-2, and CI Districts, the panels placed on agricultural buildings or commercial buildings shall not extend more than four (4) foot above the plane of the roof and shall not be located any closer than six (6) feet from any side, top, or bottom edge of the roof;
 4. The entire accessory solar electric system shall not occupy more than seventy-five percent (75%) of the area of the roof plane to which it is affixed; and
 5. No portion of the accessory solar electric system shall extend above the maximum building height established for the zoning district in which it is located.
- (B) An accessory solar electric system placed on the ground shall comply with all of the following:
1. No portion of the accessory solar electric system shall exceed fifteen (15) feet in height;
 2. No portion of the accessory solar electric system shall be placed within any setback area;
 3. All electric power lines associated with the accessory solar electric system shall be buried underground;
 4. The total area covered by the accessory electric system shall not exceed one-thousand (1,000) square feet unless the Town Board approves a larger coverage area; and
 5. Vegetation under and immediately around the accessory electric system shall be cut as needed so as not to exceed eight (8) inches and all noxious weeds eliminated.
- (C) An accessory solar energy electric system shall only be allowed on a parcel of land that contains a principal building associated with the principal use of the land.
- (D) No accessory solar energy electric systems shall create or cause unreasonable glare on other property or public roadways. Unreasonable glare shall mean a degree of glare that creates a nuisance for other property owners or that creates a public safety hazard for those traveling on public roadways as determined by the Town Board or the appropriate roadway authority.
- (E) No accessory solar electric system shall be allowed to create interference with television, cable, radio, telephone, internet, computers, or other electronic devices and services on neighboring properties, or be allowed to otherwise constitute a public nuisance.
- (F) All accessory solar electric systems shall be consistent with the Building Code, electrical code, plumbing code, and all other applicable federal, state, and local laws, rules, regulations, and ordinances.
- (G) All equipment used for the accessory solar electric system shall be certified by either the Underwriters Laboratories (UL) or Canadian Electrical Code (CSA 22.1), or the Solar Rating and Certification Corporation (SRCC) for thermal systems.
- (H) All accessory solar electric systems unused, abandoned, or inoperable for more than twelve (12) months shall be removed by the owner of the system or the property owner.
- (4) Incidental Sales. The sale of excess electricity generated from an accessory solar electric system to a third party (e.g. electric utility company) is allowed, and does not cause the system to be classified as a prohibited commercial solar electric system, if the total amount of electricity sold does not exceed ten percent (10%) of the electricity generated from the solar electric system and consumed on the site.

Article IV. Incorporation of Amendments. The Town Clerk-Treasurer is hereby authorized and directed to incorporate these amendments into the text of the Denmark Township Zoning Ordinance, renumber sections as needed, post it as the official current version of the ordinances on the Town’s website, and to complete the required ordinance formalities.

Article V. Effective Date. This ordinance shall be effective upon the first day of publication after adoption.

Adopted on the 6th day of February, 2017. **BY THE TOWN BOARD**

**DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Ordinance No. 2017-02
AN ORDINANCE AMENDING THE DENMARK DEVELOPMENT
CODE TO OPT-OUT OF THE REQUIREMENTS REGARDING
TEMPORARY FAMILY HEALTH CARE DWELLINGS**

The Board of Supervisors of the Town of Denmark ordains:

Article I. Chapter Two, Part 3, Section 2 of the Denmark Township Development Code is amended by adding the double underlined material as follows:

2.51 Temporary Family Health Care Dwellings. Pursuant to authority granted by Minnesota Statutes, section 462.3593, subdivision 9, the Town opts-out of the requirements of Minnesota Statutes, section 462.3593, which defines and regulates Temporary Family Health Care Dwellings.

Article II. Incorporation of Amendments. The Town Attorney and Town Clerk/Treasurer are hereby authorized and directed to do the following with respect to the Denmark Township Development Code upon the adoption of this ordinance:

1. Incorporate these amendments into the text of the Development Code, including renumbering sections and subsections as needed; and
2. The Clerk/Treasurer shall maintain an official copy of the updated Denmark Development Code in the office of the Clerk/Treasurer, which shall constitute the official copy of the Code, and post a copy of it on the Township’s website.

Article III. Effective Date. This ordinance shall be effective upon the first day of publication after adoption.

Adopted on the 6th day of February, 2017. **BY THE TOWN BOARD**