

DENMARK TOWN BOARD MEETING MINUTES
June 2, 2014

SUPERVISORS PRESENT: Kathy Higgins, John Kummer, Joe Moore, Karen Herman

ABSENT: Jim Keller

STAFF PRESENT: Attorney Troy Gilchrist (Kennedy-Graven)

CALL TO ORDER: Meeting called to order @ 7:01 PM by Chair Higgins

AGENDA APPROVAL: K Herman added Ditch Mowing. K Higgins added Warrior Dash, Geronimo Project and Short Course. **Motion J Moore/2nd J Kummer approval of agenda as amended. All In Favor. Motion Carried 4-0-0.**

CONSENT AGENDA APPROVAL: J Kummer pulled Claims. **Motion J Moore/2nd J Kummer approval of consent agenda items which include 05/05/14 Board Minutes, EFT payments- PERA 289803, MN Rev. Tax 1034592896, Federal Tax 72301200, payroll ending 06/01/2014 and financial reports. All In Favor. Motion Carried 4-0-0.**

Pulled Claims: Claims added for approval. Claim 10301 Dennis Thurmes (200 gophers @ \$2.50) in the amount of \$500.00. Claim 10302 Ray Thurmes (32 gophers @ \$2.50) in the amount of \$80.00. Claim 10303 WSB & Associates (05/22/14 invoices) in the amount of \$392.00.

Motion J Moore/2nd J Kummer approval of Claims #10285-10303. All In Favor. Motion Carried 4-0-0.

HEARING DECISIONS/ZONING ACTIONS: None

PUBLIC COMMENT: None

BUSINESS ITEMS:

Slaikeu 14233 60th St S Accessory Structure Location: Kevin and Vicky Slaikeu present. Slaikeu's are requesting approval to locate a 16x24 384 sq ft- one story accessory structure on their 5 acre parcel, closer to the road than the house. Intended use for the utility shed is to house mowers, snow blowers, garden items. The earth home on the property is on a hill and the only flat spot on the parcel is north of the house. There is currently a 36x26 936 sq ft accessory structure that was previously approved to be located closer to the road than the house. Because of the wooded area at the property line, the proposed structure would not be very visible from the road and would likely be partially visible to the closest neighbor. Slaikeu's believe the neighbor would have no concerns with the proposed location. There would be no driveway access from the road to the proposed building. Color of building would blend with landscape. **Motion J Kummer/2nd J Moore approval of Slaikeu request to place an accessory structure closer to the road than the house at 14233 60th St S. All In Favor. Motion Carried 4-0-0.**

Roads 2014: Updated timeline for Street Improvement projects reviewed.

Road Maintenance: The Winter Maintenance and Summer Maintenance service agreements are currently separate contracts. The current winter maintenance agreement is for a 1 year term. The current summer maintenance agreement has a 3 year term ending 04/30/2015. J Kummer is recommending combining the winter and summer maintenance service agreements into a single contract as it was in the past, with a longer term.

If set as a 3 year contract, the winter maintenance term would be for the 2014-15, 2015-16 and 2016-17 winter seasons.

Summer maintenance term would begin 05/01/15 and end 04/30/18.

Contract value of \$100,000 or more requires bid process. Contract would be bid-requesting separate hourly rates for both summer and winter maintenance.

Board requested attorney include language in the contract to give authorization to the roads supervisor to direct contractor to perform miscellaneous road maintenance services, spot maintenance, repair.

Motion J Moore/2nd J Kummer approval of combination of winter and summer road maintenance agreements, with a 3 year term. All In Favor. Motion Carried 4-0-0.

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Town Hall: Town Hall Park is in need of tree/bush trimming and removal of scrub trees/brush. J Moore has had a tree service review the property with him and has received recommendations and a proposal of \$2400.00 for 4 workers, duration of project approximately 1 ½ days. Proposal included which trees and specific work to be done. Removed trees would be ground and used for mulch and all necessary cleanup performed. J Moore will try to be present when the project is being done, and will contact J Keller for his input. **Motion J Kummer/2nd K Herman approval of scope of work as presented and proposal in the amount of approximately \$2400.00, not to exceed a total of \$3000.00 for additional work as J Moore may authorize. All In Favor. Motion Carried 4-0-0.**

Femling Lot Line Adjustment escrow balance refund: Femlings have requested refund of their escrow balance in the amount of 332.00. All charges related to the account have been cleared. **Motion J Moore/2nd J Kummer approval to refund Femling Lot Line Adjustment balance in the amount of \$332.00, with approval to pay with this month's claims. All In Favor. Motion Carried 4-0-0.**

Ditch Mowing: Discussion re: eradication of noxious weeds in ditches.

Past policy is to do 1 single pass (approximately 8 ft wide) and follow up in the fall with a fuller second (16 ft) mowing. K Herman suggested mowing occur soon, before weeds flower and set seed. J Kummer stated that timing and number of mowings is dependent upon growing season and the moisture. Believes spraying would be more effective than mowing. Board unsure if County or Cottage Grove sprays, may obtain additional information.

Statute: Mowing restrictions-allows mowing the first 8 ft from the road surface or shoulder at any time. Entire right of way can be mowed after July 31. From August 31 to the following July 31 the entire right of way may only be mowed for safety reasons, but may not be mowed to a height of less than 12 inches.

The exception to the mowing restrictions-allows mowing/eradication as often as may be necessary to prevent/destroy the ripening or scattering of seed and other propagating parts of such weeds.

J Kummer- Suggested making first pass, then upon supervisor direction have contractor mow targeted patches of noxious weeds, especially wild parsnip.

K Herman expressed concern regarding enforcement of private landowner weed eradication when the Township ditch noxious weeds are not eradicated.

Warrior Dash: Town has not received the large special events application from Warrior Dash for their planned event on July 12, 2014. Application deadline was May 12, 2014. K Higgins has been in contact with representative from Red Frog Events a number of times, furnishing them with the documents and information to submit for their application. Red Frog Events has not followed through with the process. K Higgins has also shared the concerns with Afton Alps regarding the issue. The Board's intent is not to create a hardship on Afton Alps, rather to follow through on requirements of Township Ordinance 2012-01, which regulates Large Special Events.

Attorney recommended setting an extended deadline for receipt of the completed application form/application fee and escrow deposit, also setting a deadline for receipt of the required additional submittal, with a notice that unless received by extended deadline dates, no event will take place. Also, that if the ordinance deadlines are not met for future applications, the application will be denied and the event shall not occur.

Suggestion to request an after event review meeting with Red Frog Events and Afton Alps/Vail to review event and to address expectations for future events.

Motion J Moore/2nd J Kummer to require Red Frog Events (Warrior Dash) to submit complete application form, permit application fee and escrow deposit by Friday, June 6, 2014 5:00 CDT, or the application will not be eligible for further consideration by the Board. All In Favor. Motion Carried 4-0-0.

Geronimo Aurora Solar: Received invitation to attend an open house with information on solar farms. K Higgins has asked J Keller to attend.

Short Course: Reminder of MAT Short Course in June, which will include Local Board of Appeal training for certification. K Herman will try to attend.

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Rumpca: J Kummer met with Joe Rumpca at the gravel pit. Some equipment was on top of the hill, and will be moved as blasting/drilling progresses. Equipment is not very visible from the north on 80th St, but is visible looking from the south. Fencing is being built around the east side of the property for the stockpile area.

Landowner Request: K Higgins received a request from a landowner (70th St) regarding building an accessory structure prior to building the house. Like the previous request, landowner was informed that they would need to enter into an agreement, submit an escrow for legal costs to create it, submit a security escrow to ensure compliance with the agreement and to obtain building permits for both the building and the house prior to construction of the accessory structure.

Motion J Moore/2nd J Kummer to authorize Town Attorney and Chair to work with the Laumeys 15067 70th St S to prepare the necessary documents to allow owner to construct an accessory structure prior to construction of the principal residence. All In Favor. Motion Carried 4-0-0.

Mississippi River Critical Corridor Area: Draft rules and request for comment has been posted on the DNR website. Attorney will draft comment letter for Board review in July/August.

Legal Updates:

Attorney asked Board for their preference on whether to have the Driveway Ordinance as a stand-alone ordinance, or to incorporate it into the Zoning Ordinance. The current Zoning Ordinance does have a reference to the driveway policy. An amendment to the Zoning Ordinance is needed to establish a grading permit application fee and escrow. Attorney will draft amendments to incorporate both into zoning code.

Attorney is still working with Tiller regarding their required bond.

Other unfinished business for Board consideration:

Draft tree policy for discussion on July agenda.

Administrative Authorization Resolution.

Revision of Dog Ordinance.

8:50 PM **Motion J Kummer/2nd J Moore to adjourn. All In Favor. Motion Carried 4-0-0.**

Becky Herman
Denmark Township Clerk/Treasurer

Denmark Township Chair