

DENMARK TOWN BOARD MEETING MINUTES  
August 6, 2012

**SUPERVISORS PRESENT:** Kathy Higgins, Steve Kramer, Joe Moore

**ABSENT:** Jim Keller and John Kummer

**STAFF PRESENT:** Attorney Troy Gilchrist, Engineer Ryan Stempski

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

**AGENDA APPROVAL:** Kramer added Town Hall Deck/Ramp and Weed Complaint. Higgins added O'Connor's Park, Animal Control, Warrior Dash Update and Roads. **Motion Moore/2<sup>nd</sup> Kramer approval of agenda as amended. All In Favor. Motion Carried 3-0.**

**CONSENT AGENDA APPROVAL:** Higgins pulled claims. **Motion Moore/2<sup>nd</sup> Kramer approval of consent agenda items which include Minutes 07/02/2012 Board Meeting, EFT payments- PERA 219493, MN Revenue Tax 1966814720, Federal Tax 13010524, payroll ending 08/01/2012 and financial reports. All In Favor. Motion Carried 3-0.**

**Pulled Claims-** Claim #9905 Luhman's Construction in the amount of \$3746.34 changed to \$9947.34 to include addition billing received. Added Claim #9916 City of Cottage Grove in the amount of \$52,597.20 for 2012 sealcoat/crack seal. **Motion Kramer/2<sup>nd</sup> Moore approval of Claims #9898-9916 as amended. All In Favor. Motion Carried 3-0.**

**PUBLIC COMMENT:**

Bob Voigt gave the Board an update on the Denmark Township Historical Society. The society has received pledges and payments in over \$51,000. Several proposals are in process from foundations and individuals. Program on 09/30/12 at Carpenter's Center to thank donors.

**BUSINESS ITEMS:**

**10811 Nyberg-Accessory Structure Location:** Ed and Betty Schiefelbein present. Schiefelbein's are requesting approval to build a garage between the house and the road. The bedrooms are located above the existing attached garage. Because of family member allergies, the garage has not been able to be used for cars, mowers, tillers because of the gas fumes. The proposed garage would be 24x40 (960 sq ft). The property currently has a 4x6 chicken coop, a 10x13 storage shed and a 10x18 storage shed. Because the ordinance allows only 2 accessory structures on a 5.16 acre parcel, the Schiefelbein's would remove the 10x13 storage shed. Permit will be obtained from Cottage Grove Building Department for ordinance compliance related to size and setbacks.

**Motion Kramer/2<sup>nd</sup> Moore to approve accessory structure location between the house and the road at 10811 Nyberg Ave S, as submitted, subject to compliance with ordinance size and setbacks. All In Favor. Motion Carried 3-0.**

**Recycling Grant Agreement:** Board and Attorney reviewed Recycling Agreement with Washington County. Entering into the agreement is required in order for the Township to receive recycling funds from the County. **Motion Moore/2<sup>nd</sup> Kramer to approve entering into Recycling Grant Agreement with Washington County. Authorization for Chair to sign agreement. All In Favor. Motion Carried 3-0.**

**Town Hall Deck/Ramp:** Kramer reported that the deck railings are not in good shape and has requested quotes for replacing the railings and/or deck and ramp. He will report back with quotes for the September meeting.

**Dog Complaint:** Sheriff's Department has notified the township that there was a dog bite incident on Neal Avenue and resulted in the owner receiving a declaration of a potential dangerous dog notice. Property owner addressed the Board on behalf of her daughter (dog owner). Any appeal by the owner would result in a hearing before a panel set by the Town Board. Appeal was submitted to the Clerk.

**Motion Kramer/2<sup>nd</sup> Moore to appoint Higgins and Moore to the hearing panel, and authorization for Higgins and Moore to appoint the third panel member. All In Favor. Motion Carried 3-0.** Attorney will be

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part of the hearing process to set the hearing date, send notice of hearing to the affected parties and to draft the panel's findings.

Attorney also recommended updating the Township dog ordinance to be consistent with the State Statutes.

Board authorized attorney to update dog ordinance for Board review.

**Roads:** Engineer Stempski submitted updated Street Improvement & Maintenance Planning Guide to Board. Engineer has reviewed 80<sup>th</sup> Street and submitted plan to repair 3 sections of the road. 13760 80<sup>th</sup> subsurface repair and 60x26 ft patch (60 ft stretch). West of 13760 80<sup>th</sup> - subsurface repair and 100x26/13 patch (100 ft stretch). Area east of Manning (100 ft stretch). Projected cost \$20-25,000.00) Engineer has received 1 quote and if Board approves 80<sup>th</sup> St repair plan, Engineer will get another quote. Board consensus to go forward with repair plan. **Motion Moore/2<sup>nd</sup> Kramer to authorize Engineer to obtain a second quote for 80<sup>th</sup> St. repair, and to authorize Engineer and Roads Supervisor Kummer to review and select a contractor and to authorize repair work, not to exceed the amount of \$25,000.00. All In Favor. Motion Carried 3-0.**

**Ditches:** Moore reported that areas of small trees and thistles are growing in the ditches. Supervisor in charge of ditch mowing may authorize mowing of noxious weeds. Moore will contact Kummer to have ditch mowing contractor mow noxious weeds.

**Weed Complaint:** Town received complaint of noxious weeds on the property at 11810 Mendell Avenue with the home having no one residing in it for years, most likely bank owned. Kramer viewed the lot to confirm noxious weeds and has contacted the property management company to request action for noxious weed eradication and has not had any cooperation from them. Attorney may have additional contact information and will forward to Kramer. Board consensus that since it is a timely issue to eradicate the weeds before they go to seed, the lot should be immediately mowed.

**O'Connor Park:** Prairie Restorations submitted a work plan for the remaining grant funds for O'Connor Park. Keller will meet with Jyneen Thatcher (WCD) to discuss proposal and will report back to the Board in September.

**Warrior Dash:** Complaints received regarding the Emergency Management (not adequate water stations), shortage of restrooms in parking areas, and bussing system issues.

**Budget Meeting:** Budget meeting set for 08/16/12 at 5:30 PM.

**Legal Updates:**

**7707 Manning Ave update (Buell's):**

CUP covers 1 parcel (40 acres) but business owns and uses 3 contiguous parcels (79 acres). Potential buyer would like to amend CUP to include all 3 parcels. Buyer intends on using the property in the same way, as a retail garden center/plant nursery, with the addition of recycling/composting. Board consensus to allow deviation from the application materials, as the potential buyer intends to correct the legal description of the property and continue with the same uses; however, the Board will require additional information regarding the recycling/composting. Application request would run through the regular application/hearing process.

Attorney did review samples of public improvement policies. Subject will be continued.

9:40 PM **Motion Moore/2<sup>nd</sup> Kramer to adjourn.** All In Favor. Motion Carried 3-0.

Becky Herman  
Denmark Township Clerk/Treasurer