

DENMARK TOWN BOARD MEETING MINUTES
October 1, 2018

SUPERVISORS PRESENT: Bob Rucker, Joe Moore, Kathy Higgins, John Strohfus
ABSENT: Karen Herman
STAFF PRESENT: Attorney Gilchrist (Kennedy-Graven), Engineer Geheren (Focus)

CALL TO ORDER: Meeting called to order @ 7:02 PM by Chair Higgins

AGENDA APPROVAL: Higgins added O'Connor Park work estimates.

Motion J Moore/2nd B Rucker approval of agenda as drafted. Voting Yes- J Moore, B Rucker, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

CONSENT AGENDA APPROVAL:

Motion J Moore/2nd J Strohfus approval of Consent Agenda items which include 09/06/2018 Board Meeting Minutes, EFT payments- PERA 481025, MN Tax 1748310464 , Federal Tax 80763521, payroll ending 10/01/2018, Financial Reports. Voting Yes- J Moore, J Strohfus, B Rucker, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

HEARING DECISIONS/ZONING ACTIONS: None

Public Comment- Grote/Kramer

Grote- asked which Board Member should be contacted regarding oversight on Conditional Use Permits. Expressed concerns regarding Rumpca gravel pit starting operations prior to 7AM. Resident documented date with early start times. Also noted that on a Saturday, which can only have retail sales, had operations which included pit machinery. Asked if blasting depth is being monitored.

Kramer- noted that the operations on the Saturday, did include crushing of materials. Resident had understanding that Saturday operations only include retail sales and no crushing of materials. Also, is questioning why a Board Member is not overseeing Conditional Use Permits. Asked procedure on reporting incidents.

The permit allows for Board to authorize additional operations outside of regular days/hours for emergencies and requests made from public road authorities. Monthly elevation reports are required and are reviewed by the Town Engineer. Blasting reports are required following blasts. Board also has ability to review gravel pit load tickets. Resident was advised to send written (email) with any concerns to the Clerk. Residents asked that a Board Member be assigned to review pit operations and to be a contact person for concerns. Equipment is all over the property rather than at the bottom of the gravel pit.

BUSINESS ITEMS:

Oakgreen Meadows 2nd Addition Letter of Credit- Developer has completed the improvements- asphalt, shouldering, removal of silt fence and restoration. Engineer recommends reduction of Letter of Credit to 25% of the original Letter of Credit (\$354,245.63) in the amount of \$88,561.41. The amended LOC would remain for an additional 2 years during the road 2 year warranty period. Town will not take over maintenance of the road until 50% of the lots are occupied. **Motion J Strohfus/2nd J Moore to approve Oakgreen Meadow's 2nd Addition Letter of Credit reduction to \$88,561.41.** Voting Yes- J Strohfus, J Moore, B Rucker, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Development Signage: Clarification regarding who is responsible for ordering/installation of development street signs. Engineer noted that the Development Agreements designate township responsibility for purchasing and placing the signs, with the cost to be charged to the developers.

O'Connor Park Work Estimates:

Phase 1- Clearing trees/brush from property. B Rucker spoke with 3 contractors. Waiting for estimate from one and one had a scheduling problem for the project. At this time, B Rucker recommends approval of estimate received from Tri-County (\$12,720.00), which includes diseased tree removal, stacking, burning piles of trees/brush, cleanup of materials unburnt and regrade and fill holes from tree removal. The arborist and 2 contractors who B Rucker spoke with regarding the blight on the trees, recommend removing 90% of the trees, pile and burn them. Then replace with saplings, hardwood trees. The evergreens are mostly dead. Rucker indicated that the existing hardwood and healthy evergreen trees will be marked for keeping. Fence on east side

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of the park will need to be repaired. Fenceline was cleared at one time, but it now has overgrowth on it. Portions of the property need clean up in order to repair the fence and to assure good property access for the survey to be done. B Rucker asked Tri County (ditch mowing contractor) to do the brush hog/clearing/grubbing of the property, in lieu of the first 2019 ditch mowing, which will be eliminated due to the planned ditch spraying.

J Strohfus/K Higgins support tree removal/clearing plans but would like to salvage any good trees. B Rucker would like to contract with Arbor Tree Farm (selling their property) to ask if there would be anything that they may want to sell and move/plant at the park site. Would need to regularly water the new trees. J Moore expressed concerns regarding ongoing management of the project. Regular management will need to be done, to keep the property maintained (weeds, tree care).

Phase 2- Parking Lot- Received estimate from Tri-County (\$11,187.30) and waiting for estimate from additional contractor for construction of the parking lot. Will address parking lot project when additional estimate is received. Top soil removed from the parking lot area can be used to fill the holes left by tree removal.

Prairie portion- Prairie Restorations recommends burning the existing prairie portion in the spring and reseed it and keep it mowed for a year. Or, till the area, reseed it and start over. B Rucker would recommend tilling the area and reseeded. Once set up, the area would need to have long term maintenance (burning).

J Strohfus asked what the purpose is for putting in this prairie with requirement of long term management, vs putting in something like a hay field which would be regularly maintained, eliminating weeds. Other areas which have been put into prairie have been unused for the public.

Rucker would like to see a picnic/pavilion area installed. The park is rarely used now. Need to consider if there will be a benefit to the community. Park is not used, as it is not now accessible or developed.

Moore questioned whether we could just clean out the diseased areas, and plant/burn the prairie and install trails. Rucker- the only way you can use the park now is if you stay on the trails because of the overgrowth of brush/weeds. With regular mowing, you could keep the invasive brush from growing back in.

Board consensus- to remove the trees, do the brush mowing/clearing, get the survey done, contact the neighbor regarding regular mowing in conjunction with allowing an easement for him.

Motion J Strohfus/2nd J Moore to approve contracting with Tri-County Services, estimate in the amount of \$12,720.00 for Phase 1 tree removal/cleanup. Voting Yes- J Strohfus, J Moore, B Rucker, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0. Attorney will draft contract.

Ditch Spraying- Attorney in receipt of detail cost and licenses from ditch spraying company. Attorney will draft contract.

Discussion regarding reestablishing newsletter will be placed on November agenda.

B Rucker reported that a resident contacted the Town to request that his neighbor's private property should be mowed up to the crop line as it was done in the past. Resident was told that going forward, the Town would not mow the private area due to liability and the use of public funds being used on private property.

Legal Reports-

Complaints- Attorney cautioned on overall active patrols/enforcement regarding properties with conditional use permits. Concerns/complaints can be followed up on by use of contracted inspector. Complaints should be in writing and followed up with Town process. Town has a complaint process/procedure.

Attorney will be drafting letter to property owner regarding compliance with code enforcement.

8:38 PM **Motion J Moore/2nd B Rucker to adjourn October Board Meeting. Voting Yes- J Moore, B Rucker, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.**

Becky Herman

Denmark Township Clerk/Treasurer

Denmark Township Chair