

DENMARK TOWN BOARD MEETING MINUTES  
October 6, 2014

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

**ABSENT:** None

**STAFF PRESENT:** Attorney Troy Gilchrist (Kennedy-Graven)

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

**AGENDA APPROVAL:** J Kummer added 110<sup>th</sup> St Ravine (east of St Croix Tr) and 80<sup>th</sup> St Repair Project. K Higgins added Fire Department. **Motion J Moore/2<sup>nd</sup> J Keller approval of agenda as amended. All In Favor. Motion Carried 5-0-0.**

**CONSENT AGENDA APPROVAL:** Higgins pulled 09/02/14 Board Minutes. **Motion J Moore/2<sup>nd</sup> J Keller approval Balance of consent agenda items which includes Claims #10372-10389, EFT payments- PERA 304322, MN Rev. Tax 1126037120, Federal Tax 90627187, payroll ending 10/01/2014 and financial reports.**

All In Favor. Motion Carried 5-0-0.

**Pulled Minutes:** Clerk made correction and addition to 80<sup>th</sup> St Issue to clarify cost of repair project-(\$56.75/ton plus \$1000 mobilization fee-total cost \$5000 which includes mobilization fee). **Motion J Moore/2<sup>nd</sup> J Keller approval of 09/02/14 Board Minutes as amended. All In Favor. Motion Carried 5-0.**

**HEARING DECISIONS/ZONING ACTIONS:** None

**PUBLIC COMMENT:** None

**BUSINESS ITEMS:**

**2014-17 All Season Road Maintenance Bids (approx 7:30 PM):** Town published (09/25 & 10/02/14) and posted (09/25/14) notice of request for bids for All Season Road Maintenance. Town is receipt of one bid. Tri-County summer grading at a rate of \$88/hr. and winter maintenance at a rate of \$95/hr with a fuel surcharge of \$2.50/hr when fuel is over \$4/gal. Bid security of a cashier's check for \$2500.00 was received with the bid.

**Motion J Kummer/2<sup>nd</sup> J Moore to award 2015-17 All Season Road Maintenance Contract to Tri-County Services at a summer grading rate of \$88/hr and winter maintenance rate of \$95/hr with a fuel surcharge of \$2.50/hr to be charged when fuel is over \$4/gal. Staff authorized to issue Notice of Award/finalize & execute agreement. All In Favor. Motion Carried 5-0-0.**

**Homestead Estates Road Acceptance:** Frank Femling in attendance. Frank is requesting that the Town begin road maintenance on St Croix Tr Lane in Homestead Estates. The road was constructed in October 2009 and the improvements were accepted. The Development Agreement requires that 51% (9 homes) be occupied before the Town takes over the road maintenance. Frank believes the 9<sup>th</sup> home will be occupied within the month. J Kummer and Engineer will check the road and report to the Board in November.

**Criminal Prosecution:** Attorney Joe Taylor agreed to act as prosecutor for the Town regarding a criminal citation issued to a Denmark property owner for dogs at large. Citation was issued by the Sheriff's Office because of the repeated reports they have had to deal with concerning the 3 dogs. Attorney Taylor had the court date changed to correspond with his usual schedule with the courts. Defendant pled guilty and paid the fine. Attorney charged nothing to the Town for his services.

**Denmark Comments on MRCCA draft rules:** Attorney submitted 09/29/14 comments regarding the most current draft version of the MRCCA rules. Attorney and Chair have been actively commenting on the draft rules. DNR has revised the draft rules based on concerns/comments from entities. Once the rules pass, the Town will need to amend the Comprehensive Plan, develop ordinance provisions and incorporate the rules, which would also need to be reviewed by the Met Council and approved by the DNR.

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**Code Red Joint Powers Agreement:** The current Code Red Agreement between Denmark and the Sheriff's office will expire 12/31/2014. If the Town would like to continue to participate in Code Red System, the agreement would be for 2015 through 2019 at a cost of \$136.52 per year. Attorney would like to see the indemnification cover both the County and the Town, although doesn't see it as a purpose for not entering into the agreement. **Motion J Moore/2<sup>nd</sup> J Keller to enter into the 2015-19 Code Red Joint Powers Agreement with the Washington County Sheriff's Office. All In Favor. Motion Carried 5-0-0.**

**SWWD Valley View Ravine Project:** SWWD agreed to do a ravine stabilization project in Valley View Heights. The project plans/specs were let for bid and awarded. One of the parcels involved was sold. The new homeowner does not want to have his property involved in the project. SWWD has cancelled the project.

**BWSR Notice of Rules Amendments:** BWSR intends to adopt rules without a public hearing. If the agency received 25 or more written requests for a public hearing, one will be held. K Higgins spoke with Matt Moore (SWWD) who has been on the BWSR rules making committee for a number of years, worked on the rules and was comfortable with the proposed rules. Attorney noted that the adopted rules would need to be incorporated into the Comp Plan. Board consensus not to request public hearing on the rules.

**110<sup>th</sup> St Ravine (east of St Croix Tr):** Jay Riggs (WCD) will send an engineer to review and make recommendations to address culvert issue. J Kummer and roads contractor will meet engineer on site.

**80<sup>th</sup> St Repair Project:** The repair on 80<sup>th</sup> (west of Neal), has a noticeable dip in it. J Kummer and Town Engineer will review problem area.

J Kummer also reported that on 80<sup>th</sup> St, the road edge is breaking up, likely due to the heavy tree equipment accessing the tree business. Kummer will contact property owner.

**Hastings Fire Department:** Fire Department open house is Tuesday, October 7<sup>th</sup>.

**Town Hall:** Shrub/tree cleanup has been done at the Town Hall. Board consensus that there has been a vast improvement accomplished at the Town Hall Park.

Driveway has been built off the private road off St Croix Tr. Resident has requested fire sign installation. K Herman will place fire signs.

**LEGAL UPDATES**

Attorney will review Town Ordinances regarding whether the ordinance clearly authorizes the Town to certify charges on the tax roll and will add to ordinance amendments as necessary.

**Motion J Kummer/2<sup>nd</sup> J Moore to authorize the Planning Commission to conduct a public hearing in November for Ordinance amendments (Driveway and miscellaneous amendments, and fee schedule amendments). All In Favor. Motion Carried 5-0-0.**

Warrior Dash Follow-up: Discussion re: after event meeting with Afton Alps & Warrior Dash. K Higgins will compile step by step application submission requirements for future Warrior Dash Large Special Events applications, for Warrior Dash and Afton Alps. Will request meeting with Afton Alps regarding future application expectations/process.

8:17 PM **Motion J Moore/2<sup>nd</sup> J Keller to adjourn. All In Favor. Motion Carried 5-0-0.**

Becky Herman  
Denmark Township Clerk/Treasurer

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Denmark Township Chair