

DENMARK TOWN BOARD MEETING MINUTES
December 4, 2017

SUPERVISORS PRESENT: Bob Rucker, John Strohfus, Karen Herman, Kathy Higgins

ABSENT: J Moore

STAFF PRESENT: Attorney Gilchrist (Kennedy-Graven), Engineer Stempski (Focus)

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

AGENDA APPROVAL: J Strohfus added Representative Tony Jurgens. K Higgins added Fire, Reschedule January Board Meeting. K Herman added Basswood Grove Letter of Credit. **Motion B Rucker/2nd J Strohfus approval of agenda as amended. Voting Yes- B Rucker, J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.**

CONSENT AGENDA APPROVAL:

Motion K Herman/2nd B Rucker approval of Consent Agenda items which include 11/06/2017 Board Meeting Minutes, Claims 11019-11036, EFT payments- PERA 442781, MN Rev. Tax 1780799680, Federal Tax 52771164, payroll ending 12/01/2017. Voting Yes- K Herman, B Rucker, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

HEARING DECISIONS/ZONING ACTIONS: None

PUBLIC COMMENT: None

BUSINESS ITEMS:

Minnesota State Representative Tony Jurgens: J Strohfus introduced State Representative Jurgens. Representative Jurgens represents Denmark Township invited any comments/issues from the Town Board and/or residents. Town Attorney Gilchrest took the opportunity to discuss the necessity for the new legislation which would require the Town to pass a Resolution Declaring the polling place every year, even when there may be no election in a certain year, when there is already a State Statute requiring a noticing process for any change in a polling place. Representative Jurgens indicated that he would look into the intent of the requirement.

Law's Valley Major Subdivision Update: The Applicants are working on issues that were brought forth at the public hearing and determined that they would need time to prepare additional items so are planning on bringing their requests forward to the Board at the January 2018 Board Meeting. The pond that the Applicants are proposing as part of their stormwater maintenance is the Town's pond. A stormwater district is being established to assure that the pond is properly maintained. Engineer Geheren is checking to see who would be a part of this stormwater district. J Strohfus suggested that the Board look into the standards that should be attended to as the Town is owner of the pond. Attorney noted that Engineer Geheren should be able to address this for the Board.

Resolution Declaring Denmark Polling Location:

Secretary of State's Office is requiring that municipalities designate the polling place every year, even though MN Statutes continues to indicate that the "designation of a polling place shall remain effective until a different polling place is designated for that precinct. To ensure compliance with the statutory designation requirement, the Attorney provided draft of Resolution.

Motion J Strohfus/2nd K Herman to adopt Resolution 2017-36 Designating The Polling Place Within The Town. Voting Yes- J Strohfus, K Herman, B Rucker, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

2018 Development Review Schedule: Clerk provided 2018 Development Review/Meeting Schedule.

Motion K Herman/2nd B Rucker to approve 2018 Development Review/Meeting Schedule. Voting Yes- K Herman, B Rucker, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0. Schedule will be posted on Town Hall Posting Board and the Town Website.

Pay 2018 Final Levy Certification:

Motion K Herman/2nd J Strohfus to certify the Payable Year 2018 Final Levy in the amount of \$414,302.00. Voting Yes- K Herman, J Strohfus, B Rucker, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

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Park/Rec restricted account transfer of funds for Park Improvements: Total amount spent in 2017 for the Town Hall playground mulch for park improvements is \$5045.95. **Motion J Strohfus/2nd B Rucker to utilize \$5045.95 from the restricted Park/recreation Savings Account to pay the 2017 Park Improvements.** Voting Yes- J Strohfus, B Rucker, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried unanimously 4-0-0.

Transfer of general savings account to Road & Bridge Fund: 2017 year end cash balance in roads fund will show a deficit of \$168,326.40. The 2017 Budget included using savings funds of up to \$275,000 if needed. Board consensus to transfer funds from the general savings to the road fund. **Motion J Strohfus/2nd K Herman to transfer \$175,000.00 from the general savings to the roads fund.** Voting Yes- J Strohfus, K Herman, B Rucker, K Higgins. Voting No- None. Abstaining- None. Motion Carried unanimously 4-0-0.

Fire:

Meeting with City of Hastings regarding the new Hastings Rural Fire Association contract amounts. Contract credit cap will no longer be used in contract fee calculations. The new three-year contract reflects a proposed fixed contract fee of \$500,000 for 2018, \$510,000 for 2019 and \$520,200 for 2020. The Hastings Rural Fire Association is comprised of Denmark, Marshan, Ravenna, Nininger and Vermillion Townships and the City of Vermillion. Fees for each member community are based on taxable market value set by Washington and Dakota Counties.

Whitetail Crossing:

[Excerpt from 11/6/17 Board Meeting Minutes] Whitetail Crossing base course was placed in 2004. Development Agreement did not allow wear course to be put on until 75% of the lots were occupied. 75% occupancy was recently reached. The road has 1 ½ " asphalt on it. No sealcoat/crack seal has been done and the road has deteriorated. Engineer Stempski inspected the road and found that the base course is in rough shape. Any wear course put down over the existing base, would likely reflect the cracks showing through. Wear course cost estimated at \$50,000. If all the base course had to be removed and replaced, the cost would be estimated at \$140,000.00. Engineer Stempski's preliminary recommendation is to mill or remove existing surface and install a new 1 ½" base and 1 ½" wear course.

Board discussion re: Whitetail Crossing road.

Option 1- remove all existing base course- lay 3" (base & wear) full improvement plus shouldering cost estimated at \$140,000.

Option 2- minor patching of existing base course and adding additional 1 ½" wear course with shouldering of sides cost estimated at \$75,000. There would likely be reflective cracking that would need to be attended to in the first few years, with sealcoat/crack seal in year 2 or 3 cost estimated at \$24,000.

Potential buyer and seller present. Expressed concerns regarding whether the Town would absorb any costs, or would homeowners be assessed. Town generally has not assessed for road improvements, but no decision has been made at this time. J Strohfus will contact developer to discuss possible cost sharing.

Engineer Stempski and Road Supervisor Strohfus will review Whitetail Crossing roads and other Township roads for possible 2018 projects.

Basswood Grove Letter of Credit: Supervisor K Herman stepped down from Board. Herman's are requesting that the Letter of Credit be reduced. Only outstanding items are some leveling and seeding. Engineer Stempski recommended reducing the \$120,000 Letter of Credit to \$50,000 with a six-month term. The site will be reviewed for establishment of turf and if established, the Letter of Credit can be reduced to \$25,000.

Motion J Strohfus/2nd B Rucker to approve reduction of current \$120,000 Letter of Credit to \$50,000/six-month term with spring review/affirmation of established turf and all work done, for reduction to 25% of original amount. Voting Yes- J Strohfus, B Rucker, K Higgins. Voting No- None. Abstaining- K Herman. Motion Carried 3-0-1.

January 2018 Regular Board Meeting- Reschedule: Due to Supervisor unavailability, the Regular January 4, 2018 Board Meeting is rescheduled to Thursday, January 18, 2018 @ 7PM.

Comp Plan Joint Board & Planning Commission scheduled for Tuesday, January 16, 2018 @ 5PM.

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Legal Updates:

Solid Waste Ordinance- Attorney provided Board with draft of Solid Waste Ordinance for review and comment. B Rucker noted that language should be added to assure that the trash hauling vehicles are maintained to eliminate leaking of fluids on the roads.

9:12 PM **Motion B Rucker/2nd K Herman to adjourn. Voting Yes- B Rucker, K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.**

Becky Herman

Denmark Township Clerk/Treasurer

Denmark Township Chair

Addendum Resolution 2017-36

**DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2017- 36**

RESOLUTION DESIGNATING THE POLLING PLACE WITHIN THE TOWN

WHEREAS, Minnesota Statutes, section 204B.16, subdivision 1, as amended in 2017, indicates the Town Board is to designate the polling places within Denmark Township ("Town") by December 31 of each year;

WHEREAS, despite the added language that seems to require the designation of polling places every year, Minnesota Statutes, section 204B.16, subdivision 3 continues to indicate that the "designation of a polling place pursuant to this section shall remain effective until a different polling place is designated for that precinct";

WHEREAS, the Town has a single election precinct for Town elections;

WHEREAS, the Town has a single polling place, which is located at the Denmark Town Hall, 14008 90th Street South, Hastings, Minnesota 55033 ("Polling Place"); and

WHEREAS, the Polling Place shall remain at its present location unless it is changed in accordance with Minnesota Statutes, section 204B.16 and notice is provided as required by Minnesota Statutes, section 204B.16, subdivision 1a; and

WHEREAS, in order to ensure compliance with the statutory designation requirement, the Town Board desires to adopt this Resolution to reaffirm the designation of the Polling Place for the Town.

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

1. The Polling Place, as identified above, is designated the polling place for the Town's single election precinct and for all elections conducted within the Town.
2. The Polling Place shall remain at its present location and does not need to be redesignated unless the Town Board moves it in accordance with applicable laws and through the adoption of a new resolution.
3. The Town Clerk is hereby authorized and directed to forward a copy of this Resolution to the County Auditor.

Adopted this 4th day of December, 2017.

BY THE TOWN BOARD