

Traverse County Commission  
Regular Board Meeting  
March 7, 2023

The meeting was called to order at 9:00 a.m. by Commission Chair Kayla Schmidt. Other Commissioners present were Mark Gail, Dwight Nelson, Chad Metz, and Jerrel Olson. The Pledge of Allegiance was recited. The agenda was approved unanimously upon a motion by Gail and second by Nelson. The February 21, 2023, meeting minutes were unanimously approved upon a motion by Olson and second by Gail.

**Highway Department**

Highway Engineer Chad Gillespie appeared before the Board with a department update. Gillespie asked for approval to hire up to four seasonal workers for the summer. Upon a motion by Olson and second by Nelson the request was approved unanimously. Gail made a motion to award SP 078-620-020 to Central Specialties, Inc. for \$2,012,603.99, second by Olson and approved unanimously. Gillespie updated the Board on a new concept for the County Park parking lot. It is angled compared to the original concept. This change was made after working with the DNR to minimize the cut and fill and minimize the grade in the parking lot. The consensus of the Board was to continue with the new concept. Gillespie gave the Board a FEMA update, it is still under Consolidated Resource Center review however, the amount has increased to \$116,300.23. At the next meeting Gillespie will be giving blading and snowplowing improvement options.

**Traverse County HRA Board Position Appointment**

Lisa Zahl, County Coordinator, informed the Board that we did not receive any interest from the public to sit on the HRA Board. Commissioner Schmidt will continue to temporarily sit on the Board until we find someone from District 2 to fill that spot.

**Traverse County Planning Commission/Board of Adjustment Position Appointment**

The Planning Commission/Board of Adjustment has five members that are appointed by the Commissioners to serve a three-year term. The role of this Board is to review conditional use permits and make recommendations to the County Board. The County Board may also assign additional duties and responsibilities, including any issues pertaining to our ordinances. We have two positions that are up and we have five applicants. Jim Kruger, who is seeking reappointment, Cynthia Lichtsinn, Jonathan Mathias, Dave Salberg and Starla TeKrony. The Board heard from Jonathan, Cynthia and Starla. Gail made a motion to replace Dennis Zimbrick with Dave Salberg, second by Olson and passed with a 3-2 vote with Nelson and Schmidt opposed. Nelson made a motion to replace Jim Krueger with Starla TeKrony, second by Olson and passed with a 3-2 vote with Metz and Gail opposed. The Board would like to thank Dennis Zimbrick and Jim Kruger for their years of service on the Planning Commission/Board of Adjustment Board.

**Sheriff's Office**

Sheriff Trevor Wright appeared before the Board with a department update. He presented the February jail report, the usage at the jail was 70.44% for the month. Wright handed out the completed Mutual Aid Agreement between the City of Wheaton Law Enforcement and Traverse County Law Enforcement, the last time this was updated was in 1988. Wright explained to the Board that we have been having difficulty hiring part-time Communications/Corrections Officers. We are in need of 2 part-time positions that have been open for over a year and to make it more enticing we would like to offer anyone that works over 36 hours in a pay period the option of single health insurance coverage. This would not

include family coverage or cash-in-lieu. The union has approved this change and we are asking for approval from the Board to put a Memorandum of Agreement into place. Nelson made a motion to approve the Memorandum of Agreement, second by Olson followed by discussion. The motion passed unanimously. The following resolution was approved unanimously upon a motion by Metz and second by Gail:

**RESOLUTION 23-03**  
**RESOLUTION SUPPORTING OF HF1075 / SF 1576 AND PUBLIC SAFETY INITIATIVE**

WHEREAS, The County of Traverse is writing in support of this important public safety initiative, HF1075 / SF1576.

WHEREAS, Effective radios are the backbone of public safety in the State of Minnesota. Our first responders, firefighters, and law enforcement personnel depend upon this ARMER system to effectively perform their jobs. Radios save lives and serve every constituent of the State of Minnesota.

WHEREAS, Radios that serve the ARMER system are outdated in many jurisdictions. They are costly to maintain and replace. In local government units, where budgets are tight, it is very difficult to plan for the costly process of replacing this critical infrastructure. Local government units would urge the state to fund a grant program that allows for the critical upgrade of radios. We would also encourage sustainable funding to support ongoing replacement costs.

WHEREAS, The cost to replace the aging radios is a direct impact of our local taxpayers. ARMER radios are critical to deploying resources, protecting property and life, and protecting our workers. However, they often get overlooked for replacement because there is no existing funding source.

WHEREAS, In Traverse County, there are 181 radios on the statewide ARMER system, most of these radios are used by our small rural emergency departments. The emergency service departments who serve Traverse County rely on this interoperability. The radios allow for communication between all emergency service departments.

WHEREAS, Traverse County has aging radios on the ARMER system that are no longer supported, it is extremely difficult to find radio parts or used parts to fix or maintain the equipment. Our emergency responders rely on the ARMER radio system to provide the interoperability between the departments at the local, regional, State, and Federal levels. The replacement cost for the radios that are at the end of their life expectancy, range from \$2,500 to \$5,500 each, this expense does not include the radio programming or additional equipment, or supplies required to add the radio onto the Statewide radio system. The additional cost is approximately \$400 per radio.

NOW THEREFORE, BE IT RESOLVED, that Traverse County supports the HF1075 / SF1576 and urges the importance of public safety initiative.

Adopted by Traverse County on March 7, 2023

\_\_\_\_\_  
Kayla Schmidt, Traverse County Board Chair

Attest: \_\_\_\_\_  
Lisa Zahl, Traverse County Coordinator

Sheriff Wright informed the Board that the third district Sheriffs sent a letter to State Representatives regarding house file 396 regarding firearm and ammunition storage requirements. This bill infringes on the rights of lawful gun owners. Lawful gun owners would be unable to protect themselves and their families if they need to retrieve a firearm and ammunitions in separate secure areas while also ensuring safety of their family. There is currently a statute that addresses negligent storage of firearms. There is no need for house file 396. Wright said that he supports the Second Amendment Resolution being brought to the Board today.

### **Soil and Water Conservation District**

Sara Gronfeld appeared before the Board with an update. The tax forfeit land certifications for the Wetland Conservation Act Program were completed by Gronfeld and delivered to Kit Johnson for 7 properties. The Septic System Program, local upgrade grant application form has been revised with the updated income eligibility figures which are based on the Department of Human Services guidelines that are updated yearly. Gronfeld asked for a motion to approve the grant application form with the changes made, there was a motion by Gail, second by Metz and approved unanimously. Gronfeld submitted a competitive grant application to the Minnesota Pollution Control Agency for additional funding for updating failing septic systems in Traverse County, we should find out within a couple months if we are awarded the grant. Bruce Johnson completed the Feedlot Program annual report, Olson made a motion to approve the Report, second by Nelson and approved unanimously. The One Watershed One Plan (1W1P) is currently working on the Bois de Sioux-Mustinka Plan. The Upper Minnesota River planning process is still underway. The SWCD held their Soil Health Grants and Informational meetings in Dumont, Browns Valley, Wheaton and Tintah. This is for funding for cover crops reduced tillage practices and conservation crop rotation. They are now accepting applications for the current crop year.

### **Riverview**

Brady Janzen, Riverview, and Steve Westerberg, Riverview's Engineer, appeared before the Board to discuss the storm water pond at Dollymount Dairy. Janzen said that they are asking the Board to reconsider the need for a Conditional Use Permit (CUP) on the Dollymount storm water pond or at the very least some clarification on the process. The three reasons they gave for asking for this is that the ordinance doesn't clearly require a CUP for this particular item. Secondly, they believe they followed the appropriate approval process before they began construction on the storm water pond. And lastly, they have concerns about the CUP process that was discussed in January and that they have agreed to has changed from what was originally understood it to be. County Attorney, Matt Franzese, explained that the interpretation of the ordinance is where the issue is. Franzese did consult with an attorney who specializes in this area before making his interpretation of the ordinance. Franzese advised the Board to not take any action at the request for reconsideration at this time. Nelson would like to table this subject until Franzese has time to go over the document Riverview has submitted and give the Board his recommendation. Metz wants everyone to take into consideration that Riverview is trying to conserve water with the storm water pond and that is our goal, to save water.

### **Hydrogeologist Testing**

County Attorney Matt Franzese appeared before the Board to provide an update on the Hydrogeologist Testing. He received an updated proposal that lists the tasks and estimated fees to provide aquifer mapping services to Traverse County in five townships. Franzese said that he could hopefully satisfy everyone's concerns about the water issues and the aquifer issues that we have in the county. Gail asked when the University of Minnesota going to be doing the study regarding groundwater resources that was brought to the Board in May of 2021. Because if they are doing the same thing we wouldn't need to pay a company to do it too. Sara Gronfeld said that the Soil and Water Conservation District is

taking the lead and working with the University of Minnesota on getting them the information for the location of the wells. She isn't sure on their timeline but the information the SWCD needs to get to them is nearly complete. She is going to reach out to the University and see if she can find out any information regarding a timeline for completion. Gail would like to hold off and see if what the University of Minnesota is doing is the same thing or something different than what the hydrologist testing is. Gronfeld will reach out and try to get more information by the next meeting.

**County Coordinator**

Upon a motion by Nelson and second by Metz, the following bills were approved unanimously:

Fleet Services	\$3,583.75
Hometown Planning	\$2,620.00
Pro-West & Associates, Inc.	\$3,685.00
SGTS, Inc.	\$4,614.00
Tyler Technologies, Inc.	\$6,490.73
West Central Regional Juvenile Ct	\$8,049.00
Traverse County Auditor-Treasurer	\$37,712.65
Wells Fargo Financial Leasing	\$15,740.29
Ziegler, Inc.	\$4,884.89

Per M.S. §375.12, the number of claims totaling \$2,000.00 or less were 37 totaling \$10,690.71.

Chad Klindworth appeared before the Board and explained that we are having trouble with the pit of the elevator, we have oil and water leaks that has rusted the bottom of the elevator so that needs to be repaired and cleaned. The State of Minnesota has given us 60 days to get it done or they will close the elevator. We received an estimate from the company that services our elevator, TK Elevator Corporation out of Fargo, ND, for \$9,781.06. Klindworth did inform the Board that this company tells him that the elevator is so old that it is obsolete, if anything serious happens with the elevator they don't make parts for it. Schmidt asked how much a new elevator would cost, Klindworth would have to do some research. Metz said that 3 years ago they put one in their church for \$75,000. Nelson made a motion to accept the bid and fix the elevator second by Olson and approved unanimously.

Nelson made a motion to pass the Resolution for Second Amendment Dedicated County, second by Olson followed by discussion. The following resolution was approved 4-0, Gail abstained:

**Second Amendment Dedicated County  
Resolution for Traverse County, MN**

WHEREAS, the Second Amendment of the United States Constitution reads "A well-regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed." And

WHEREAS, the Traverse County Board of Commissioners wishes to express opposition to any law that would restrict the constitutional rights of the citizens of Traverse County to keep and bear arms;

THEREFORE, BE IT RESOLVED by the Board of Commissioners of Traverse County:  
That the Traverse County Board of Commissioners hereby expresses its intent to uphold and protect the Second Amendment rights of the citizens of Traverse County, and

That the Traverse County Board of Commissioners hereby declares Traverse County as a "Second Amendment Dedicated County", and

That the Traverse County Board of Commissioners hereby declares its intent to oppose any infringement on the right of law-abiding citizens to keep and bear arms, and

That the Traverse County Board of Commissioners will refuse to appropriate any Traverse County resources to enforce any mandate, law, policy, order, or any other directive which infringes on the right of law-abiding citizens to keep and bear arms, and

That the Traverse County Board of Commissioners will use any legal means, including and without limitation, court action to protect the Second Amendment rights of the citizens of Traverse County.

Adopted this \_\_\_ day of \_\_\_\_\_, 2023.

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Mark Gail, District 3 Commissioner

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Dwight Nelson, District 5 Commissioner

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Chad Metz, District 1 Commissioner

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Jerrel Olson, District 4 Commissioner

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Kayla R. Schmidt, Chair

Upon a motion by Gail and second by Olson the following resolution was approved unanimously:

**RESOLUTION NO. 23-02**

**RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE COUNTY OF TRAVERSE ON BEHALF OF ITS COUNTY ATTORNEY AND SHERIFF**

WHEREAS, the County of Traverse on behalf of its County Attorney and Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreements further provide the County with the ability to add, modify and delete connectivity, systems and tools over the five-year life of the agreement and obligates the County to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Traverse, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Traverse on behalf of its County Attorney and Sheriff are hereby approved.
2. That the Sheriff, Trevor Wright, or his or her successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.
3. That the County Attorney, Matthew Franzese, or his or her successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

4. That Kayla Schmidt, the Chair of the County of Traverse, and Lisa Zahl, the County Coordinator, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and Adopted by the Council on this 7<sup>th</sup> day of March, 2023.

COUNTY OF TRAVERSE

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By: Kayla Schmidt  
Its Board Chair

ATTEST:

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By: Lisa Zahl  
Its County Board Clerk

Upon a motion by Olson and second by Metz the Court Data Services Subscriber Amendment to CJDN Subscriber Agreement between the State of Minnesota Bureau of Criminal Apprehension and the County of Traverse Prosecuting Attorney was approved unanimously.

Eric Lunde, Board Chairman of Legacy Senior Services and Roger Green, Board member of Legacy Senior Services appeared before the Board to discuss the lease that they have with Traverse County for the Traverse Care Center and Prairieview Place. They informed the Board that they intent to withdraw as the tenant with a 6-month notice. They have leased the Traverse Care Center and Prairieview Place since December 2010. They explained that hiring professional staff has been a challenge with low unemployment and declining population. They also explained that while the population in Traverse County is aging, the projections for the next five years suggest an overall decline in those age 65+. And lastly the reimbursement determined by the State Legislature falls well short of their operating expenses. These are the reasons that they have decided not to continue with the lease, ending September 30, 2023. Nelson made a motion to send out Request For Proposals (RFP) for the purchase or lease of the Traverse Care Center and Prairieview Place, second by Gail with discussion to follow. Metz asked Legacy Senior Services if there was any option for them to stay and continue the lease. They said not unless the State Legislation changes the way they reimburse Nursing Homes and they don't see that happening anytime soon. The motion passed unanimously. The Commissioners received a letter from a constituent regarding the Traverse Care Center that was given in their Board packets, there were no comments from the Board.

Zahl asked the Board if they would like to have the zoom link available to the public to listen in on the meetings. They agreed they would like this option available. The link will be posted to the website. Those that appear via zoom can not participate in discussion unless it is a presenter that is on the agenda. Zahl also informed the Board that she has been getting a lot of requests to add things to the agenda after the final packet goes out. In the future, unless it is an emergency, she will not be adding anything to the agenda after the final packet goes out on the Thursday prior to the Board meeting.

#### **Public Comment Period**

Joe Murphy requested that the Board rescind Dave Salberg's appointment to the Planning Commission/Board of Adjustment. He stated several reasons for this request, and a discussion

was had amongst other members of the public who supported the request and the Commissioners. After much discussion, Olson made a motion to reconsider Dave Salberg's appointment to the Planning Commission/Board of Adjustment to replace Dennis Zimbrick, with Nelson seconding the motion. The motion passed 3-2, with Metz and Gail opposed. Franzese advised the Board to not make another appointment to replace Zimbrick until the next meeting, as he wanted to verify that the Board had legal authority to reconsider the appointment. Olson mentioned that this will give Salberg a chance to talk at the next meeting, as he had left the meeting before this discussion occurred. Upon a motion by Nelson with a second by Olson, the Board voted 4-1 to table the appointment to replace Zimbrick until the next meeting, with Gail opposing.

#### **Commissioner's Reports**

Nelson reported on the Primewest, Building Committee and Western Prairie meetings. Schmidt reported on Western Prairie Meeting, Viking Library, AMC Legislative update, Bois de Sioux Watershed, Township meeting, Building Committee, Social Services and MRC meetings. Olson also attended the Township meeting and Metz attended the MRC meeting.

Schmidt adjourned the meeting at 11:40 a.m.

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Lisa Zahl, County Coordinator

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Kayla Schmidt, Chair