

Traverse County Commission
Regular Board Meeting
May 21, 2019

The meeting was called to order at 9:00 a.m. by Commission Chair Todd Johnson. Other commissioners present included Dave Salberg, Tom Monson, Mark Gail, and Kevin Leininger. The Pledge of Allegiance was recited. Upon a motion by Monson and second by Leininger, the agenda was approved unanimously.

Social Services

Upon a motion by Salberg and second by Monson the April 16, 2019 Social Services minutes were approved unanimously. Upon a motion by Monson and second by Gail the Social Service bills were approved unanimously.

Highway Department

Chad Gillespie, County Engineer and Brian Koch, Highway Maintenance Supervisor appeared before the Board.

There was unanimous approval to award SAP 078-605-007 (CSAH 5) to Mark Sand & Gravel for \$1,853,360.17, upon a motion by Leininger and second by Salberg. This project is set to start June 10, 2019.

Upon a motion by Monson, second by Gail and approved unanimously the SAP 078-598-037 (Co Rd 76 Bridge work was awarded to Korby Contracting Co., Inc for \$639,024.50 along with the approval of the following resolution:

**RESOLUTION
For Agreement to State Transportation Fund
Local Bridge Replacement Program
Grant Terms and Conditions
SAP 078-598-037
May 21, 2019**

WHEREAS, **Traverse** County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. **78533**; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, the amount of the grant has been determined to be **\$569,328.00** by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that **Traverse** County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

By: _____
Todd Johnson, Chairman, Date
Traverse County Board of Commissioners

By: _____
Kit Johnson Date
Traverse County Auditor/Treasurer

Upon a motion by Salberg and second by Monson the following resolution regarding MNDOT agreement for detour on our CSAH 9 and CSAH 10 for the Bridge Replacement Project just north of Wheaton was approved unanimously:

TRAVERSE COUNTY
RESOLUTION

IT IS RESOLVED that Traverse County enter into MnDOT Agreement No. 1034188 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County for the use of County State Aid Highway No. 9 and 10 as a detour route during the construction to be performed upon, along and adjacent to Trunk Highway No. 75 from 5th Avenue North to 0.29 miles north of County Road No. 14 (T.H. 75=006).

IT IS FURTHER RESOLVED that the _____
(Title)

and the _____
(Title)

are authorized to execute the Agreement and any amendments to the Agreement.

CERTIFICATION

I certify that the above Resolution is an accurate copy of the Resolution adopted by the Board of Commissioners of Traverse County at an authorized meeting held on the _____ day of _____ 2019, as shown by the minutes of the meeting in my possession.

Subscribed and sworn to me this _____ day of _____, 2019 _____
(Signature)

Notary Public _____
(Type or Print Name)

My Commission Expires _____
(Title)

The Highway Department is planning on having two hired trucks help with graveling the flood repair sites. And we are currently working on the flood repairs along with 4 other Contractors.

Public Hearing on Conditional Use Permit for East River Electric

Ben Oleson appeared before the Board to discuss the proposed new 160 ft. tall communications tower for East River Electric just South of Wheaton, this would replace the already 40 ft. tower that is there already. It meets the definition of an "essential service" in the ordinance, which required that the County Board hold a public hearing and issue a conditional use permit. The Planning Commission, on a 4-0 vote has recommended approval of the requested essential service conditional use permit with the following recommended conditions:

1. That the construction of the tower be in such a way that any potential collapse would be away from Highway 75 and the substation and would minimize the area affected by such a collapse.
2. No lighting shall be permitted on the tower except as required by state or federal regulations.

Paul Etchy from East River Electric was also in attendance to answer any questions. There was one public comment received by email by a couple whose property is by the tower. They wanted to make sure there would be no driving or use of their property for the tower, Oleson contacted East River Electric and they said there would not be any reason for East River Electric to go on their property. Jerome Deal asked if the tower was exclusive to East River or could a Broadband company put up an antenna on the tower, Etchy said that it would be exclusive to East River Electric. There was a motion by Salberg to approve the conditional use permit as recommended by the Planning Commission with the two conditions above, seconded by Monson and approved unanimously.

Planning & Zoning

Ben Oleson appeared before the Board to give a department update. Oleson approved 4 permits in April.

Dan Binsfield (Big Dog Development) had applied for a conditional use permit in June 2018 to create a 49-unit RV campground on a parcel adjacent to his existing Rosebud RV Park (which has since been changed to 88-units). The application was put on hold as the County Board required that an Environmental Assessment Worksheet (EAW) be completed for the project before a final decision could be made on the conditional use permit. The EAW has been completed and it was submitted to the required list of agencies and a press release was given to the County's official newspaper. The 30 day public comment period ended on May 8, 2019, with four comments received. The next step is for the County to make a determination as to whether an Environmental Impact Statement (EIS) is now warranted. The Planning Commission/Board of Adjustment, on a split vote (2-1), has recommended that an EIS not be required. This recommendation was reached after discussion indicating that the normal conditional use permit process, the ability of the County to still require additional information on environmental impacts or other concerns regarding the project, and the various other local, state and federal regulations and permitting requirements that will apply to this project are sufficient to address the environmental concerns addressed in the EAW and in the comments received without the need of an EIS process. The Boards consensus was that they would not require an EIS. Upon a motion by Leininger, second by Monson the following resolution was approved unanimously:

TRAVERSE COUNTY RESOLUTION 19-12

ISSUING A NEGATIVE DECLARATION ON THE ENVIRONMENTAL ASSESSMENT WORKSHEET FOR TRAVERSE LAKE RV PARK

WHEREAS, the County of Traverse is the Regulatory Governmental Unit (RGU) in the preparation of the Environmental Assessment Worksheet (EAW) for the Traverse Lake RV Park;

WHEREAS, application has been made for a conditional use permit as required by the Traverse County Land Use Ordinance for the Traverse Lake RV Park on real property located in Traverse County, described as follows: 28.52 acres in Government Lots 4 and 5 of Section 31, Township 126, Range 48 (Parcel ID 15-0166001);

WHEREAS, the proposed project meets the mandatory Environmental Assessment Worksheet (EAW) pursuant to Minnesota Rules Section 4410.4300, Subpart 20a;

WHEREAS, the County has duly prepared an EAW for the proposed Traverse Lake RV Park in compliance with Minnesota Rules 4410 et. al;

WHEREAS, the County has submitted a copy of the EAW to all public agencies on the EAW distribution list, publishing EAW availability in the EQB monitor on April 8, 2019, all of which were done in accordance with applicable state laws, rules, and regulations;

WHEREAS, the County has received and adequately responded to comments raised during the 30-day comment period by the State Historic Preservation Office (SHPO), the Minnesota Pollution Control Agency (MPCA), the Minnesota Department of Natural Resources (DNR) and Angie Young regarding the EAW; and

WHEREAS, the County has duly prepared a Record of Decision, which contains its written response to the comments.

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

1. The proposed Traverse Lake RV Park does not have the potential to create significant environmental impacts necessitating the need to prepare an Environmental Impact Statement (EIS).
2. The Traverse County Board of Commissioners hereby issues a negative declaration on the EAW for the Traverse Lake RV Park, and an EIS shall not be required.
3. The Record of Decision for the Traverse Lake RV Park is accepted and approved, and shall be attached hereto as Exhibit A.

PASSED AND ADOPTED this 21st day of May, 2019.

TRAVERSE COUNTY BOARD OF COMMISSIONERS

Todd Johnson, Chairman

ATTEST:

Lisa Zahl, County Coordinator

The motion for the foregoing Resolution was made by _____ and duly seconded by _____ upon a vote being duly taken thereon, the following voted in favor thereof:

and the following were against:

and the following were absent:

Soil & Water

Sara Gronfeld appeared before the Board to discuss the Delineation & Replacement for Toelle Coulee Project. Gronfeld needs the Boards approval on a decision for a wetland delineation and replacement plan for the Upper MN River Watershed District. They are finishing up the final phase of the Browns Valley mitigation project. The project was started in 2009 and the decision 10 years ago was only good for 5 years and an extension was never filed. They had to reapply and they had a delineation done last year and it was approved by the Core of Engineers. The proposed project includes excavation and widening of an excavated private ditch, several culvert replacements, and the construction of a levee. The wetland investigation resulted in the identification of several wetland areas, a Public Water Inventory identified watercourse, and an excavated private ditch within the Project area. 0.3150 acres of wetland

will be permanently impacted by project construction. Upon a motion by Salberg and second by Gail the Wetland delineation and replacement plan for the Upper MN River Watershed District was approved unanimously.

Auditor/Treasurer

Kit Johnson, Auditor/Treasurer gave a department update. Upon a motion by Salberg and second by Gail, the purchase of 8 new election equipment for \$42,000, a grant has been received that will cover half the cost, was approved unanimously.

Kit provided the Board with a 5 year park analysis, revenues and expenses that they had asked for, with the electrical expense broken out. T. Johnson said that the rates we put into place in 2017 were reasonable and resulted in less electrical and higher revenues. Leininger said that we aren't trying to make money but it is costing us, in 2018 we lost \$5,000. He would like to see the camping with electrical increase from \$20 to \$30 per day and the other prices remain the same as last year. Gail made a motion to increase the electrical to \$30 per day, second by Leininger and passed 4-1 with Monson opposed.

We had an employee file a MCIT claim, their windshield was hit with a rock by our mower, although the employee didn't see it happen, they knew the grass was being mowed that day. The estimate is under our deductible, it is a Board decision if we pay the claim or not. The Board would like to table the issue to find out if MCIT, after review, would pay out the claim or not.

County Coordinator

A motion was made by Monson to approve the May 7, 2019 Board minutes, seconded by Leininger, the minutes were approved unanimously. Upon a motion by Leininger and second by Monson, the following bills were approved unanimously:

BROWNS VALLEY HISTORICAL SOCIETY	\$5,000.00
CARDMEMBER SERVICE	\$6,553.91
COUNTIES PROVIDING TECHNOLOGY	\$4,696.38
ELECTION SYSTEMS & SOFTWARE, INC	\$3,430.00
GAZETTE PUBLISHING CO.	\$5,267.76
GOVERNMENT MANAGEMENT GROUP	\$3,350.00
HORMANN/MARK	\$2,000.00
MN OFFICE OF ENTERPRISE TECHNOLOGY	\$3,002.24
MN STATE AUDITOR	\$4,142.00
PRO-WEST & ASSOCIATES, INC.	\$2,645.29
TRAVERSE COUNTY AGRICULTURAL ASS	\$10,000.00
VIKING LIBRARY SYSTEM	\$34,801.00
WEST CENTRAL REGIONAL JUVENILE CTR	\$2,715.00
WEX BANK	\$2,426.43
CHAMBERLAIN OIL COMPANY	\$2,691.30
GAZETTE PUBLISHING CO.	\$2,201.63
GOODHART EXCAVATING, INC.	\$2,985.00
TRI COUNTY COOP	\$10,518.21

Per M.S. 375.12, the number of claims totaling \$2,000.00 or less were 73, amounting to \$32,787.08.

Lynn Siegel, Emergency Manager, did not appear before the Board, they are still working out the details of the Grant. She will update the Board when she has more information.

Upon a motion by Gail and second by Leininger unanimous approval was given to advertise for an Upper MN River Watershed District Board Member.

The County received a complaint that there was garbage overflowing at the K-T Bridge, the County owns the property. The Board, by consensus, instructed the Highway department to clean up the garbage and get rid of any garbage receptacles that are down there.

Tim Fabian was hired as the new Highway Maintenance Worker at the Tintah site.

T. Johnson adjourned the meeting at 10:02 a.m.

Lisa Zahl, County Coordinator

Todd Johnson, Board Chairman