

Traverse County Commission
Regular Board Meeting
July 7, 2020

The meeting was called to order at 9:00 a.m. by Commission Chairman Mark Gail. The Pledge of Allegiance was recited. This meeting is being conducted pursuant to Minnesota Statute 13D.021, which allows a meeting be conducted by telephone or other electronic means during a health pandemic by the governor of the State of Minnesota in Minnesota Statute Chapter 12. Appearing personally are Todd Johnson, Dave Salberg, Tom Monson, Kevin Leininger, and Mark Gail. Appearing via Zoom are several members of the public. The agenda was unanimously approved upon a motion by Monson and second by T. Johnson.

Highway Department

Chad Gillespie, County Engineer, appeared before the Board by Zoom and Brian Koch, Maintenance Supervisor, appeared before the Board to give a department update.

The quote for CSAH 9 graveling project came back a tie between both Wagner's and Sibson's at \$13.00/ton, they negotiated splitting the quantity in half. This quote was approved unanimously upon a motion by Leininger and seconded by Monson.

Upon a motion by Leininger and seconded by Salberg the Board unanimously approved to sign the contract with Wagner Company for CSAH 18 graveling project.

The Highway department will be renting Mastic One pothole patching trailer and a truckload of Mastic One sometime in August for 1 month to fix County Road 4. Leininger asked if they could also fix the bridges on 6 while they have the machine.

Gillespie has requested a quote from Riley Brothers on the asphalt at the County Recycling Center but he hasn't heard back yet.

The County Park was discussed. Koch received a lot of phone calls over the 4th of July holiday because some campers were out of power and the water went out. There were too many campers hooked into the electrical pedestals and with the 90 degree weather, campers were running their air conditioners all day. This has happened in the past on a hot holiday weekend. There was discussion about the possibility of adding more pedestals or increasing them from 200 amp service to 400 amp service. Leininger asked Koch to get a quote to see how much it would cost to change the service.

Law Enforcement Center

Sheriff Trevor Wright and Brenda Bartz, Jail Administrator, appeared before the Board. Bartz presented the June jail report to the Board with the jail usage at 42.11% for the month. The jail remained busy in spite of COVID-19.

Trevor gave the Board an update on the missing person case. Other agencies have been in Traverse County helping and assisting in the search. Yesterday there was a body recovered and it has been sent to the Ramsey County Medical Examiner's Office for identification and an

autopsy is being performed. There have been additional expenses with this case and Wright wanted the Board to be aware of that.

Soil & Water Conservation District

Sara Gronfeld appeared before the Board with a department update.

A Subsurface Sewage Treatment System (SSTS) program update was presented. One permit application was received in June. There is still grant funding available, they have received a couple of new applications. The new grant application period is opening soon, Gronfeld will be applying for additional funds for the upcoming year.

The RV park project's Wetland Conservation Act replacement plan is complete.

An update was highlighted for the MPCA Feedlot Program. A new proposal is being developed for a 12,000 head dairy in Dollymount Section 32. This has been forwarded onto Ben Oleson, Zoning Administrator, for further permit processing.

The 1 Watershed 1 Plan Committee met and they are working on completion of the plan and it should be presented to the County Board soon.

The USDA Service Center remains locked and business is by appointment only. There has been some interest in the RIM Prairie Grasslands program; Gronfeld is working on one application now and there maybe one more coming. Gronfeld introduced Max Tostenson who is serving as a Conservation Corps summer intern. Tostenson explained his work with the county's weed management grant specifically scouting for Poison Hemlock, a state classified invasive species. It is poisonous to animals and humans and they are finding it in a wide area. He has been working with County Agricultural Inspector John Fridgen to spray infestations of the weed.

Zoning

Ben Oleson, Zoning Administrator appeared by Zoom to discuss the recommendations for Dollar General. The Board had tabled this discussion from last meeting, the Planning commission approved the rezoning by a vote of 4-1 and the City of Browns Valley is in favor of it too. Monson made a motion to approve the re-zoning resolution with the findings of facts as were recommended by the Planning Commission/Board of Adjustments, second by Salberg with the following discussion. T. Johnson said that he has heard comments from business owners and residents who are both for and against it but most are against it. He said that he opposes the re-zoning because of the economic impact that it will have on the existing businesses in Browns Valley. Paul Brown from The Overland Group spoke on behalf of Dollar General and asked that the Board consider all aspects, pros and cons, about bringing in a Dollar General to Browns Valley. Salberg said that he has had multiply calls and all but one are in favor of it, Monson agreed. Gail didn't have any public talk to him about it and knowing that the Browns Valley City Council is for it then he is in favor of allowing the re-zoning. The following re-zoning resolution was approved on a 4-1 vote with T. Johnson opposed:

IN THE MATTER OF DOLLAR GENERAL ORDER GRANTING RE-ZONING REQUEST

REQUEST:

Requests related to the re-zoning of the property from Agricultural to Commercial-Industrial. Approvals required include an amendment to the official zoning

map of Traverse County.

APPLICANT: The Overland Group on behalf of Dollar General

PROPERTY OWNER: Brenda Reed

The above entitled matter came on to be heard before Traverse County Planning Commission for a public hearing on June 10, 2020, and then before the Traverse County Board of Commissioners on June 16, 2020, regarding an application to re-zone the following property in Traverse County, Minnesota from Agricultural to Commercial-Industrial:

See attached Exhibit A

Based upon all files, records and proceedings herein, including the recommendations of the Traverse County Planning Commission, the Board of Commissioners hereby make the following:

FINDINGS OF FACT

1. Pursuant to Section 12.01(1) of the Traverse County Land Use Ordinances, the County Board may adopt amendments to the Zoning Ordinance and Zoning Map. Such amendments shall only be used as a means to reflect changes in the goals and policies of the community as reflected in the Comprehensive Plan or changes in conditions in the County.
2. Traverse County's Comprehensive Plan states that "the Policy Plan is intended as a guideline to be used to make adjustments to the land use system of the County by(1) establishing policies for re-classifying land to a more appropriate zoning district (re- zoning) when it is demonstrated that it is necessary and desirable, and that the proposed change cannot be achieved without the re-zoning; (2) acting as the basis for promoting economic growth through the formulation of general policies for the use and development of land; and (3) establishing polices for the review of specific land use changes via the conditional use permit process."
3. The Plan further states in a section on "Commercial-Industrial" areas that "Important in determining the location and size of these areas is the accessibility of the location to regional transportation facilities, the availability of public utilities, and the adequacy of fire and police protection. The topography of the area should be relatively level with no flood hazard."
4. The proposed location, being adjacent to the City of Browns Valley, represents a location consistent with the goals and guidelines of the Comprehensive Plan.
5. An application was submitted on March 16, 2020, by property owner Brenda Reed seeking to have the above-described real property re-zoned from Agricultural to Commercial-Industrial for purposes of constructing a Dollar General store.
6. The following entities were consulted about this application:
 - a. The City of Browns Valley has submitted a letter supporting the application to re- zone the property from Agricultural to Commercial-Industrial in order to allow the Dollar General store to be built.
 - b. MnDOT submitted a letter approving the proposed entrance to the property off of State Highway 28 and reviewed the proposed stormwater plan involving a newly constructed detention area for water on the subject property with no significant concerns.
 - c. The Traverse County Highway Department indicated they have no comments or particular concerns about the application.
 - d. The Upper Minnesota River Valley Watershed District provided e-mails indicating that they had reviewed the stormwater plan with no concerns or permitting requirements on their part

outside of an administrative permit related to the new culvert that would be installed under the new driveway approach. It also stated that they have a bonding request in via Rep. Backer for monies that would include a project on the east side of County Road 2 involving increasing culvert capacity both under County Road 2 and State Highway 28 to address concerns previously expressed about flooding and drainage issues in that area.

7. The hearing notice procedures of Section 12.02 of the Traverse County Land Use Ordinance have been complied with.
8. The Traverse County Board of Commissioners believes that it is in the best interests of the residents of Traverse County that the above-described property be re-classified to a more appropriate zoning district, as it has been demonstrated that it is necessary and desirable in that in doing so it will promote economic growth, and that the proposed change cannot be achieved without the re-zoning.

From the foregoing, the Traverse County Board of Commissioners hereby makes the following:

ORDER

1. That the request of Applicant Brenda Reed to have the following described real property, located in the County of Traverse, State of Minnesota, re-classified from Agricultural to Commercial-Industrial, is hereby **GRANTED**: See attached Exhibit A.

Passed and adopted by the Traverse County Board of Commissioners this 7th day of July, 2020.

Chairman, Traverse County Board of Commissioners

Gail read through the findings of facts as were recommended by the Planning Commission/Board of Adjustments for the conditional use permit for the construction of a 9100 square foot Dollar General Retail store. T. Johnson opposed facts number four, five and six listed below. Upon a motion by Monson and seconded by Salberg the conditional use permit and following resolution was passed on a 4-1 vote with T. Johnson opposed:

IN THE MATTER OF DOLLAR GENERAL ORDER GRANTING CONDITIONAL USE PERMIT

REQUEST: A conditional use permit for the construction of a 9100 square foot Dollar General retail store.

APPLICANT: The Overland Group on behalf of Dollar General

PROPERTY OWNER: Brenda Reed

The above entitled matter came on to be heard before Traverse County Planning Commission for a public hearing on June 10, 2020, and then before the Traverse County Board of Commissioners on June 16, 2020, and July 7, 2020, regarding an application for a conditional use permit to construct a Dollar General store for the following property in Traverse County, Minnesota:

See attached
Exhibit A

Based upon all files, records and proceedings herein, including the recommendations of the Traverse County Planning Commission, the Board of Commissioners hereby make the following:

FINDINGS OF FACT

1. An application was submitted on March 16, 2020, by property owner Brenda Reed seeking a conditional use permit for the purposes of developing the above-described real property so that a Dollar General store can be constructed.
2. The hearing notice procedures of Section 14.01 of the Traverse County Land Use Ordinance have been complied with.
3. The proposed use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area. The proposed business would not be expected to create any excessive demand on parks, schools, streets or other public facilities as it involves retail trade rather than additional students. The use would provide additional tax revenue for such uses.
4. The proposed use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residential zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land in a similar context of the uses in the vicinity. Surrounding land uses are primarily residential with some agricultural. The addition of a retail store at the intersection of a state highway and county road would avoid most potential conflicts, provided that adequate screening to the residential uses to the west, in particular, are provided.
5. For the reasons stated in Paragraph 4 above, the proposed structure and site will not have an appearance, traffic, noise and emission levels that will have an adverse effect upon adjacent properties.
6. The proposed use is reasonably related to the overall needs of the County and to existing land uses. The County has a general interest in supporting additional retail businesses in the County.
7. The proposed use is consistent with the purposes of the Zoning Ordinances and the purposes of the zoning district in which the applicant intends to locate the proposed use and the use is consistent with the Comprehensive Plan. The County's Comprehensive Plan states in a section on "Commercial-Industrial" areas that "Important in determining the location and size of these areas is the accessibility of the location to regional transportation facilities, the availability of public utilities, and the adequacy of fire and police protection. The topography of the area should be relatively level with no flood hazard." It also states "These areas may be in close proximity to other land use areas, but whenever possible appropriate physical features should be used as boundaries." The proposed location, being adjacent to the City of Browns Valley, represents a location consistent with the goals and guidelines of the Comprehensive Plan. The proximity to residential uses (particularly to the west) may necessitate the construction of fencing or screening to avoid conflicts.
8. The proposed use will not cause a traffic hazard or congestion. The site is served by State Highway 27 and County Road 2. The access is proposed to be off of State Highway 28, which will need approval from MnDOT.
9. Existing nearby businesses will not be adversely affected by the proposed use because of curtailment of customer trade brought about by intrusion of noise, glare or general unsightliness. The addition of a retail store near the City of Browns Valley will help promote additional business activity in the area, which would be of benefit to the community.
10. The property is not in a Floodplain or Shoreland district, and is not a proposed feedlot.

From the foregoing, the Traverse County Board of Commissioners hereby makes the following:

ORDER

1. That the request of Applicant Brenda Reed for a conditional use permit for purposes of building a Dollar General store on the following described real property located in the County of Traverse, State of Minnesota, is hereby **GRANTED**: See attached Exhibit A.

2. That this granting of a conditional use permit is subject to the following conditions:
 - a. The structure must meet a minimum setback of 150 feet from the centerline of both State Highway 28 and County Road 2. The applicant shall submit a revised site plan with evidence that this setback will be met prior to approval of the permit to begin construction.
 - b. That the applicant must provide written proof of MN DoT's approval of the access off of State Highway 28, or from the Traverse County Highway Department should the access be switched to that road.
 - c. That the applicant must construct a screening fence along the west boundary of the property as shown in the proposed plans.
 - d. That the applicant must provide at least 30 parking spaces.
 - e. That the applicant must meet all applicable regulations of the state or county regarding stormwater management.
 - f. All signage on the property shall meet the requirements of Section 19.05 of the Traverse County Land Use Ordinance.
 - g. All exterior storage shall meet the requirements of the Traverse County Land Use Ordinance. At a minimum, the trash disposal area shall be enclosed as identified on the site plan.

Passed and adopted by the Traverse County Board of Commissioners this 7th day of July, 2020.

Chairman, Traverse County Board of Commissioners

County Coordinator

A motion was made by Salberg to approve the June 16 and June 17, 2020 Board minutes, with a second by Monson, and approved unanimously. Upon a motion by T. Johnson and seconded by Leininger, the following bills were approved unanimously:

ALEX POWER EQUIPMENT	\$2,994.00
KELLEN, RYAN – 54K LLC	\$5,025.00
SCHMITZ, TODD	\$3,900.00
FASTENAL COMPANY (WATERTOWN)	\$17,500.00
GUARDIAN FLEET SAFETY	\$8,422.97
MEND CORRECTIONAL CARE, PLLC	\$2,582.64
NORTHLAND TRUST SERVICES	\$14,943.75
OTTERTAIL POWER CO	\$3,158.01
SEACHANGE PRINT INNOVATIONS	\$3,210.45
WELLS FARGO CORPORATE TRUST SERVICES	\$23,892.50
WEST CENTRAL REGIONAL JUVENILE CTR	\$2,743.00
HORMANN, MARK	\$2,000.00

Per M.S. 375.12, the number of claims totaling \$2,000 or less were 62, amounting to \$24,847.84.

Lisa Zahl, County Coordinator, discussed the Social Service Director position. She gave the Board a printout of the shared services we currently have between Traverse and Grant County. Zahl also presented a letter to the Grant County Board of Commissioners to see if there would be any interest in sharing their Social Service Director. Monson mentioned that he was approached by a County Commissioner from another County and was told that there is a County Consortium and if we went with Grant County, because the Grant County Director is shared with Pope County, they would have three votes (Grant, Pope and Traverse) out of five and this Commissioner was very concerned about that. Salberg said that he has spoken with Commissioners from Pope and Grant and they aren't interested in having anyone else come forward to join until they know if Pope and Grant are going to join together or not. Salberg said that if we are going to send a letter to Grant then we should send a letter to all our adjoining counties, Wilkin, Big Stone and Stevens to see if they are interested. Salberg would also like to look at the option of advertising for a full-time Director. He would like a new job description written that adds back in some of the responsibilities that we have contracted out. T. Johnson explained that we already have shared services with Grant and it makes the most sense to go with them if they are interested. The Board unanimously approved to send the letter of interest for a shared Social Services Director to all the surrounding counties upon a motion by T. Johnson and seconded by Leininger. Salberg made a motion to begin the process to advertise for a full-time Social Services Director with a revised job description, seconded by Monson, with the following discussion. T. Johnson doesn't think we should advertise yet until we know it can be a full-time position. Salberg wants to add additional duties and responsibilities to the Social Services Director Job description to make it full-time. Leininger wants to keep the position in town; he doesn't want everything farmed out. He said that if it makes more sense financially to go with another county then that's fine but we can look at all the options. The motion passed unanimously.

Traverse County received a new computer switch that was placed in the Auditor/Treasurers office. The switch is so loud that it interrupts the employees work. Morris Electronics gave two options. Buy 2 smaller switches for \$8,400 and try to sell the bigger switch for \$5,000, this would cost \$3,400. Or make one centralized server room back in the Maintenance office and move all the computer wires from the Auditor/Treasurers office and from the back of the Records office. A rough estimate would be \$9,600.00 plus the cost of putting in an outlet for the server. There was discussion regarding how much noise there will be with two smaller switches, which can't be answered until we get them in the office. Monson made a motion to move the server room to the back room and keep the big switch, seconded by Leininger and unanimously approved.

Lisa Zahl, County Coordinator, received a quote for the replacement of the maintenance computer for \$681.70 along with Microsoft Office at \$330.90. Gail asked if his Surface Pro that the County bought for each Commissioner would work for the maintenance computer as he doesn't use it. There was a consensus to try that prior to buying a new computer at this time.

Leininger left the meeting.

The Commissioners discussed the budgets for 2021, they need to be finalized by the end of September. They would like the first budgets from the Department Heads by the first meeting in August. The Budget Committee would like to meet prior to that, in case there are any questions. Zahl will set up a meeting for July 29, 2020.

Zahl has not heard back from the County Attorney, Matt Franzese, regarding the Counties Providing Technology Joint Powers Agreement. This will be tabled until the next meeting in July.

Traverse County sent in the certification for the Coronavirus Relief Funds, Traverse County should receive \$438,756.00. The Executive Committee met briefly and we plan to meet again when there is more guidance on how the funds can be used.

There was a motion by Salberg and second by Monson to budget the increase of 3% to Dancing Sky Area Agency on Aging for \$924.00 in 2021 and approved with a vote of 4-0.

Upon a motion by T. Johnson and seconded by Salberg the Red River Basin Commission appropriation of \$103.00 for 2021 was approved with a vote of 4-0.

Gail adjourned the meeting at 10:17 a.m.

Gail reopened the meeting at 10:18 a.m. for approval of the Counties Providing Technology Joint Powers Agreement. County Attorney, Matt Franzese, gave his approval. Upon a motion by Salberg and seconded by Monson the Agreement was approved with a vote of 4-0.

Gail adjourned the meeting at 10:18 a.m.

Lisa Zahl, County Coordinator

Mark Gail, Board Chairman