

Traverse County Commission  
Regular Board Meeting  
August 16, 2022

The meeting was called to order at 10:00 a.m. by Commission Chairman Todd Johnson. Other Commissioners present were Kayla Schmidt, Dwight Nelson, and Dave Salberg. The Pledge of Allegiance was recited. The agenda was approved unanimously, 4-0, upon a motion by Schmidt and second by Nelson. The minutes from the August 2, 2022 regular Board meeting were approved unanimously, 4-0, upon motion by Schmidt and second by Salberg. There were no public comments.

**Highway Department**

Chad Gillespie, County Engineer and Brian Koch, County Maintenance Supervisor appeared before the Board. Gillespie has worked on a few different parking lot concepts for the Department of Natural Resources (DNR) to look over and consider. He asked the Board if they were ok with removing the existing picnic shelter next to the lake in order to put the parking lot there. The consensus of the Board was yes. Salberg asked if any decisions were made to do anything at Bill Halls landing, nothing has been decided, and it will be left as is for right now, with the County in charge of only the one main road from the highway straight down to the water, everything else is private property. Gillespie gave an update on CSAH 6 project and gave the Board the annual report for 2021. He then went through the Highway budget. Gillespie explained that the motor grader came in \$22,545.00 lower than previously budgeted because of the increase in trade-in value after the inspection. Salberg asked if there was a way to get out of the purchase agreement of the two motor graders if needed, Gillespie will look into it. Gillespie told the Board that they plan to have an online auction, he will inform the Commissioners of the date when it is set. Right now, he has four items that will be on the auction; a 2002 Tire Backhoe; a 1999 International Tandem Truck; a 2000 Sterling Tandem Truck; and a 1991 Ford Tandem Truck.

**Upper Minnesota River Watershed District Appointment**

Lisa Zahl, County Coordinator, informed the Board that she only received one interested party for this appointment. Jon Bork from Beardsley who currently serves on the Upper Minnesota River Watershed District Board for Traverse County is interested in staying on. The person appointed needs to live within the Upper Minnesota River Watershed District. Upon a motion by Schmidt, second by Nelson and approved unanimously, 4-0, Jon Bork was reappointed to the Board.

**Traverse Care Center**

Samantha Gerland, Assistant Executive Director, appeared before the Board. She started her position on July 15, 2022. Gerland gave an update on the Traverse Care Center and Prairieview Place. She will be given direction from Zahl on what the Board would like in her quarterly updates going forward.

**Emergency Management**

Lynn Siegel, Emergency Manager, appeared before the Board to ask for approval of the Emergency Management Performance Grant, EMPG, in the amount of \$15,320.00. Upon a motion by Salberg and second by Schmidt it was approved unanimously, 4-0.

**Courthouse Maintenance**

Chad Klindworth, Courthouse Maintenance Supervisor, appeared before the Board to discuss the air conditioner that was ordered in 2021 for the Annex building. The company whose quote we approved is unable to install the air conditioner as promised. Klindworth asked three companies for quotes and only

one was able to quote, Ellingsons Plumbing and Heating, they came in with a quote of \$8,738.00, this is with the electrical change due to there being a back log of three-phase units, they would like to switch it to a single-phase unit. Klindworth explained that we have three air conditioner units that runs the Annex building and one is down and it won't be long before another one is down. Nelson made a motion by replace both air conditioners and to go with Ellingson's, second by Salberg and approved unanimously 4-0.

#### **Auditor/Treasurer**

County Auditor/Treasurer Kit Johnson appeared before the Board. We received a check from our insurance carrier, Minnesota Counties Intergovernmental Trust (MCIT), in the amount of \$59,751.00. MCIT had better than expected investment returns and favorable claims experience. K. Johnson held the tax sale in July and they sold all four parcels. K. Johnson explained that he would like to change the formatting for the Truth and Taxation Statement, if the Board would agree. Instead of putting all the tax information on a one page insert the counties in our consortium have all agreed to put a box on the statement stating that the information is available on the county website or by calling the auditor's office. Upon a motion by Schmidt and second by Nelson it was approved unanimously, 4-0. K. Johnson handed out the preliminary budget and told the Board that the current increase over last year is 13.35%. The preliminary budget needs to be set by the end of September. The Board agreed to discuss this again at the September 6, 2022 Board meeting.

#### **County Attorney**

County Attorney Matt Franzese appeared before the Board to discuss a call he received from Schmidt regarding the estate sale that was coming up at the end of August, wherein approximately 1020 acres (Franzese mistakenly said 111 acres at the meeting) will be sold. We collect approximately \$20,000.00 in property taxes each year from these properties. There was concerns expressed by citizens about losing this tax base in the event that the Department of Natural Resources (DNR) were to purchase it. Per M.S.A. §97A.145, in order for the DNR to directly purchase real estate in a county they have to get permission from the County Board. To avoid this requirement, the DNR often has a non-profit organization acquire it and then donate it to the DNR. It was asked if the County has the authority to enter into an ordinance that would prohibit this type of sale from happening.

Franzese believed that the County could enact an interim/emergency ordinance where it would stop the sale for up to one year while the County looked into this issue further. Franzese mentioned that if the Board would like to have a special meeting prior to the September 1, 2022, sale then he would look into more information on the subject and bring it to the special meeting. However, some Board members noted that a bigger issue is whether the County wants to get involved with real estate transactions. T. Johnson said he is not in favor of this, as he sat on a Public Land Works Committee that was formed to look into this specific issue, from which it was recommended that a County Board not get in between buyers and sellers of real property. This opinion was also expressed by the Association of Minnesota Counties' Natural Resources Committee. Schmidt said that Executive Order 14008 on January 27, 2021, that pushed for 30% of agricultural land to be rolled into government property, which is greatly concerning, so at some point we have to step in to do something. T. Johnson allowed for comments from the public and there was discussion. T. Johnson explained that the state compensates counties for the loss of tax base from state ownership of land through Payment in

Lieu of Taxes (PILT) payments. Schmidt said that these payments are not guaranteed, as it is on the legislative table each session. Franzese informed the Board that Lac qui Parle County just litigated the issue of trying to prevent the DNR from purchasing farmland in 2021. That county board rejected the application saying they would lose tax revenue, among other things. The District Court Judge reversed the board's decision, saying that it had acted arbitrarily, noting that a county board needs to look at several factors, like uniqueness of the land and importance to the community. The judge's Order laid out a road map for a county board to follow for future litigation. Franzese suggested that a moratorium could state that if a party purchased real property in Traverse County, they could not donate the property to a state agency for a period of five years. That would attempt to ensure that no state agencies could circumvent County Board review before purchasing land. Schmidt made a motion for a special meeting to discuss the moratorium issue further, which was seconded by Nelson, followed by discussion. Salberg said that he would like to follow the recommendation of the Association of Minnesota Counties and not put any restrictions into place for the public to sell their land. Salberg also mentioned that the Townships can put their own moratorium into place. Schmidt said that the Township was told that they can't put their own moratorium into place. Franzese said that he believed that they could. Schmidt said that if we don't at least consider doing this we are doing a disservice to everyone in Traverse County in the agricultural business. T. Johnson said that he believes that everyone has the right to sell their land to whomever they want to sell their land to without county interference. The motion failed on a 2-2 vote, with T. Johnson and Salberg opposing.

**County Coordinator**

Upon motion by Salberg and second by Nelson the following bills were approved unanimously.

CARDMEMBER SERVICE	\$2,178.62
COUNTIES PROVIDING TECHNOLOGY	\$5,105.52
GAZETTE PUBLISHING CO.	\$2,753.25
HORIZON PUBLIC HEALTH	\$6,226.50
MEND CORRECTIONAL CARE, PLLC	\$2,766.02
TRAVERSE CARE CENTER	\$2,344.00
TRAVERSE COUNTY HIGHWAY DEPT	\$5,307.41
CHS	\$2,692.21
KELLEN/RYAN – 54K LLC	\$15,307.50
MORRIS ELECTRONICS	\$2,305.36
SCHMITZ/TODD	\$9,912.50
TRI COUNTY COOP OIL ASSOC	\$26,134.48
ZIEGLER, INC.	\$10,172.21

Per M.S. 375.12, the number of claims totaling \$2,000.00 or less were 60 totaling \$19,508.87.

Lisa Zahl, County Coordinator, informed the Board that the HRA Board member appointment for District 3 is up on October 4, 2022. Monica Wilson currently sits on the Board for the County. She is interested in doing another 5-year term. Zahl asked the Board if they would want to put an ad in the paper or to reappoint Wilson. There was a motion by Salberg to reappoint Monica Wilson, second by Schmidt and approved unanimously, 4-0.

The Board asked to table the Traverse Care Center Lease discussion until next meeting as Legacy Senior Services and Health Dimensions Group would be here to talk about the lease.

Zahl reminded the Board of the August 31, 2022 public meeting regarding the Department of Natural Resources (DNR), report for the Twelvemile Dairy. The Board is invited to come and listen to the discussion.

#### **Commissioners Reports**

T. Johnson reported about the Rainbow Rider and the contribution that they are asking for in 2023. Schmidt reported about the Viking Library Board and their contribution amount for 2023. She also received a call from a veteran who was displeased with the County's decision to go with Wilkin County. She explained that there is a trial period and Schmidt requested that we meet with the Veterans Services Officer in January to see how it's going. Salberg reported on the Soil and Water Conservation District meeting, the Canvassing Board and Horizon Public Health.

T. Johnson adjourned the meeting at 11:34 a.m.

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Lisa Zahl, County Coordinator

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Todd Johnson, Chairman