

Traverse County Commission
Regular Board Meeting
November 15, 2016

The meeting was called to order by Commission Chair Kevin Leininger. Other commissioners present included Dave Salberg, Tom Monson, Mark Gail, and Todd Johnson. The pledge was recited. The agenda was approved unanimously, upon a motion by Salberg and second by Monson, with the addition of a decision on the Conditional Use Permit applied for by Dan Binsfeld.

Larry Haukos/Highway Engineer- Haukos provided a department update. The highway department received a request from Dollymount Dairy to install underground piping for manure pumping from the dairy to various fields for application. This piping would be both crossing county roads and along and in the county right of way. They have requested to be considered a utility. The Highway Department does not have a formal policy on the use of the road right of way. Other than public utilities, the only other use we have granted permits for is for tile drain outlets and outlet piping. Monson commented he has no problem with the pipe so long as it is deep enough and doesn't tear up the roads. Leininger agrees but wants to see a map of the proposed project. Haukos will discuss with planning and zoning and bring back more information. Gravel crushing at the Murphy pit is complete, approximately 35,000 yards. There is approximately 30,000 yards remaining from last year. There is another 30,000-40,000 yards remaining in the bank of the stripped area. Crushing of recycled concrete and asphalt should be completed today at Norcein's pit. There was approximately 8,500 ton of concrete recycle and 3,500 ton of asphalt.

Kit Johnson/Auditor/Treasurer- Johnson provided a department update. The election went well with a high turnout, around 84%. There may be a recount in the Campbell-Tintah school district. Johnson reported that farm taxes are dropping slightly and seasonal recreation, residential, and business taxes are going up slightly. This is due to the valuation of the farm land. There is a parcel in Browns Valley that forfeited where the owner, Greg Maestas, has filed a request to repurchase the property. Monson made a motion to deny the repurchase and Salberg seconded it. The motion passed 4-1 with T. Johnson opposing. Newly forfeited parcels in Browns Valley were discussed. Monson made a motion to allow the City of Browns Valley to purchase the three properties for \$50.00 each and T. Johnson seconded it. The motion was approved unanimously. A newly forfeited property in Dumont was discussed. The City would like to use it for public parking. Upon a motion by Monson and second by Gail, the parcel will either be sold for \$50.00 or it will be conveyed to them per their request. The motion was approved unanimously. Open enrollment was held yesterday as well.

Rhonda Antrim/County Coordinator- The minutes from November 1, 2016, were approved unanimously, upon a motion by T. Johnson and second by Monson. The following bills were approved unanimously, upon a motion by Salberg and second by Monson:

GAZETTE PUBLISHING CO.	2,004.37
REGENTS OF THE UNIVERSITY OF MINNESOTA	2,232.51
TRAVERSE COUNTY SOIL & WATER SERVICE	55,432.00
ALTEL	2,940.00
TITAN MACHINERY	3,618.87
TRI COUNTY COOP	11,011.63
Twin Valley Tire Wheaton, Inc.	8,077.90

Per M.S. 375.12, the number of claims totaling \$2000.00 or less were 64, amounting to \$24,146.09. The proposal for the new lease with the Traverse Care Center was discussed. Once the County Attorney approves it, it will be sent to the Care Center. Wireless internet through Advantenon was discussed as well as a funding proposal. We are still waiting for feedback from the County Attorney as well as the State Auditors, on the legalities of a project such as this. There was some concern expressed by Salberg regarding dead spots and overlapping areas on the map they provided. Antrim read some comments and feedback from other entities that have partnered or are in the process of partnering with Advantenon. The conditional use permit applied for in September of 2015, by Dan Binsfeld, President of Big Dog Land Development, LLC, was formally withdrawn on November 14, 2016. The Board unanimously denied the application based on the withdrawal, upon a motion by Salberg and second by Monson, through the following resolution:

WHEREAS, on October 26, 2015, Big Dog Land Development submitted a Conditional Use Permit application seeking to add 22 new RV sites to the existing Rosebud RV Park;

WHEREAS, because of concerns over the application, Big Dog Land Development and Traverse County agreed to extend the deadline for approving or rejecting the application to December 1, 2016;

WHEREAS, because of continued concerns, on November 14, 2016, Big Land Development submitted an e-mail withdrawing its application;

WHEREAS, M.S.A. §15.99, Subd. 2(a) requires a government agency to either accept or reject a conditional use application within 60 days of submission, or another date mutually agreeable between the parties, and because it is silent on whether this applies to a voluntarily withdrawn application the Traverse County Board of Commissioners believes it is legally required to reject the Conditional Use Permit application;

WHEREAS, Traverse County Land Use Ordinance Section 14.01(10) states that no application for a denied Conditional Use Permit shall be resubmitted within one year from the date of denial, unless the Traverse County Board of Commissioners believes that new evidence or a change of circumstance warrant it; and

WHEREAS, the Traverse County Board of Commissioners believes that this section does not apply to parties who voluntarily withdraw their Conditional Use Permit application, and expressly states that Big Dog Land Development is therefore not bound by this provision should it desire to resubmit their application within one year of today's date.

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

1. The Conditional Use Permit application dated September 3, 2015, and submitted on October 26, 2015, by Big Dog Land Development is hereby rejected based upon Big Land Development voluntarily withdrawing its application.
2. Because the rejection of the application is based solely upon Big Dog Land Development's voluntary withdrawal, Big Dog Land Development is not prohibited from submitting another application seeking to add new RV sites to the existing Rosebud RV Park within one year from today's date.

PASSED AND ADOPTED this 15th day of November, 2016.

Attested to by:

Rhonda Antrim/County Coordinator

Kevin Leininger/Board Chair