

Traverse County Commission
Regular Board Meeting
September 20, 2022

The meeting was called to order at 10:00 a.m. by Commission Chairman Todd Johnson. Other Commissioners present were Kayla Schmidt, Dave Salberg and Mark Gail and Dwight Nelson. The Pledge of Allegiance was recited. With the additions of Joint Powers Agreement and Court Data Services Subscriber Agreement with the State of Minnesota, the agenda was approved unanimously upon a motion by Salberg and second by Schmidt. The minutes from the September 6, 2022, Board meeting were approved unanimously upon motion by Schmidt and second by Gail. There were no public comments.

Highway Department

Chad Gillespie, County Engineer and Brian Koch, County Maintenance Supervisor appeared before the Board. Gillespie's requested approval for the final payment for the crushing project for the CP 21-02 Crushing to Brown Excavating Inc, in the amount of \$2,719.32. Upon a motion by Gail and second by Salberg the motion was passed unanimously. Gillespie requested approval for the final payment to Murphy for the lease that Traverse County has in the amount of \$1,532.30, upon a motion by Nelson and a second by Schmidt the motion unanimously passed. Gillespie's last action items was the approval of the Joint Powers Agreement with the Department of Natural Resources for the design of the County Park parking lot. A motion was made by Gail, second by Nelson and the motion was passed unanimously. Gillespie informed the Board the auction results were in and that the earnings surpassed expectations largely due to the sale of the tire backhoe.

Viking Library Systems

Erin Smith, Viking Library Systems (VLS) Director appeared before the Board with the 2021 annual report and the 2023 appropriation request. Bernice Piechowski, Director of the Browns Valley Public Library, was also in attendance. Smith described their mission statement as strengthening, promoting, and expanding library services in their 6-county region. The 2023 appropriation request is a 2.5% increase over last year. Schmidt made motion to approve the appropriation, Nelson seconded, it was approved unanimously.

Township Association

Kevin Pederson, Secretary/Treasurer, and Steve Fridgen, President of the Township Association appeared before the Board with concerns over the sale of land to non-tax paying entities. Pederson explained the three main concerns the association has; agricultural impact and the long-term implications from taking land out of production; distribution of taxes; and maintenance and upkeep. Several community members were in attendance in support of the Township Association. Fridgen submitted a proposition for the Boards consideration: "The following members of Traverse County support a moratorium on future land sales to non-tax paying entities beginning after the pending Asfeld Estate sale." Schmidt made a motion to support the moratorium, there was no second. Further discussion occurred. T. Johnson said that he didn't think the County should get in the way of land sales and he would like to table the discussion. Salberg wanted the township association to word the moratorium more clearly, stating that an entity could not give the land to a non-tax paying entity for a number of years, for example 20 years. Nelson said that he didn't think that Commissioners should approve or disapprove land sales. The question was raised if the land is zoned for agriculture or recreational. County Attorney Matt Franzese was going to look into it.

Pheasants Forever

Aaron Sandquist, State Coordinator for Pheasants Forever, appeared before the Board in reference to the land sale in Arthur Township. Sandquist attended today's meeting to listen to concerns brought by county residents and to field questions from Traverse County residents. Sandquist stated that Pheasants Forever does pay taxes on the land it purchases. Bruce Freske from the Unites States Fish and

Wildlife Service was in attendance to add to the Pheasants Forever informational content. Freske responded to some of the concerns that were presented during the Township Association portion of the meeting and presented data points and comparisons regarding Traverse County and the seven other counties he serves. Among the data points was the last time any land was purchased in Traverse County was 27 years ago and that Traverse County had the least public lands of the eight counties. Questions were fielded and more discussion took place.

County Coordinator

Upon motion by Nelson and second by Gail the following bills were unanimously approved:

Kellen/Ryan- 54K LLC	6,695.00
Kris Engineering, Inc	8,550.60
Schmitz/Todd	9,685.00
Tri County Coop Oil Assn.	43,585.95
Wagner Company	24,150.00
Wells Fargo Financial Leasing	15,740.29
Ziegler, Inc	6,271.69
Cardmember Service	3,621.27
Counties Providing Technology	5,105.52
Election Systems& Software, Inc.	2,676.81
Hormann/Mark	2,000.00
Traverse County Soil and Water Service	52,018.00
WEX Bank	2,459.53

Per M.S. 375.12, the number of claims totaling \$2,000.00 or less were 58 totaling \$22,938.61.

At 11:10 a.m. Schmidt made a motion to close the meeting for the Twelve Mile Dairy Discussion, second by Salberg and unanimously approved. Pursuant to Minnesota Statue 13D.05 subdivision 3(b) to receive legal advice from the Traverse County Attorney, Matt Franzese, and the subject to be discussed is the county's legal options for the Riverview Conditional Use Permit that might result in a lawsuit being filed against the County Board by Riverview or a member of the public. The meeting reconvened at 11:29 a.m. upon motion by Salberg and a second by Schmidt, and passed unanimously.

As a result of the closed meeting, the Board held discussion on two issues: The first is issue pertained to Riverview LLC's conditional use permit for their Twelvemile Dairy project. The Board determined that because the DNR rejected Riverview's original proposal to use groundwater for their project, and Riverview is now stating that they will be looking at water usage that primarily relies upon surface water, this constitutes a material change to their original conditional use permit application. As such, pursuant to section 14.04 of the Traverse County's Land Use Ordinance, the Board believed that Riverview should be required to submit a new CUP application with an amended water usage plan. Salberg made a motion to authorize Franzese to send Riverview a letter informing them of the need to submit a new conditional use permit, which was seconded by Nelson. Discussion took place and Franzese fielded questions from the Board and the public. A roll call vote was conducted and the motion was passed unanimously.

The second issue pertained to Riverview LLC's conditional use permit for their Dollymount Dairy project. It had been previously revealed by a DNR report that the project had went over its allotted water usage in 2020 and 2021. Salberg made a motion to authorize Franzese to send Riverview a letter requesting to know what steps they had taken to remedy the water over usage issue, and to request a copy of the water usage report for 2022 as soon as it becomes available. Gail made a motion to

authorize Franzese to send the letter to Riverview, which was seconded by Nelson. A roll call vote was conducted and the motion was passed unanimously.

The Board discussed the request by Legacy Senior Services to lower their lease obligation to \$15,000.00 per month. The Board discussed the request. Nelson made the motion to extend the lease in the amount of \$20,000.00 from December 1, 2022 until November 30, 2023, Salberg seconded the motion. A roll call vote was taken and it passed on a 4-1 vote, with Salberg, Gail, Nelson, and T. Johnson voting in favor of the lease agreement and Schmidt voting against the motion.

Lisa Zahl, County Coordinator, informed the Board that the Building Committee met and requests for quotes for the renovation of the Traverse Electric building have been requested from three different companies. Those companies will be here this week and next week to assess the building.

On behalf of Sheriff Trevor Wright, Zahl presented the five-year State of Minnesota Joint Powers Agreement between the State acting through its Department of Public Safety on behalf of the Bureau of Criminal Apprehension and the County of Traverse on behalf of its Sheriff's Office for data sharing. Salberg made a motion to approve the agreement and Gail was a second.

Zahl reminded the Board that the Employee Appreciation Picnic is taking place September 27, 2023, from 11:30 a.m. until 1:00 p.m. There were no general updates.

Auditor/Treasurer

Kit Johnson, Auditor/Treasurer, appeared before the Board with a department update. K. Johnson informed the Board that the City of Wheaton did an accelerated forfeiture on two parcels and that they wish to purchase those lots. K. Johnson asked the Board to authorize the sale at \$150.00 plus recording costs per parcel. Upon motion by Gail and a second by Salberg the motion was passed unanimously. K. Johnson informed the Board that the county received the Minnesota Counties Intergovernmental Trust dividends in the amount of \$33,262.00 for Workers' Compensation. K. Johnson and his staff are wrapping up the audit and have received 32 ballot styles and explained that there are different ballots for each township/school district. His office will be mailing ballots on September 30, 2022. K. Johnson received an updated budget from Rainbow Rider and posed to the Board the question as to why Traverse County would have the same capital appropriations as larger more populated counties while, for example Public Health divides expense allocation based of population. K. Johnson presented the Board with an updated budget draft reflecting an 11.74% increase. Fund balance options were presented by K. Johnson. K. Johnson informed the Board that a levy maximum needs to be set by the end of September. Discussion took place. The decision was made to appropriate \$300,000.00 from the Road and Bridge and Revenue Funds to reduce the levy to 6.9%. A motion was made by Nelson to approve the proposed preliminary net levy of \$6,625,966.74 which is a 6.9% levy increase over 2022, second by Salberg and passed unanimously.

Commissioners Committee Reports were tabled until next meeting.

T. Johnson adjourned the meeting at 12:28 p.m.

Lisa Zahl, County Coordinator

Todd Johnson, Chairman