

WADENA COUNTY BOARD OF COMMISSIONERS' MEETING

February 7, 2023

The Wadena County Board of Commissioners' Meeting was held on February 7, 2023 in the Wadena City Council Chambers, 222 2nd St. SE, Wadena, Minnesota. The meeting was called to order at 9:00 am by Chairperson Weyer and all present recited the Pledge of Allegiance.

Present were: Mike Weyer, Bill Stearns, Jon Kangas, Murlyn Kreklau, Ron Noon, County Coordinator Ryan Odden, Chief Deputy Joe Schoon, Transit Director Wade Miller, Planning and Zoning Director Deana Malone, Jon Paul, Travis Pawlowski, Kim Schroeder, Melissa Whatley, Wadena Library Manager Renee, *Review Messenger* reporter Matt Johnson, County Engineer Darin Fellbaum via Zoom, Human Services Director Jennifer Westrum via Zoom, Public Health Director Erica Keppers via Zoom, Sergeant/Jail Administrator Bryan Savaloja via Zoom, Frank Lee via Zoom and *Independent News Herald/Verndale Sun* reporter Trinity Gruenberg.

Amend/Approve the Day's Agenda: Coordinator Odden would like to remove Regular Agenda Item 8 and move Regular Agenda Item 12 to be moved immediately after Item 9. Moved by Commissioner Kangas, seconded by Commissioner Noon to accept the agenda as presented with the removal of Regular Agenda Item 8. Move Item 12 to the position after Item 9. Motion carried unanimously.

Recognition of Interested Citizens: None present today

CONSENT AGENDA: Moved by Commissioner Stearns, seconded by Commissioner Kangas to approve the following consent agenda items:

- Approve the 12-20-2022, 1-3-2023 minutes and the Planning Committee meeting minutes of 1-19-23.
- Approve the Warrants for 2-7-2023 for a total of \$1,165,038.54.
- Approve the Human Services and Family Wise Warrants for 2-7-2023 for a total of \$25,352.43
- Approve the Appointment of Commissioner Jon Kangas as the Delegate and Commissioner Ron Noon as the Alternate members to the Central MN Emergency Services Board.
- Approve to accept and approve the amended charters as presented for the Planning Commission, Board of Adjustment, Park Board, Management Team, GISAC, Strategic Planning Economic Development and Conservation Fund Committee.
- Approve the 2023 County Commissioner Committee Assignments
- Approve the donations to Wadena County Public Health from Region 5 IEIC.
- Approve the Wadena County Opioid Committee Charter

- Approve the Chemical Health and Multi-drug Prevention (CHAMP) Coalition charter.
- Approve the updated Employee Wellness Committee Charter and 2023 Plan.
- Approve the appointment of the following citizens to the Wadena County Health Advisory Committee for three year terms from 2023 to 2025: District 1: Kathy Lorentz
District 4 Jan Kern.
- Approve the Public Health Advisory Committee Charter.

Motion carried unanimously.

REGULAR AGENDA ITEMS:

Donation of Patrol K9 and Handler Training: Chief Deputy Joe Schoon presented to the board that the county has been offered a donation of a new K9 by McDonough K9 and the handler training to accompany it, a value of \$17,500. We would be seeking this opportunity with the understanding there would be a period of overlap where two K9 units would be available in Wadena County. 1. K9 Nitro has been in service since 2018 and will likely be looking at retirement in the next two to three years. The average “working life” of a K9 is between 8 and 10 years old, with Nitro currently at 7 years old. 2. There is a push at the state level on the legalization of recreational marijuana. While it is not a sure thing until signed into law, Nitro is currently trained to detect the odor of marijuana. If the law passes, it would render Nitro all but obsolete for narcotic sniffs, outside of specific circumstances where possession of marijuana would be unlawful. Nitro would still be able to be used as a patrol dog for tracking, handler protection, and criminal apprehension duties. 3. Wadena County would apply for \$7500 in grant funding to help offset the cost of the donation, which would be turned over to McDonough K9. 4. The costs to Wadena County would be as follows: a. Deputy time while at training (not an additional cost) b. Deputy meals and lodging while at training (approximately \$6,500) c. K9 equipment for squad (Approximately \$6,000 including install) d. Deputy compensation per union contract at ½ hour of straight time per day. (approximately \$5,000/year). Motion by Commissioner Stearns and seconded by Commissioner Noon to approve the donation from McDonough K9 of a dual-purpose patrol dog along with handler training. Motion carried unanimously. Motion by Commissioner Stearns and seconded by Commissioner Noon to accept a grant from the United States Police K9 Association in an amount up to \$7,500 to then be paid to McDonough K9. Motion carried unanimously.

Petition to Amend Official Zoning Map: Planning/Zoning Administrator Deana Malone and Jonathon Korfe owner of 2 properties that he would like rezoned are proposing to rezone two parcels of property that are adjacent to one another but divided by a township road (125th Ave.). The parcel on the west side of the road is zoned R-1 Suburban Residential and the parcel on the east side of the road is zoned A-1 Transitional Agriculture and has a CUP which allows a farm implement business. The landowner is proposing to zone both parcels B-1 Highway Service

Business District. Their current farm implement sales business is listed as permitted use in this district and this would be the intended use for both tracts, along with their homestead and one other single family residence. A single family dwelling is also a permitted use in a B-1 District. With the US Hwy 10 project coming to fruition in the next couple years, he is going to lose a good portion of the south side of his inventory lot. They purchased the land across the road, which will also lose some area due to the Highway Right-of-Way, so they will have adequate space needed for inventory for their business. Commissioner Kangas would like to see the County rezone the Hwy 10 corridor and Hwy 71 corridor to Highway Business District so that homeowners would not have to go through this process and ask for permission time after time. Motion by Commissioner Stearns and seconded by Commissioner Kangas to approve the recommendation of the Planning Commission, and the Resolution, to amend the official zoning map for PID 14.009.3020 from R-1 (Suburban Residential), to B-1, (Highway Service Business), and PID 14.009.4025 from A-1 (Transitional Ag) to B-1 (Highway Service Business).

Wadena County Board of Commissioners

A Resolution to Amend the Official Zoning Map of Wadena County

WHEREAS, Jonathon & Sherrie Korfe, have filed a Petition to Rezone their property described as: PID# 14.009.3020 - 1.88 AC - THAT PT OF E1/2 SW1/4 DESC AS: COMM AT THE NE CORNER OF SAID E1/2 SW1/4; THN ON ASSUMED BEARING OF S ALNG THE E LI OF SAID E1/2 SW1/4 889.40'; THN ON A BEARING OF W 40' TO THE POB OF TRACT TO BE DESC: THN ON A BEARING OF S 442.58' TO THE NESTLY ROW OF MN TRUNK HWY#10; THN N 63°16'44"W ALNG SAID ROW 298.36'; THN N 16°1'20"E 224.12'; THN N 65° 33'28"E 224.78'TO POBSUBJ TO EASMENT FOR PUBLIC ROAD ROW located in Section 9, T-134-N, R-35-W, Wadena Township, presently Zoned R-1 Suburban Residential; AND, PID# 14.009.4025 6.25 AC - W 330' OF S 660' OF NW1/4 SE1/4 & W 330' OF SW1/4 SE1/4 BEING N OF N THERLY RIGHT OF WAY OF U.S. HWY 10; Section 9, T-134-N, R-35-W, Wadena Township, presently zoned A-1 Transitional Agriculture; and**

WHEREAS, the Petitioner requests the above referenced parcel 14.009.3020 be rezoned from an R-1 Suburban Residential District to a B-1 Highway Service Business District and the above referenced parcel 14.009.4025 be rezoned from A-1 Transitional Agriculture to a B-1 Highway Service Business District, for the purpose of retaining the current business located on highway 10 when the four-lane expansion project begins; and

WHEREAS, a fully noticed Public Hearing was held on the Petition on Thursday, January 19, 2023, at the Wadena County Courthouse at 7:00 p.m.; and

WHEREAS, the Planning Commission did due diligence in hearing the Petition to Rezone and herewith provides the following findings of fact:

1. The rezoning will be compatible with the surrounding area because it is not the Petitioner's fault he is losing his frontage because the state is going to take it;

2. The rezoning will not significantly depreciate nearby properties or impede the normal and orderly development and improvement of surrounding vacant property because much of the area is already commercial and there really is no vacant property in that particular spot, and because it will add to the normal orderly development as heard by the City of Wadena Zoning Administrator;
3. That adequate utilities, access roads, drainage and other necessary facilities will be provided because they already exist and there are roads on both sides;
4. That adequate measures will be taken to provide off street/road parking and loading space to serve the proposed use because of what has been done in the past, they have been intentional about creating off street parking and having their business set up in an orderly fashion;
5. The requested rezoning is consistent with the Wadena County Comprehensive Land Use Control Ordinance because there is an avenue to rezone property outlined in the ordinance if it proves to be necessary.
6. The requested rezoning is not in conflict with the Wadena County Comprehensive Plan because a goal in the Comprehensive Plan is to encourage future residential, commercial, and industrial development adjacent to urban areas with commercial and industrial development also encouraged along major transportation routes;

WHEREAS, with the above findings of fact, the Wadena County Planning Commission members have made a recommendation to the Wadena County Board of Commissioners to approve the Petition to Rezone;

NOW, THEREFORE BE IT RESOLVED, the Wadena County Board of Commissioners approves the recommendation of the Planning Commission for the Petition to Rezone the property of **Jonathon and Sherrie Korfe**, described as: **PID# 14.009.3020** - 1.88 AC - THAT PT OF E1/2 SW1/4 DESC AS: COMM AT THE NE CORNER OF SAID E1/2 SW1/4; THN ON ASSUMED BEARING OF S ALNG THE E LI OF SAID E1/2 SW1/4 889.40'; THN ON A BEARING OF W 40' TO THE POB OF TRACT TO BE DESC: THN ON A BEARING OF S 442.58' TO THE NESTLY ROW OF MN TRUNK HWY#10; THN N 63°16'44"W ALNG SAID ROW 298.36'; THN N 16°1'20"E 224.12'; THN N 65° 33'28"E 224.78' TO POB**SUBJ TO EASMENT FOR PUBLIC ROAD ROW located in Section 9, T-134-N, R-35-W, Wadena Township from an R-1 Suburban Residential District to a B-1 Highway Service Business District; and,

PID# 14.009.4025 6.25 AC - W 330' OF S 660' OF NW1/4 SE1/4 & W 330' OF SW1/4 SE1/4 BEING N OF N THERLY OF RIGHT OF WAY OF U.S. HWY 10; Section 9, T-134-N, R-35-W, Wadena Township, from an A-1 Transitional Agriculture District to a B-1 Highway Service Business District.

IN TESTIMONY WHEREOF THE WADENA COUNTY BOARD OF COMMISSIONERS has caused this resolution to be adopted this 7th day of February, 2023.

ATTEST: **WADENA COUNTY BOARD OF COMMISSIONERS**

BY: _____ BY: _____
 Ryan Odden Michael Weyer
 Wadena County Coordinator Chairman

Motion carried unanimously.

WSN Professional Services Agreement: Solid Waste Supervisor, Wade Miller said that every year the Minnesota Pollution Control Agency (MPCA) requires that we sample and analyze groundwater & storm water; and perform an annual survey of the demolition landfill each year. Historically, WSN (Widseth) has provided these services where internal staff are not qualified to perform the work. Widseth has prepared the attached proposal to continue providing these services in 2023. The proposal is for a lump sum cost of \$11,700. Motion by Commissioner Stearns and seconded by Commissioner Kreklau to authorize Solid Waste Director to sign Widseth's proposal for \$11,700.00. Motion carried unanimously.

Presentation and Project Development Agreement from Johnson Controls Inc. on HVAC Solutions for Courthouse Using Sourcewell Contract: Jon Paul and Travis Pawlowski, Johnson Controls Inc. gave a presentation as Wadena County has been exploring different options for updating the HVAC system at the Wadena County Courthouse. At the June 21, 2022 County Board meeting the county approved a professional services agreement with ICS Inc. for the development of and adoption of a HVAC and Energy savings plan. ICS, Inc. did perform the work as agreed too and presented a proposal to the County Board. The current proposal to the board is for a complete replacement of the HVAC system. During the ICS process it was asked what options were available thru Sourcewell. Johnson Controls is an approved Sourcewell vendor and they have met onsite and with staff to gather information for the attached feasibility study. Johnson Controls did a feasibility study and came up with four facility improvement measures. They explained all four measures and the costs associated with each measure to the commissioners. They gave the Project Management Scope and would hope to everything up and running by October. If approved a proposal can be written up right away and equipment ordered. The board feels this HVAC issue has been put off for too many years and time to move forward. Motion by Commissioner Kangas and seconded by Commissioner Kreklau to give a 30 day notice to end agreement with ICS, Inc. cost to the County would be \$15,000.00 to be paid from the levied building fund 114. Then enter into a project development agreement with Johnson Controls. Cost would be 6% which at the current estimate would be \$122,760.00. Motion carried 4-0. Stearns said division of the house. Roll call vote: Noon-aye, Kangas-aye, Weyer-aye, Stearns-abstain, Kreklau-aye. Motion carried 4-0 with 1 abstain. Out of an abundance of caution, Commissioner Stearns abstains from the vote.

A break was taken at 10:15 a.m. The meeting reconvened at 10:24 a.m.

Commissioner Kreklau's Committee Report was moved up as there was a presentation by the Kitchigami Regional Library System. Kreklau is on the KRLS Board and also a member of the budget committee of KRLS. Melissa Whatley the Regional Director of KRLS, gave a presentation about KRLS. They partner with 9 cities and 5 counties. There are 4 parts to the KRLS regional Library System. This is one of many mandate regional libraries across the state. The headquarters located in Pine River. It manages all aspects including staffing, inventories,

hours, accounting, related to 8 city libraries and one book mobile. Funding is primarily from state funds. 8 city libraries. 50% of each's budgets are from the counties levy. 35% from the city in which they are located and 15% state. Wadena is 4th largest by use. 1 book mobile with 13 stops. The funding is primarily from each counties levy. There are several factors used when determining each counties share. Usage being a big part. 3 stops in Wadena County account for 58% of the total bus mobile amount. Menahga and Sebeka are #1 and 2. And Nimrod is the 3rd stop in Wadena County. The actual library building. These are the responsibility of each city to provide, along with expenses related to the structure. They are not part of any county levy or the budget for operations. There are a lot of resource that the library system offers. The commissioners thanked them for coming and all the hard work they do.

Annual Department Report for Planning/Zoning, Parks, Passports & GIS: Planning and Zoning Director Deana Malone said she usually gives department reports in February on what has been accomplished during the last year. Planning & Zoning Department: Total Permits issued were 212. Total Permits inspected for compliance and certificates issued were 101. Compliance Inspections on existing systems were 96. Total revenue generated for all permit fees is \$27,750.00. Gave a general overview of planning and zoning responsibilities. Parks Department: Total Camping Fees Received \$23,991.00 and gave a general overview of the Parks Department responsibilities. Passports: Total fees collected for passport acceptance \$14,420.00. Geographic Information Systems (GIS) Department: Total fees collected for GIS 911 signs \$825.00, total fees for services \$2,631.44, Riparian Protection Aid \$20,516.00 and gave a general overview of the GIS department responsibilities.

County Zoning Laws: Commissioner Kreklau presented to the board that he would like to see full board support for a series of work sessions with resident comments and ideas on making current zoning laws friendlier and to be pro-active in an effort to increase business development opportunities. He said our zoning laws are over 50 years old and would like to see them reviewed and reminded the board that Hubbard and Ottertail County have no county wide zoning laws, except those that apply to septic, lakes and rivers. He talked about having businesses in the country are not more intrusive than dairy farms. Commissioner Kangas agreed and would like to see the zoning ordinance change to allow anyone to be able to run a business on their property without having to go through the conditional use process. It takes time and money. Deana Malone said she would like them to start with the official zoning map and before they rewrite zoning ordinances. Kreklau said he just wants more resident feedback and see if we can just make the process of having a business on your property easier. Motion by Commissioner Kreklau and seconded by Commissioner Noon to hold several Commissioner meetings in other parts of Wadena County to get input on zoning laws and possible revisions, to be determined. Motion carried unanimously.

County Coordinator Report: City of Wadena is looking at different ways to help their ARPA project move forward. They are looking at a possible tax abatement. We would need to set a public hearing date and this can be done at a regular board meeting. He is looking at the board meeting of March 7th. Ryan asked Dean Uselman to come to the board meeting on Feb 21st to present to the board all the information and answer questions the board may have.

Commissioner Stearns asked to change the March 14th meeting to a regular board meeting instead of a work session and to include the cities tax abatement presentation and public hearing on that date. The board was in consensus. He has been working with the negotiations committee and the labor attorney regarding a contract dispute with the Teamsters contract. There are differences in opinion. He may bring this to the February 21, 2023 Closed Session. He went to the Regional County Coordinators and Administrators meeting. AMC is encouraging this group to meet more regular. Participated in the AMC Legislative zoom call on 2-6-23. The topic was about the Family Leave act. DDA would like to come and do a presentation to the board in March. Odden also reached out to our legislators. The only one he has heard back from is Representative Mike Wiener and he is available on February 17, 2023. The board said 3:00 will work. Next week is the board workshop and let them know that a lot of MNDOT people will be present to discuss the County Road Safety Plan Update. He will be attending the Drainage Conference in Alexandria on 2-9-23.

Commissioner/Committee Reports:

Commissioner Kangas: 1-19-23 West Central Regional Juvenile Center meeting, 1-25-23 Prairie Lakes Municipal Solid Waste Authority meeting, 1-25-23 Emergency Services meeting, 1-27-23 Mahube Otwa meeting, 2-3-23 Negotiations meeting, met with Ryan regarding the Building committee and the charter.

Commissioner Noon: 1-18-23 Wadena County Opioid meeting, 1-25 to 27-23 newly elected Commissioner meeting in St. Paul, 2-2-23 Public Health Advisory meeting, 2-6-23 Central EMS Board meeting via Zoom. He gave the board a handout that provided some informational information. He asked the Regional Director to come to a future board meeting.

Commissioner Kreklau: 1-18-23 Wadena County Opioid meeting, 1-19-23 Regional Library meeting, 2-2-23 Council on Aging meeting.

Commissioner Stearns: 1-17-23 Ag Society meeting, 1-22 & 23-23 AMC County Futures meeting in the cities. Had a presentation on Economic development on Rural Development. 1-25-23 Prairie Lakes Municipal Solid Waste Authority meeting. He was elected vice-chair for the next year.

Commissioner Weyer: 1-19-23 Planning and Zoning meeting, 1-20-23 talked to Ryan about Commissioner assignments, 1-23-23 CPT meeting in Morris, 1-23-23 Trauma Informed Care

meeting, 1-24-23 Transit meeting updated charter. 1-26-23 East Central TZD meeting, 1-27-23 Law Library meeting, 1-31-23 4H Building upgrade meeting.

Closed Session for Negotiation Strategy: Meeting went into closed session at 12:10 p.m. The meeting reopened at 12:28 p.m.

Moved by Commissioner Noon, seconded by Commissioner Stearns to adjourn the meeting at 12:28 p.m. Motion carried unanimously.



Ryan Odden
Wadena County Coordinator



Mike Weyer, Chairperson
Wadena County Commissioner