

WADENA COUNTY BOARD OF COMMISSIONERS' MEETING

MARCH 3, 2020

The Wadena County Board of Commissioners' Meeting was held on March 3, 2020 in the Small Courtroom, Wadena County Courthouse, 415 South Jefferson Street, Wadena, Minnesota. The meeting was called to order at 9:00 am by Commissioner Horsager and all present recited the Pledge of Allegiance.

Also present were: Commissioners Sheldon Monson, Jim Hofer, Jon Kangas, (Absent Bill Stearns), County Coordinator/Engineer Ryan Odden, County Attorney Kyra Ladd, Chief Deputy Joe Schoon, Planning and Zoning Director Deana Malone, Solid Waste Director Chris McConn, Jeff Pederson, Anna Oldakowski East Otter Tail Soil and Water, East Ottertail Soil and Water Director Darren Newville, *Review Messenger* reporter Matthew Johnson, *Wadena Pioneer Journal* reporter Michael Johnson, *Independent News Herald/Verndale Sun* reporter Trinity Gruenberg, Tami Wenthold, Randy Wenthold, Burt Fosse, Jared Hoefs, Liz Wiese, Mitchell Janson, Steve Pachael and Wes Renneberg.

Amend/Approve the Day's Agenda: The 2-18-20 minutes were tabled until next week due to some typos. Moved by Commissioner Kangas, seconded by Commissioner Hofer to approve the day's agenda as presented with the amended tabled minutes. Motion carried unanimously.

Recognize Interested Citizens: Tami Wenthold, Menahga, owner of Went North Bed and Corral was present to talk about information she supplied to the Planning Commission about her business losing revenue in 2019, which was the first time in 16 years. This also aligned with the shooting range that opened in 2019. Wenthold stated that the Clay Dusters presented the goal to provide the area high school trap team a safe facility to participate, but failed to present a full comprehensive plan intended for the future. She passed out an informational sheet that showed what was set for 2018 and the changes that are being made in 2020. She explained there were several discrepancies.

The Clay Dusters are already in excess of hours compared to other ranges. Tami Wenthold said that the Planning Commission Board members all commented that the original CUP application was misrepresented in 2018. Mr. Fosse admitted that they would agree to anything the County wanted to get the CUP to be able to build with the grant money, she stated. Now the range is done and things have changed. The Clay Dusters are a non-profit charitable 501C3. The Huntersville Sportsmen's Park has formed an additional 501C7 non-profit, that can run as a business with all the money coming in as membership dues. Tami Wenthold found it interesting how these non-profits could work in conjunction and she called the Federal and State IRS offices along with tax assessor's offices about non-profit requirements and qualifying tax exemption requirements. She felt it was a concern as a tax payer since the land was gifted to them. She mentioned that they had received at least 1 grant and they have 2 non-profit chief operators.

The Huntersville Sportsmen's Club could be one of the premiere properties in the county, but at what expense to the area, Tami Wenthold wondered. Her greatest concern was the negative impact to the future of the Huntersville State Forest as a destination. Her arguments were brought before

the Minnesota Court State of Appeals. The Dusters and Huntersville Sportsmen's Park was granted a CUP with conditions put in place to specifically prevent it from becoming harmful or detrimental to the recreational area where it is located. The applicants made an agreement in 2018 and should be held to those conditions, she stated.

Randy Wenthold purchased a decimator and stated that the sound range was well over what was predicted. The software study was not an accurate study either, he mentioned.

CONSENT AGENDA:

Moved by Commissioner Hofer, seconded by Commissioner Monson to approve the following consent agenda items:

- Approve to accept the donation from Granite Electronics in the amount of \$100.00 for the Drone Program and to setup a separate budget line item for Donations-Drone Program and that any donations unused for the year will rollover into a restricted reserve account for future use.
- Approve Notification Of Hire March 2020. Human Services – Replacement Hires April Hardy, Child Support Officer, \$19.08 per hour, Start Date March 9, 2020, Grade: 21, Step: 1 Yearly Gross Salary: \$39,686.40, Total Salary and Employer Contributions (Taxes & Benefits): \$60,507. Geneva Cabello, Behavioral Health Social Worker, \$23.06 per hour, Start Date March 11, 2020, Grade: 54, Step 2 Yearly Gross Salary: \$47,964.80, Total Salary and Employer Contributions (Taxes & Benefits): \$69,992. Samantha Hess, Behavioral Health Social Worker, \$23.06 per hour, Start Date March 11, 2020, Grade: 54, Step 2 Yearly Gross Salary: \$47,964.80, Total Salary and Employer Contributions (Taxes & Benefits): \$69,992. Sherry Stark-Uselman, Child Prot. Social Worker, \$23.06 per hour, Start Date April 6, 2020, Grade 54, Step 2 Yearly Gross Salary: \$47,964.80, Total Salary and Employer Contributions (Taxes & Benefits): \$69,992. *Assumption for budgeting purposes is cafeteria plan Employee plus one.

Motion carried unanimously.

REGULAR AGENDA:

Acceptance of Minutes and Recommendation of Planning Commission Resolution to Amend Conditions - PR Clay Dusters CUP #ZP18-8500: Deana Malone, Planning and Zoning Director, was present to ask for a motion to accept the drafted minutes from the Planning Commission Meeting held March 2020. Moved by Commissioner Kangas, seconded by Commissioner Monson to accept the draft minutes of the Planning and Zoning Meeting. Motion carried unanimously.

A result of the that meeting was to first request an amendment of some conditions for the Park Rapids Clay Dusters DBA RD Offutt Huntersville Sportsmen's Park on their CUP #ZP18-8500. The Planning Commission did due diligence in reviewing these requests, according to Malone. They made some recommendations for modifications, and they have been referred onto the Board of Commissioners. They are in a Resolution for the Commissioners as part of their packet.

- Hours of Operation: The Planning Commission clarified the Hours of Operation were set-up as shooting hours. On outside hours they could plant trees, paint fences, etc.
- To add "pistols" to be included to the amended conditions.
- The Planning Commission has now determined that that, "Shooters under 18 must be supervised by a responsible adult, but can participate in all venues offered by range," when dealing with a hand

gun. They revisited the concept and agreed that a fire arms safety course would be a better place instead of a home when dealing with a hand gun.

- Spring Hours offered 2 more weeks recommended in March. It changed from a start date of April 1st to March 15th. The reason was for the start of the high school shooting season.
- Fall Hours didn't add any more days, but changed the hours on Saturday from 10 am – 8 pm to 9 am – 7 pm, due to it getting darker earlier.
- A Wednesday in May from 8:30 am – 6 pm they would be able to have a shoot for the North Star Conference. This happens once every four years. The date and hours will be posted for the public.

The Planning Commission referred these modifications for recommendation on to the County Board. Malone developed a Resolution to reflect these modifications for the Board to review. Commissioner Kangas noticed on the Resolution that it stated that they were not changing the number of shooting hours. Malone agreed that was what she believed what was said. Commissioner Kangas brought up adding extra days doesn't change the number of shooting hours. Malone stated that was a question he would need to ask the Planning Commission, because that was their finding. She thought they were thinking that they were not changing the shooting hours themselves, but if you went back to the minutes it was what was said.

Commissioner Kangas also was unsure that adequate measures were in place to prevent and control noise. He stated that they heard testimony and concerns regarding the noise. He discussed that he was on the Planning Commission back in 2018 and stated that a lot of money was spent on a professional sound study.

Other concerns Commissioner Kangas brought up was that in 2018 the use of the property was for the school and not for the public. When the revision came back a couple of weeks ago it said it could not be profitable without expanding to public use and selling memberships. He stated the CUP was allowed back in 2018 for a safe place for children to shoot. It appears now it is going beyond what was stated as the original use, he said.

Commissioner Kangas cited that many of the original conditions have not been met. Trees were supposed to be planted around the property, which none were done yet. There was a condition of the property to be taxable and there had been talk that there was a desire to make it non-taxed. There was also a recommendation for an increase of time allowed, and Commissioner Kangas did not want this until sound study concerns were investigated and resolved. He feels that the sound study was not performed under Minnesota rules. Sound studies were tested to maybe residential areas, but not to the recreational areas.

Commissioner Hofer appreciated the work of the Planning and Zoning Committee. He was willing to move forward with slight modifications. Commissioner Monson believed that the Planning and Zoning Board had done their due diligence. Commissioner Horsager leaned on what the Planning and Zoning Board had done. He was part of the sound study and the results didn't bother him. He was sad that the Wentholds provided that their business income had been reduced and was bothered that the four rows of trees were not yet planted as part of the condition of the CUP, but felt that both sides needed to communicate and get along.

Burt Fosse, Clay Duster Representative, had been talking to Deana Malone about making changes to the application to the CUP for over the past 2 years. The grant that they had required made it mandatory that they would be open to the public at least one day a week. Fosse agreed that the original purpose for the property was for school involvement. He then stated that on a meeting held February 24, it was brought up by Commissioner Kangas the membership issue. Fosse said that no one at the table denied the group was going to someday be open to a membership. Fosse also mentioned that they have completed their grant with the State and are not yet open to the public. They want to build a building on

the property. At this time they want it as a one-time approval from the Board, so they don't have to keep coming back for approvals.

Moved by Commissioner Monson, seconded by Commissioner Hofer to accept the Resolution as presented in the packet, Amending Conditions for Conditional Use Permit #ZP18-8500. Commissioner Monson- Aye, Commissioner Horsager-Aye, Commissioner Kangas- Nay, Commissioner Hofer- Aye. Motion carried 3-1.

Resolution to Approve Rezoning Petition: Renneberg Holdings, LLC & Blueberry Lands, LLC asked for parcels to be rezoned to R-1 Residence District.

Moved by Commissioner Monson, seconded by Commissioner Kangas to approve the recommendation of the Planning Commission to allow the Rezoning of property located in Sections 4, 5, 8 & 9 of Blueberry Township as described in the Resolution for the purpose of developing a Residential Planned Unit Development. Motion carried unanimously.

A break was taken at 10:13 am. The meeting reconvened at 10:19 am.

2020 Solid Waste Haulers License Applications: Chris McConn, Solid Waste Director, brought before the Board all haulers that have met the requirements of providing an application, fee, certificate of insurance, surety bond and Solid Waste Management Tax-10 form. They included:

- G&T Sanitation. Moved by Commissioner Monson, seconded by Commissioner Hofer to approve issuance of Solid Waste & Recycling Hauler License. Motion carried unanimously.
- Hough, Inc. Moved by Commissioner Monson, seconded by Commissioner Hofer to approve issuance of Solid Waste & Recycling Hauler License. Motion carried unanimously.
- Long Prairie Sanitation. Moved by Commissioner Hofer, seconded by Commissioner Monson to approve issuance of Solid Waste & Recycling Hauler License. Motion carried unanimously.
- Steve's Sanitation. Moved by Commissioner Monson, seconded by Commissioner Hofer to approve Issuance of Solid Waste & Recycling Hauler License. Motion carried unanimously.
- Wadena Hide & Fur Co. Moved by Commissioner Kangas, seconded by Commissioner Hofer to approve issuance of Solid Waste & Recycling Hauler License. Motion carried unanimously.
- Waste Management. Moved by Commissioner Kangas, seconded by Commissioner Hofer to approve issuance of Solid Waste & Recycling Hauler License. Motion carried unanimously.

Recess at 10:24 am. Closed per MN Statue 13D.05, Subd.3 (b) for attorney client privilege.

Reopened at 10:43 am.

Moved by Commissioner Monson, seconded by Commissioner Hofer to approve AAA Roll-Off Service on the condition of a stipulation agreement signed off by County Coordinator Ryan Odden. Motion carried unanimously.

Wadena County Feedlot Program Annual Report: Liz Wiese and Mitchell Janson, Wadena County Feedlot Officers, were present to share the 2019 CFO Annual Report. They had registered 84 feedlots and inspected 10, which was 3 more than they were required to inspect. Nine of them were compliant and one will be fixed by the end of the summer with nothing major required.

Moved by Commissioner Kangas, seconded by Commissioner Monson to approve the Wadena County Feedlot Program Annual Report for signature. Motion carried unanimously.

Red Eye One Watershed One Plan Draft Review and Update: Darren Newville, East Otter Tail Soil and Water Director, gave an update for the Red Eye One Watershed One Plan. They have a draft plan review in place that will go to the Policy Board soon. The plan:

- Is a voluntary program. They are working with land owners also on a voluntary basis.
- The intention of the plan is to come up with some priority areas for the group to work into improving the water quality in the Red Eye River Shed.
- It enhances the existing County Water Plan.
- It is locally driven.
- After the plan is adopted they will be receiving additional money on top of what they currently are receiving to do work in the Watershed through a non-competitive basis.

Deana Malone stated that eventually the local water plan that the County has will have to move to the One Watershed One Plan for each of the Watersheds within the County. The Countywide Water Plan that they have now when it is done, will be replaced with the Watershed.

Newville highlighted on the Watershed stating that it contains three main rivers; Leaf, Wing and Red Eye which drain into the Crow Wing near Staples and the Mississippi. A mosaic of streams, wetlands, pastures and farms support it, with not a lot of lakes to the Watershed. There are 80% of historical wetlands and shallow sandy aquifers that exist underground. The counties that cover the area are Becker, Otter Tail, Wadena and Todd with good overall water quality in the Watershed.

To complete the One Watershed One Plan, there is an agreement in place that says there are local government units that are going to be involved in that process. Becker County, Todd County and Todd SWCD decided not to be involved because they do not have enough of the Watershed in their counties to force them to join. The big players are East Otter Tail County, Otter Tail County, Wadena SWCD, Wadena County and Becker SWCD. Newville believes that Becker County and Todd SWCD will sign on to the implementation plan.

Some of the Plan highlights include focusing on land management prioritization and giving credits for current best management practices on the landscape and prioritizes areas for additional management practices. Also incorporated both PTMApp for measuring source reduction practices and a Landscape Stewardship Plan for prioritizing forest management and land protection.

The Plan focuses on four areas:

- Ground Water – which was the biggest concern from State agencies and citizens. They need to protect drinking water, minimize nitrates and understanding of sustainable ground water use.
- Surface Water – address impairments, maintain wetlands and work to improve the water quality in the Leaf Lake Chain.
- Habitat – enhancing riparian vegetation, improving aquatic habitat connectivity and fixing culverts and dams.
- Land Stewardship – increase land best management practices on cultivated land, pastures and forests.

The Watershed has been split into four Planning Regions based off from the three rivers that were mentioned earlier; Red Eye River, Wing River, Middle Leaf River and Upper Leaf River. In the first 10

years of the plan, they are going to concentrate on land priorities which include; Forest Land, Pasture/Grassland and Cultivated Land. These acres are most at risk for erosion and forest lost.

The funding levels for the Watershed Plan are coming from three locations. The first is the current base, money that they already have in place. The second is coming from additional grants. Lastly any money would come from anything additional that they would partner with on a Federal, State and local level. With estimated spending, they are receiving \$400,000.00 a year from their current base. Once the plan is adopted, they could expect \$490,000.00 a year in grants and about \$680,000.00 from partner funding. The Watershed money will go to 61% Managing It, 16% Fixing It, 15% Protecting It and 8% Inventory and Out Reach.

Newville stated there has been a draft agreement already sent out, but another agreement will be implemented through the Joint Powers hopefully including Becker County and Todd SWCD. The current schedule in the process is to have a draft plan out for Internal Review, then they have a Policy Committee Approval April 13, 2020. Next they will know if the plan can be sent out for a 60 Day Notification (which will happen in April-May). The Policy Committee will have a Public Hearing on the Plan in late June. They are hoping to get the Plan to the BWSR Regional Board in August with the Board approval happening in September. Then it is brought back for a formal adoption.

Commissioner Reports:

Commissioner Hofer: 2/20/2020 and 2/21/2020 Interviews for Human Services, 2/24/2020 Personnel Committee, 2/25, 2/26, 2/27/2020 AMC Legislative Conference, 2/27/2020 MCIT Insurance Meeting.

Commissioner Monson: 2/20/2020 Ag Society Meeting, they filled all the open positions, 35 members, 2/25, 2/26, 2/27/2020 AMC Legislative Conference, 3/2/2020 Ag Society, Renew the registration with the State, Sales tax paid in full.

Commissioner Kangas: 2/19/2020 PLSWA Meeting, 2/20/2020 Solid Waste Committee, 2/20/2020 and 2/21/2020 Interviews for Human Services, 2/21/2020 CD 6 meeting with Kevin Fellbaum, 2/24/2020 CPT intern, 2/25, 2/26, 2/27/2020 AMC Legislative Conference.

Commissioner Horsager: 2/20/2020 Planning Commission, 2/21/2020 Childcare, 2/21/2020 CD 6 Ditch Meeting, 2/24/2020 Soil and Water Meeting, 2/24/2020 Personnel Committee, 2/25, 2/26, 2/27/2020 AMC Legislative Conference, 2/27/2020 Mahube OTWA, 3/2/2020 Environmental Meeting.

Commissioner Monson moved, seconded by Commissioner Hofer to adjourn the meeting at 11:23 am. Motion carried unanimously.



**Ryan Odden,
Wadena County Coordinator/Engineer**



**Charles Horsager, Chairperson
Wadena County Commissioners**