The Wadena County Board of Commissioners’ Meeting was held on May 7, 2019 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 Stearns and all present recited the Pledge of Allegiance.

Also present were: Commissioners Chuck Horsager, Jim Hofer, Sheldon Monson, Jon Kangas, County Coordinator/Engineer Ryan Odden, Auditor/Treasurer Heather Olson, County Attorney Kyra Ladd, IT Director David Hotchkiss, Payroll and Benefits Coordinator April Damlo, Zoning Director Deana Malone, Human Service Annette Stevens, Review Messenger reporter Matthew Johnson, Independent News Herald reporter Trinity Gruenberg.

Amend/Approve the Agenda: Ryan Odden requested that item 14 be tabled for another meeting. Moved by Commissioner Kangas, seconded by Commissioner Hofer to approve the day’s agenda with item 14 being tabled for another meeting. Motion carried unanimously.

CONSENT AGENDA:

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

- Approve minutes from 4-2-19, 4-9-19 and 4-23-19.
- Approve the Planning Commission minutes from 4-18-19.
- Approve the hiring of two employees. Michael Lillquist as Highway Maintenance Worker III, FT Nonexempt, Grade 51, Step 1 - $15.19 per hour $31,595.20 annual, effective April 22, 2019. April Damlo as Payroll and Benefits Coordinator, FT Nonexempt, Pay Grade 52, Step 2 - $19.31 per hour, $40,164.80 annual, effective April 3, 2019.
- Approve the request from Trailbreakers, Inc. to sponsor the 2020 grant application to the DNR for snowmobile Assistance – Maintenance and Grooming – Program, serve as the fiscal host and have the Auditor/Treasurer sign the quarterly applications for grant allocations.
- Approve the Special Use Permit for the River Valley Enduro Riders for June 1-2, 2019.
- Approve the Special Use Permit for the Twin City Trail Riders for September 28-29, 2019.

Motion carried unanimously.

Ryan Odden introduced April Damlo as the new Payroll and Benefits Coordinator.

REGULAR AGENDA

Tax-Forfeiture City Lot Sale Update: Auditor/Treasurer Heather Olson updated the Commissioners on the tax-forfeiture land sales. There were 38 lots sold for a total of
$36,900.00. The City of Staples purchased 14 lots prior to the sale. There are 28 lots remaining that are for sale over the counter at the Treasurer’s Office. These will have signs posted on them with the information on how to purchase them. Missy Lund was thanked for all the work that she did to get this land sale done.

**Park Budget Amendment:** Deana Malone was present to ask for a budget amendment to do some promotional items for the Parks. Moved by Commissioner Hofer, seconded by Commissioner Horsager to move $1800.00 from the line item 6177 for Unemployment to line item 6240 Advertising and Legal Notices in the Parks approved budget for 2019 to purchase promotional items for the Parks. Motion carried unanimously.

**Resolution to Amend Zoning Ordinance 1 Section 25E:** Deana Malone presented the changes to Zoning Ordinance #1, Section 25E, as it pertains to the Procedures of the Board of Adjustment. These changes require the land owner to provide a legal description of the parcels and all other information requested for a variance within 36 months of the public hearing. Moved by Commissioner Horsager, seconded by Commissioner Kangas to approve the following resolution:

**RESOLUTION TO AMEND THE ZONING ORDINANCE #1**

Commissioner Horsager moved that the following resolution be adopted:

RESOLVED: That the County Board orders the amendment of the Zoning Ordinance No. 1 as follows:

- Change to read as follows:

  *Section 25 E. Board of Adjustment - Procedures*

  4. Nothing shall prevent the Board of Adjustment from revoking a Variance Order when no action has been taken to complete the proposal requested in the application for Variance. (Added May 3, 2016)

    a. A Variance granted by the Board of Adjustment may be revoked if no action has been taken to complete the proposal requested in the application for Variance within a period of **thirty-six** (36) months from the date of the public hearing in which the Variance was heard and granted.

    b. The property owner will be notified of the pending revocation and have a period of ten (10) days to show written proof to the Planning & Zoning Department that action to complete the proposal requested in the Variance application has been taken. If written proof is provided, the Zoning Administrator may allow an extension up to 12 months for action on the Variance. If no
written proof is provided, the Board of Adjustment may order the revocation of the Variance Order from the property at a fully noticed public hearing.

c. The Order for Revocation will be recorded in the Office of the County Recorder and will include the legal description of the property.

d. It is the responsibility of the applicant to provide any information required to record the Variance Order once a variance has been granted. In the event, the applicant has not provided said information within the 36 month period referenced in item 4.a. above, and additionally, no action has been taken by the applicant to begin the project described in the application, steps as described in 4.b. above shall be followed except that no Order of Revocation shall be recorded. The application shall be considered null and void due to inaction of the property owner, and for failure to fully comply with the conditions or requirements as provided by the Board of Adjustment.

Commissioner Kangas seconded the motion and the same carried unanimously.

THE WADENA COUNTY
BOARD OF COMMISSIONERS

IN TESTIMONY WHEREOF THE WADENA COUNTY BOARD OF COMMISSIONERS has caused this resolution to be adopted this 7th day of May, 2019.

Conditional Use Permit for Duininck Inc. for Gravel Extraction, Storage, & Hot Mix Plant Operation: Deana Malone presented the recommendation for granting the Conditional Use Permit to Duininck Inc. Moved by Commissioner Horsager, seconded by Commissioner Monson to approve the following resolution granting the Conditional Use Permit to Duininck, Inc.:

Wadena County Board of Commissioners
A Resolution Establishing a Conditional Use

WHEREAS, Duininck, Inc., has made an application for Conditional Use to allow mining and processing of gravel and granular material, and periodic operation of a hot-mix asphalt plant, including all related stockpiling, on the property described as follows: That part of the NW 1/4 of Section 29, Township 135 North, Range 34 West, Wadena County, Minnesota, described as follows: Commencing at the Northeast corner of said NW 1/4 of Section 29: thence on an assumed bearing of South along the East line of said NW1 /4 of Section 29 for a distance of 1021.89 feet to the point of beginning of the tract herein described; thence S 89° 13' 06" W, a distance of 901.65 feet; thence South, a distance of 1456.66 feet; thence S 89° 18' 55" E, a distance of 379.54 feet; thence South, a distance of 50 feet; thence S 89° 18' 55" E, a distance of 672.09 feet to the East line of said NW1 / 4 of Section 29; thence North along said East line of said tract, a distance 1533.58 feet to the point of beginning. Wing River Township, located in an A-3 General Agriculture District and having a PID# 15.029.2020
WHEREAS, this use may be allowed in the specified Zoning District as a Conditional Use according to Section 8., C. of the Wadena County Zoning Ordinance #1; and

WHEREAS, a fully noticed Public Hearing was held on the application on Thursday, April 18, 2019, at the Wadena County Courthouse at 7:00 p.m., and

WHEREAS, the Planning Commission did due diligence in hearing the application and have made a recommendation to the Wadena County Board of Commissioners to approve the application with the following Findings of Fact:

1. The requested use will be compatible with the surrounding area because it is already in existence and there has been a pit next door as well and this one has been in operation for quite some time.
2. The requested use will not significantly depreciate nearby properties because it is already there and will continue to use the existing pond that will get bigger in the future.
3. The establishment of the requested use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area because it does develop the property rather than impede it and is another use of what is some very marginal agriculture land and mining is a resource.
4. There are adequate utilities, access roads, drainage and other necessary facilities being provided; because they are not changing the existing road that they have been using so it would be adequate. No complaints have been received in the past during their mining and being on a township road, no concerns have been received from the township as they were notified of this public hearing.
5. Adequate measures have been taken or will be taken to provide off street/road parking and loading space to serve the proposed use because they have been using this in the past and have had no issues with loading or parking so adequate measures have been taken. The area has plenty of room for trucks loading and unloading.
6. Adequate measures are in place to prevent or control offensive odor, fumes, dust, noise, and vibration so as not to constitute a nuisance, and measures taken to control lighted signs or other lights in such a manner that no disturbance to neighboring properties will result because no complaints have been received regarding dust or noise and Mr. Ver Steeg said they would take any measures necessary to control the dust, and noise will be addressed in the conditions of the permit.
7. The requested use is consistent with the Wadena County Land Use Control Ordinance; because it is a permitted use with a Conditional Use Permit according to the Ordinance.
8. The requested use is not in conflict with the Wadena County Comprehensive Plan because we want to promote business and employment in rural Wadena County areas.

NOW, THEREFORE BE IT RESOLVED, the Wadena County Board of Commissioners approve the recommendation of the Planning Commission for issuance of the Conditional Use Permit for Duininck, Inc. to allow mining and processing of gravel and granular material, and periodic
operation of a hot-mix asphalt plant, including all related stockpiling, with the following conditions: regarding the hours of operation which will be Monday thru Friday 6:30 a.m. – 8:00 p.m., Saturday 6:30 a.m. – 2:00 p.m. and no work on Sunday. Also, the information that was submitted with the application packet that addressed all the requirements of the ordinance would become conditions of the permit.

THE WADENA COUNTY
BOARD OF COMMISSIONERS

IN TESTIMONY WHEREOF THE WADENA COUNTY BOARD OF COMMISSIONERS has caused this resolution to be adopted this 7th day of May, 2019.

Motion carried unanimously.

Upper Level Remodel Update-Furniture Options: David Hotchkiss was present to give the different options for the furniture purchase for the two conference rooms in the upper level. It was decided that the rooms would only have tables and chairs. Dave was directed to bring back the exact figures for two tables 5’ x 30” per room with 8 chairs (4 with arms and 4 without arms) per room and quote for calendars for outside of the doors of each room.

Wensman Building Exterior: Ryan Odden and the Commissioners discussed the options of exterior work to the Wesman Building. There was much discussion on the options of Moved by Commissioner Horsager, seconded by Commissioner Hofer to approve up to $1000.00 for proposals on additional engineering work with Jason Schiek for the Wesman Building. Motion carried unanimously. Moved by Commissioner Horsager, seconded by Commissioner Hofer to authorize the repair to the NW corner of the Wensman building by the maintenance staff or the STS work crew. Motion carried unanimously.

Classification of Administrative Assistance/Accountant for Sheriff’s Department: Ryan Odden presented the information received from DDA on the classification of the Administrative Assistant/Accountant for the Sheriff’s Department. It was decided to hold off on this until next week.

A break was taken at 10:16 am. The meeting reconvened at 10:21 am.

Closed Meeting for Employee Performance Evaluation-County Engineer/Coordinator: Meeting was closed at 10:21 for the Employee Performance Evaluation for the County Engineer/Coordinator position.

The meeting reopened at 11:31 am.

County Engineer Reappointment: The Evaluation Summary will be made public at the May 14, 2019 meeting. Moved by Commissioner Horsager, seconded by Commissioner Monson to reappoint Ryan Odden as the County Engineer from a period of June 1, 2019 to May 31, 2023. Motion carried unanimously.
COMMISSIONER REPORTS:


David Hotchkiss reported on West Central cleaning up the wiring in the building. They removed all unused wires last week. They will label and map the remaining wires within the building for us before this project is completed.

Moved by Commissioner Monson, seconded by Commissioner Horsager to adjourn the meeting at 12:02 pm. Motion carried unanimously.

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Ryan Odden, Bill Stearns, Chairperson
Wadena County Coordinator/Engineer Wadena County Commissioners