



# POPE COUNTY MINNESOTA

## Official Proceedings Pope County Board of Commissioners Regular Board Meeting Tuesday, November 1, 2022

The Pope County Board of Commissioners Regular Board Meeting duly noticed for Tuesday, November 1, 2022 at 9:00 AM at the Pope County Courthouse, 1st Floor Community Room, 130 E Minnesota Avenue, Glenwood, MN 56334 was called to order at 9:00 AM by the Chair, Larry Lindor, with the following Board Members also present: Paul Gerde, Nan Haggerty, and Gordy Wagner. Cody Rogahn was not present. Kersten Kappmeyer, County Administrator, and Neil Nelson, County Attorney, were also present. The Pledge of Allegiance was recited.

Approval of Agenda and Approval of Official Proceedings for October 18, 2022 were presented by the Board Chair. Motion to approve the agenda as presented, made by Wagner and seconded by Gerde, Carried Unanimously. Motion to approve the Official Proceedings for October 18, 2022, adding note on attendance of Administrator and Attorney and otherwise as presented, made by Haggerty and seconded by Wagner, Carried Unanimously.

Acceptance of \$15 Donation to Sheriff's Office from Beverly Lee was presented by Tim Riley, Sheriff. Motion to accept \$15 donation to the Sheriff's Office from Beverly I. Lee, made by Haggerty and seconded by Gerde, Carried Unanimously.

Highway Department Monthly Update and Final Project Acceptance and Final Payment Approval SAP 061-618-035 were presented by Brian Giese, Engineer. Motion to accept project SAP 061-618-035 as complete and authorize final payment to Duinick, Inc of Prinsberg, MN in the amount of \$16,363.23, made by Haggerty and seconded by Gerde, Carried Unanimously.

Interim Use Permit: Nonconfinement Feeding Areas (Reichmann Land and Cattle, Leven and Westport Townships); and Conditional Use Permit: Landfill Expansion (Glenwood Demolition Disposal, LLC, Glenwood Township) were presented by David Green, Land & Resource Management Director. Director Green presented the staff report and planning advisory commission recommendation on the Reichmann matter, followed by discussion by the Board among the Members and with the applicant. Ivie Cooley was given leave by the Board Chair as a member of the public to address the Board with concerns regarding the Reichmann application including the flow of water and watershed boundaries. Motion to approve the Interim Use Permit of Reichmann Land and Cattle for nonconfinement feeding operations consistent with recommended approval and the related conditions recommended by the Planning Advisory Commission, made by Gerde and seconded by Lindor, Failed by the following vote: Ayes: Gerde, Lindor; Nays: Haggerty, Wagner. Discussion on findings consistent with denial was held, with reference to the MPCA's position on the permit, cattle numbers, and additional information. No other action was taken by the Board on the Reichman matter. Director Green presented the staff report and planning advisory commission recommendation on the Glenwood Demolition matter, followed by discussion by the Board among the Members and with the applicant. Motion to approve the conditional use permit application of Glenwood Demolition Disposal, LLC for the expansion of their existing landfill site in Glenwood Township with conditions as amended and as recommended by the Planning Advisory Commission, including omitting references to specific amounts of assurance for remediation in #3 and instead referring to MPCA required assurance, was made by Gerde and seconded by Wagner. Lindor passed the Chair role to Gerde, and Lindor made a motion to amend with same conditions as in the main motion, except to omit condition 11 on hours of operation completely. This motion died for lack of a second. Lindor assumed the Chair role, and called for a vote on the main motion, which Carried Unanimously.

Request for Assurance in Form of Surety Bond or Letter of Credit in Lieu of Cash for SolarClub 3 Facility (Nautilus Solar Energy, White Bear Lake Township) was presented by Kersten Kappmeyer, Administrator. After discussion seeking to clarify the request, a Motion was made by Haggerty and seconded by Wagner to table to a future meeting Nautilus Solar Energy's request to provide assurance in the form of surety bond and/or letter of credit in lieu of cash to satisfy condition #4 for the SolarClub 3 Conditional Use Permit, which Carried Unanimously.

Board Ratification of Professional Services Agreement between Minnesota Counties Computer Cooperative and Strategic Technologies for MCAPS Attorney Software was presented by Neil Nelson, Attorney. Motion to approve the Chair's ratification of the professional services agreement between the Minnesota Counties Computer Cooperative (MnCCC) and Strategic Technologies Incorporated for the maintenance and support of the County Attorney's MCAPS system as presented, made by Haggerty and seconded by Wagner, Carried Unanimously.

GASB 75 Actuarial Valuation and Year-End Disclosures Contract was presented by Kersten Kappmeyer, Administrator. Motion to approve the contract with USI Consulting Group, Inc. to provide services for the GASB 75 valuation and year-end disclosures, made by Wagner and seconded by Haggerty, Carried Unanimously.

Pay Bills, Supplemental Bills, and Employee Reimbursements was presented by Stephanie Rust, Auditor/Treasurer. Motion to approve payment of bills of \$272,590.30 plus supplemental bills of \$45.00 plus employee reimbursements of \$600.26, totaling \$273,235.56, made by Wagner and seconded by Gerde, Carried Unanimously.

Approval of the Per Diem Expense Reports was presented by Board Chair. Motion to enter the Per Diem Expense Reports into the record, made by Haggerty and seconded by Gerde, Carried Unanimously.

Motion to enter into closed session pursuant to Minn. Stat. 13D.05, Subd. 3(c) to consider development of a purchase offer for certain real property described as parcel 21-0198-000, made by Haggerty and seconded by Wagner, Carried Unanimously. The Board entered into closed session at 11:34 AM. Motion to end closed session and return to open session, made by Gerde and seconded by Wagner, Carried Unanimously. The Board returned to open session at 11:54 AM.

Motion to convene in closed session pursuant to Minn. Stat. 13D.03 for a briefing and discussion on labor negotiations with the various union bargaining units set to negotiate new successor labor agreements beginning January 1, 2023, made by Wagner and seconded by Haggerty, Carried Unanimously. The Board entered into closed session at 11:55 AM. Motion to end closed session and return to open session, made by Gerde and seconded by Haggerty, Carried Unanimously. The Board returned to open session at 12:33 PM.

Informational updates were given by the County Administrator and Commissioners. During those updates, the Commissioners were briefed by David Green, Land and Resource Management Director, on posture of the Reichmann application heard earlier in the meeting due to no action to either approve or deny carrying, and the Board directed the matter be set upon the next meeting agenda on November 15, 2022 for consideration for the full Board.

There being no other business before the Board, the meeting was adjourned by the Chair at 12:51 PM.



Kersten Kappmeyer, County Administrator



Larry Lindor, Chair of the Board