



POPE COUNTY MINNESOTA

Official Proceedings Pope County Board of Commissioners Regular Board Meeting Tuesday, October 17, 2023

The Pope County Board of Commissioners Regular Board Meeting duly noticed for Tuesday, October 17, 2023 at the Pope County Courthouse, 3rd Floor Board Room, 130 E Minnesota Avenue, Glenwood, MN 56334 was called to order at 9:00 AM by the Chair, Gordy Wagner, with the following Board Members also present: Paul Gerde, Paul Gremmels, Larry Lindor, and Paul Wildman. Kersten Kappmeyer, County Administrator; and Neil Nelson, County Attorney, were present. The Pledge of Allegiance was recited.

Approval of Agenda and Approval of Official Proceedings for October 3, 2023 was presented by Chair Wagner. Motion to approve the agenda as presented, made by Gerde and seconded by Wildman, Carried Unanimously. Motion to approve the Official Proceedings for October 3, 2023 as presented, made by Lindor and seconded by Gremmels, Carried Unanimously.

The duly-noticed public hearing on a proposed fee for issuing an intoxicating liquor off-sale license per Minn. Stat. 340A.408, Subd. 3, was opened at 9:02 AM on motion by Lindor and second by Wildman, and Carried Unanimously. Auditor/Treasurer Stephanie Rust presented information on the proposed fee, and no public comment was offered when solicited. The public hearing was closed at 9:08 AM on motion by Gerde and second by Gremmels, and Carried Unanimously. Motion to set the Off-Sale Intoxicating Liquor License fee for Pope County at \$800, made by Gerde and seconded by Gremmels, Carried Unanimously.

The duly-noticed Pope County Annual Public Drainage Hearing was opened at 9:10 AM by the Board acting as the Pope County Drainage Authority on motion by Wildman and second by Gerde, and Carried Unanimously. Drainage Inspector Dave Orłowski presented information on the state of the County's drainage ditches and information on proposed drainage liens for 2024, and no public comment was offered when solicited. The public hearing was closed at 9:47 AM on motion by Lindor and second by Gremmels, and Carried Unanimously. Motion to approve the 2024 drainage liens as recommended in the Drainage Inspector's Report, on file at the Administrator's Office and at the Highway Department, made by Lindor and seconded by Gerde, Carried Unanimously.

Consider Resolution 202323 Amending the Pope-Douglas Solid Waste Management Solid Waste Fee for Pope County was presented by Steve Vrchota, Director, Pope/Douglas Solid Waste Management. Motion to adopt Resolution 202323 Amending the Pope/Douglas Solid Waste Management Solid Waste Fee for Pope County to \$130 per parcel, consisting of \$129 remitted to PDSWM and \$1 retained as an administrative fee by the County, for year 2024 as presented, made by Gerde and seconded by Wildman, Carried Unanimously.

Conditional Use Permit #23199: Commercial Ag Business (Belgrade Co-op, White Bear Lake Township) was presented by David Green, Land & Resource Management Director. Staff presented information on the request of Belgrade Co-op, as well as information on the recommendation of the planning commission to approve as contained in the Board materials. The Board Chair received comment from the applicant in support as well as from residents in the proposed activity area in opposition. Board discussion followed. Motion to approve of the Conditional Use Permit request of Belgrade Cooperative Association for a commercial agricultural business in White Bear Lake Township with conditions and based on the findings as provided from the Planning Advisory Commission, made by Gerde and seconded by Wildman, Failed by the following vote: Ayes: Gerde, Wildman; Nays: Gremmels, Wagner; Abstain with Conflict: Lindor. After discussion, the Board directed the County Attorney to render an opinion on the effect of the vote taken on the Belgrade Co-op matter and report back later in the meeting.

Conditional Use Permit #23247: New Feedlot (Marthaler, Grove Lake Township) was presented by David Green and Ariel Hughes, of Land and Resource Management. Staff presented information on the request of Marthaler, as well as

information on the recommendation of the planning commission as contained in the Board materials. The Board Chair received comment from residents in the proposed activity area in opposition. Board discussion followed. Motion to approve of the Conditional Use Permit application and issue a permit to Marthaler for a new feedlot in Grove Lake Township, with additional conditions of 800 feet setback from any residence, as well as additional fly, manure, and carcass management practices, and all other conditions as recommended based upon the recommended by Planning Advisory Commission and associated Findings, made by Lindor and seconded by Gerde, Carried by the following vote: Ayes: Gerde, Lindor, Wildman; Nays: Gremmels, Wagner.

The meeting was recessed at 10:45 AM by Chair Wagner, and reconvened at 11:00 AM.

The Board Chair received the opinion of the County Attorney as follows on the Belgrade Co-op matter previously heard and which motion to approve failed on a vote of two members in favor, two members in opposition, and one member abstaining due to conflict. The Board concluded that, pursuant to Minn. Stat. § 15.99, Subd. 2(b), the failure of the properly made motion to approve constituted a denial of the permit for the following reasons expressed in opposition as part of the meeting proceedings: Gremmels: safety concerns, potential environmental impact, traffic, particular location, but mainly taking prime agricultural land and tillable acres in light of trends taking land out of production; Wagner: health and wellbeing of the existing residential neighborhood near the proposed site, too close to residential homes in the neighborhood with the proposed use, propriety of a different location.

County Feedlot Program: 2024-2025 Delegation Agreement Work Plan was presented by Ariel Hughes, Land Use Specialist. Motion to approve the County Feedlot Program's 2024-2025 Delegation Agreement Work Plan as presented, made by Wildman and seconded by Lindor, Carried Unanimously.

Request from the City of Starbuck for grant money from AIS Prevention Aid funds for Starry Stonewort and Eurasian Watermilfoil control in Starbuck Marina was presented by Ralph Hanson, Land Use Specialist. Motion to approve the application and request of the City of Starbuck for Aquatic Invasive Species Grant funding in the amount of \$48,175 as requested, made by Wildman and seconded by Gerde, Carried Unanimously.

Consider Resolution 202324 to Support LRIP Grant Application for the Improvement of CSAH 18 and Approve Final Contract Payment - SAP 061-615-008 were presented by Brian Giese, Engineer. Motion to adopt resolution 202324 in Support of the Local Road Improvement Program Grant Application for the Improvement of CSAH 18 from TH 104 to TH 29 as presented, made by Lindor and seconded by Gerde, Carried Unanimously. Motion to accept the construction of SAP 061-615-008 as complete and authorize the final payment to John Riley Construction, Inc in the amount of \$56,372.31, made by Gremmels and seconded by Wildman, Carried Unanimously.

Request for Appropriation to Pope County HRA-ERA for Payment to Eagle Bank for Certain Electrical Connection Work was presented by Kersten Kappmeyer, Administrator. Motion to approve request for payment of \$5,420 for electrical line replacement services to Eagle Bank of Glenwood upon recommendation of the HRA-EDA Board and have payment issue to the HRA-EDA for further distribution to Eagle Bank as claimed. This motion, made by Gremmels and seconded by Lindor, Failed by the following vote: Ayes: Gremmels, Wagner; Nays: Lindor, Wildman; Abstain with Conflict: Gerde.

Tax Abatement - Parcel 02-8720-060 - Taxes Payable 2023; September 2023 Trial Balance and Fund Balance Analysis; 3rd Quarter 2023 Journal Entries and Billing; 3rd Quarter 2023 Revenue Expenditure Budget Report; Auditor Bills - September 13 - October 10, 2023; and Pay Bills, Supplemental Bills, Per Diems and Employee Reimbursements were presented by Stephanie Rust, Auditor/Treasurer. Motion to approve the 2023 tax abatement in the amount of \$152.00 for David & Debra Brown on Parcel #02-8720-060, made by Lindor and seconded by Gerde, Carried Unanimously. Motion to approve the September 2023 Trial Balance and Fund Analysis, made by Wildman and seconded by Gremmels, Carried Unanimously. Motion to approve the 3rd Quarter 2023 Journal Entries and Billing, made by Lindor and seconded by Gremmels, Carried Unanimously. Motion to approve the 3rd Quarter 2023 Revenue Expenditure Budget Report, made by Wildman and seconded by Gerde, Carried Unanimously. Auditor Bills for September 13 through October 10, 2023 were presented as an informational item. Motion to approve payment of bills of \$259,575.55 plus supplemental bills of \$1,977.77 plus employee reimbursements of \$4,379.50, totaling \$265,932.82, made by Lindor and seconded by Wildman, Carried Unanimously, and were paid as follows: ALPHA Training & Tactics LLC 9,366.20; Counties Providing Technology 6,818.00; Douglas County Jail 6,020.35; Fidlar Technologies Inc 5,353.00; Grove Lake Lakeshore Asn 4,900.00; Horizon

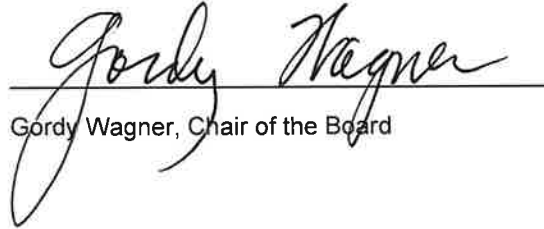
Public Health 20,021.50; iWorq Systems Inc 2,000.00; John Riley Construction Inc 56,372.31; Kar Kraft Body Shop 5,364.69; M.C. Dean Inc 3,212.00; Minnesota State Auditor 12,515.22; Motorola Solutions Inc 14,015.46; Obenland & Nelson 5,575.00; Obenland/Vicki 3,150.00; Prairie Lakes Youth Programs 18,371.63; Regents Of The University Of Minnesota 36,132.49; Rinke-Noonan 11,758.00; Scandinavian Lake Association 14,238.00; Visa 5,347.72; 48 Payments less than 2000 \$21,021.75; Total: \$261,553.32.

Informational updates were given by the County Administrator and Commissioners.

There being no other business before the Board, the meeting was adjourned by the Chair at 12:27 PM.



Kersten Kappmeyer, County Administrator



Gordy Wagner, Chair of the Board