



Jeffrey Babinski  
County Administrator

# HOUSTON COUNTY

304 South Marshall Street  
Caledonia, MN 55921  
TEL (507) 725-5827

Commissioners:  
District 1  
Jack Miller  
District 2  
Eric Johnson (Vice Chair)  
District 3  
Robert Burns  
District 4  
Teresa Walter (Chair)  
District 5  
Fred Arnold

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## HOUSTON COUNTY BOARD OF COMMISSIONERS REGULAR BOARD MEETING AGENDA

**9:30, June 11, 2019, County Board Room, Historic Courthouse**

### CALL TO ORDER PLEDGE OF ALLEGIANCE

### APPROVE AGENDA

**APPROVE MINUTES** (28 May Board Meeting, 4 Jun Workgroup Session)

### PUBLIC COMMENT

### CONSENT AGENDA

(Routine business items enacted by one unanimous motion. Commissioners may request moving items on the consent agenda to the Action Item list if they desire discussion before taking action.)

- 1) Approve Claims, Human Service & License Center disbursements
- 2) Approve Peddler's License Application - Vekko
- 3) Affirm personnel actions:
  - a. Sheriff's Office
    - i. Chang of employment status for Olivia Denney, Emergency Management Director, from probationary to regular effective June 12, 2019.

### ACTION ITEMS

- 1) Consider approval of Interim Use Permit to operate a seasonal storage facility business as a start-up business for Mark and Dana Cairns of Hokah Township. (Lacher)
- 2) Consider approval of low bid for SAP 028-599-096 for the replacement of a box culvert on Dotseth Road, in Caledonia Township. (Pogodzinski)
- 3) Consider approval of Resolution 19-20 authorizing the 2019 Toward Zero Deaths Grant Application. (Pugleasa)

### **09:45 Appointment: Don Hauge, SE MN EMS Executive Director**

- 1) Program presentation

### **10:00 CLOSED SESSION (Pursuant to MS Statute 13D.05, subd. 3)**

- 1) Attorney-Client privilege discussion to discuss pending litigation.

**DISCUSSION ITEMS (No action will be taken on the following items)**

- 1) Administrator Updates
- 2) Commissioner Reports & Comments

**CLOSING PUBLIC COMMENT**

**ADJOURN**

**REMINDERS**

- 11 June: Regular Board Meeting  
(Public Health and Human Services, Land Use/Public Works Committee)
- 18 June: ~~Workgroup Session~~—cancelled
- 18 June: 6:00pm – County Board of Appeal and Equalization
- 25 June: Regular Board Meeting  
(Finance Committee)

## CRITERIA FOR GRANTING INTERIM USE PERMITS

NAME OF APPLICANT: Mark and Dana Cairns DATE: May 23, 2019

I.U.P. REQUESTED: Operate a Start-Up Business (Seasonal Storage Facility) in an Agricultural Protection District.

The Planning Commission shall not recommend an interim use permit unless they find the following:

### FINDINGS OF FACT

Section 11.05 of the Houston County Zoning Ordinance requires the following:

**(SA = Staff Analysis)**

Subdivision 1. Findings. The Planning Commission shall not recommend an interim use permit unless they find the following:

1. That the proposed use conforms to the County Land Use Plan.

Staff Analysis: The proposal conforms with the County's policy 0100.0502 – "Preserve Prime Agricultural Land". The location is near urban areas, but is not prime agricultural soils and is therefore a suitable location for this use.

Larry Hafner – Yes, agrees with Bob Burn's statement.

Edward Hammell – Yes

Rich Schild – Yes

Jim Wieser – Yes

Robert Burns – Yes, agrees with SA, the Comprehensive Land Use Plan recommends that businesses such as this be located close to a residential area.

2. That the applicant demonstrates a need for the proposed use.

Staff Analysis: The applicant feels there is a demand for this type of facility and intends to use it as retirement income.

Larry Hafner – Yes, agrees with SA, and applicant already has many customers lined up.

Edward Hammell – Yes, will be a good service to the county.

Rich Schild – Yes

Jim Wieser – Yes, agrees with SA.

Robert Burns – Yes

3. That the proposed use will not degrade the water quality of the County.

Staff Analysis: This facility does not include any usage of water.

Larry Hafner – Yes, agrees with SA.

Edward Hammell – Yes

Rich Schild – Yes

Jim Wieser – Yes

Robert Burns – Yes, substantial area for drainage to be absorbed into ground.

4. That the proposed use will not adversely increase the quantity of water runoff.

Staff Analysis: The direction of water flow will not be changed with the addition of this facility as there are no major land alterations planned.

Larry Hafner – Yes  
Edward Hammell – Yes  
Rich Schild – Yes  
Jim Wieser – Yes, agrees with SA.  
Robert Burns – Yes, substantial area for drainage to be absorbed into ground.

5. That soil conditions are adequate to accommodate the proposed use.

Staff Analysis: Soils are adequate for the proposed use. The USDA soil survey instructs buildings to be designed to conform to the natural slope and explains this soil is not suitable for row crop production.

Larry Hafner – Yes  
Edward Hammell – Yes  
Rich Schild – Yes  
Jim Wieser – Yes, good land use for this soil.  
Robert Burns – Yes, agrees with SA.

6. That potential pollution hazards have been addressed and that standards have been met.

Staff Analysis: Machines and vehicles will be winterized prior to storage and portable fuel tanks and toilets will be removed. In addition, the applicant plans to place a lime screenings base. Septic is not applicable for this application.

Larry Hafner – Yes, agrees with SA.  
Edward Hammell – Yes  
Rich Schild – Yes  
Jim Wieser – Yes  
Robert Burns – Yes, agrees with SA.

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Staff Analysis: No new utilities are needed.

Larry Hafner – Yes, agrees with SA.  
Edward Hammell – Yes  
Rich Schild – Yes  
Jim Wieser – Yes  
Robert Burns – Yes

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Staff Analysis: There will be adequate area in front of the building for maneuvering vehicles or equipment around. This area is all well within the petitioners property. Limited parking is needed as access will be by appointment only and numbers can be controlled.

Larry Hafner – Yes  
Edward Hammell – Yes, well planned.  
Rich Schild – Yes  
Jim Wieser – Yes, there is enough room for off street parking.  
Robert Burns – Yes

9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Staff Analysis: The petitioner estimates less than 100 trips per year and plans to have customers by appointment only so heavy traffic will be prevented in that respect. Access is off Fremont Street and they are the only residence utilizing it.

Larry Hafner – Yes, agree with SA, size of facility limits the size of equipment that can be stored.

Edward Hammell – Yes

Rich Schild – Yes, no traffic hazards or congestion.

Jim Wieser – Yes

Robert Burns – Yes, only current resident on East Fremont Street.

10. That the Interim Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Staff Analysis: The closest neighbors are located on the other side of County 18 and the applicant is the only residence on the road.

Larry Hafner – Yes

Edward Hammell – Yes

Rich Schild – Yes

Jim Wieser – Yes, tree line provides adequate screening.

Robert Burns – Yes

11. That the establishment of the Interim Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Staff Analysis: The applicant owns the property around this and either the slopes or agricultural land inhibit other development. The city and township have no objections.

Larry Hafner – Yes, agrees with SA.

Edward Hammell – Yes

Rich Schild – Yes

Jim Wieser – Yes

Robert Burns – Yes, agrees with SA.

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Staff Analysis: There will be no signage. No odor, fumes, dust or vibrations are anticipated.

Larry Hafner – Yes, agrees with SA.

Edward Hammell – Yes

Rich Schild – Yes

Jim Wieser – Yes

Robert Burns – Yes, existing drive is crushed rock, no additional dust or noise.

13. That the density of any proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable Zoning District.

Staff Analysis: Not applicable.

14. That the intensity of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable Zoning District.

Staff Analysis: This building will be no different in size from the typical agricultural building found within the Ag Protection District. No effect is anticipated on the residential land to the south and west or the agricultural land to the east.

Larry Hafner – Yes  
Edward Hammell – Yes, agrees with SA.  
Rich Schild – Yes  
Jim Wieser – Yes  
Robert Burns – Yes

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Staff Analysis: Public health, safety, morals, and general welfare are not anticipated to be impacted.

Larry Hafner – Yes  
Edward Hammell – Yes  
Rich Schild – Yes  
Jim Wieser – Yes, SA  
Robert Burns – Yes, agrees with SA.

Larry Hafner made the motion to recommend the Houston County Board approve the Interim Use application based on the conditions below. Rich Schild seconded. Motion carried. The Findings will be submitted to the Houston County Board of Commissioners for their review.

1. The Permittee shall comply with all federal, state, and local laws and regulations;
2. The permit shall be subject to renewal at five year intervals. The renewal process shall be initiated by the Permittee, and may be done administratively. No public hearing is required for renewal unless it is determined by the Zoning Administrator or the County Board that a hearing is necessary. In the event it is determined that a hearing is necessary, the hearing will take place only after the Permittee submits an application to the County.
3. The permit shall expire if it is not renewed at or near five year intervals. The permit shall expire at such time that Mark and/or Dana Cairns no longer own and maintain homestead status on the property described in the application (currently PID #05-0061-000).
4. Hours of operation shall be 8 AM – 8 PM, Sunday through Saturday (seven days a week).
5. The maximum number of employees working onsite shall not exceed two at any one time.
6. The building shall be setback 50 feet from all parcel lines, including the parcel to the north under co-ownership.

# Houston County Agenda Request Form

This form is not intended for the general public. It is intended for use by county department heads, representatives of other governmental units or vendors/agencies who contract with Houston County. Members of the public may address the Board during the Public Comment Period. (See Policy for Public Comment Period).

Date Submitted: 30-May-19

Person requesting appointment with County Board: Aaron Lacher

**Issue:**

Approve 1 Interim Use Permit: IUP to Operate a seasonal storage facility business as a Start-Up Business for Mark and Dana Cairns of Hokah Township. (IUP was approved by the Planning Commission on May 23, 2019.)

**Justification:**

**Action Requested:**

Final Approval by the County Board. (Agenda, Hearing Notice, Findings and Staff Report are attached.)

For County Use Only						
<b>Reviewed by:</b>	_____	County Auditor	_____	County Attorney	_____	Zoning Administrator
	_____	Finance Director	_____	County Engineer	_____	Environmental Services
	_____	IS Director	_____	Other (indicate dept)	_____	
<b>Recommendation:</b>						
<b>Decision:</b>						

All agenda request forms must be submitted to the County Auditor by 4:00 p.m. on Monday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and determine if the request will be heard at a County Board meeting.



# HOUSTON COUNTY ENVIRONMENTAL SERVICES

Solid Waste ● Recycling ● Zoning  
304 South Marshall Street – Room 209, Caledonia, MN 55921  
Phone: (507) 725-5800 ● Fax: (507) 725-5590



## STAFF REPORT 5/14/2019

Application Date: 3/6/2019-4/30/2019  
Hearing Date: 5/23/2019  
Petitioner: Mark Cairns  
Reviewer: Amelia Meiners  
Zoning: Ag Protection  
Address: 107 Fremont St. E  
Township: Hokah  
Parcel Number: 050061000  
Submitted Materials: IUP Application, Building Drawing, City/Township Letters of Support

### OVERVIEW

#### REQUEST

The applicant is seeking an Interim Use Permit to operate a storage facility as a start-up business in the Ag Protection District to include winter storage for boats, cars, RVs, and other large non-household items and summer storage for items such as boat trailers.

#### SUMMARY OF NOTEWORTHY TOPICS

Start-up businesses are a codified Interim Use in the agricultural district requiring the following:

1. The business must be located on the homesteaded property of the business owner.
2. The business shall be compatible with the neighborhood, and not create a nuisance.
3. The business may be permitted through an IUP and shall be renewable for a period of five (5) years upon written application to the Zoning Administrator and with the concurrence of the Planning Commission and County Board of Commissioners. However, upon determination by the Zoning Administrator, or the County Board, that the operation is in violation of the provisions of the IUP or other County Ordinances, a hearing may be held to review the existence of any alleged violations.
4. At the time of expiration of permit, all business activities must end, and business related vehicles, equipment, and materials must have been removed from the property.
5. The permit is not transferable.
6. The business is located on a minimum of 1 acre.
7. Days and hours of operation shall be determined by the County Board.
8. The maximum number of employees (FTE) working on-site shall be determined by the County Board.
9. There may be no more than one non-illuminated business sign totaling not more than 12 square feet on the premises.



10. Excessive noise, glare, odors, traffic or other nuisances may be justification for the County Board to revoke or modify the terms of the Interim Use Permit.
11. The applicant and/or property owner shall permit the County to inspect the property at any time.

The petitioner anticipates winter storage for boats, RVs, cars, and other large non-household items, but plans to offer summer leases as well to accommodate boat trailers, etc. The lease term will be six-months and the hours of operation will be from 8AM – 8PM, seven days a week, by appointment only. He will accept limited daily check-in and check-out, but it's not preferred. The applicant anticipates capacity at 22-24 spots per season which is based upon the room required for a standard 20-foot boat, but the number will vary with the type and size of vehicles and equipment present.

### TOWNSHIP AND NEIGHBORHOOD COMMENTS

Both Hokah Township and Hokah City have submitted formal letters of approval for the project. The ten closest surrounding property owners were notified as well and no other comments have been received. Staff did receive one inquiry

### SITE CHARACTERISTICS

The facility will be located on a 6 acre parcel in the Ag Protection District of Hokah Township that also includes the applicant's primary residence. The applicant owns an additional 1.8 acre parcel north of this parcel that lies within Hokah city limits. The proposed location is an area of the property that is currently used for personal storage, but no buildings exist. Access is off of East Fremont Street which is maintained by the city, but serves no other residences. The site is not located in shoreland or floodplain and will be built on slopes under 24%. Traffic is anticipated to be less than 100 trips per year and visits will be by appointment only so heavy traffic at one time is not a concern. The applicant does not plan to use the existing shed for commercial storage and there will be no additional water or septic requirement with the addition of this building. The facility will be run by Mark and Dana and will terminate upon a change in ownership.

### EVALUATION

Section 11.05 of the Houston County Zoning Ordinance requires the following:

Subdivision 1. Findings. The Planning Commission shall not recommend a conditional use permit unless they find the following:

1. That the proposed use conforms to the County Land Use Plan.

Staff Analysis: The proposal conforms with the County's policy 0100.0502 – "Preserve Prime Agricultural Land". The location is near urban areas, but is not prime agricultural soils and is therefore a suitable location for this use.

2. That the applicant demonstrates a need for the proposed use.

Staff Analysis: The applicant feels there is a demand for this type of facility and intends to use it as retirement income.

3. That the proposed use will not degrade the water quality of the County.

Staff Analysis: This facility does not include any usage of water.

4. That the proposed use will not adversely increase the quantity of water runoff.

Staff Analysis: The direction of water flow will not be changed with the addition of this facility as there are no major land alterations planned.

5. That soil conditions are adequate to accommodate the proposed use.

Staff Analysis: Soils are adequate for the proposed use. The USDA soil survey instructs buildings to be designed to conform to the natural slope and explains this soil is not suitable for row crop production.

6. That potential pollution hazards have been addressed and that standards have been met.

Staff Analysis: Machines and vehicles will be winterized prior to storage and portable fuel tanks and toilets will be removed. In addition, the applicant plans to place a lime screenings base. Septic is not applicable for this application.

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Staff Analysis: No new utilities are needed.

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Staff Analysis: There will be adequate area in front of the building for maneuvering vehicles or equipment around. This area is all well within the petitioners property. Limited parking is needed as access will be by appointment only and numbers can be controlled.

9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Staff Analysis: The petitioner estimates less than 100 trips per year and plans to have customers by appointment only so heavy traffic will be prevented in that respect. Access is off Fremont Street and they are the only residence utilizing it.

10. That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Staff Analysis: The closest neighbors are located on the other side of County 18 and the applicant is the only residence on the road.

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Staff Analysis: The applicant owns the property around this and either the slopes or agricultural land inhibit other development. The city and township have no objections.

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Staff Analysis: There will be no signage. No odor, fumes, dust or vibrations are anticipated.

13. That the density of any proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable Zoning District.

Staff Analysis: Not applicable.

14. That the intensity of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable Zoning District.

Staff Analysis: This building will be no different in size from the typical agricultural building found within the Ag Protection District. No effect is anticipated on the residential land to the south and west or the agricultural land to the east.

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Staff Analysis: Public health, safety, morals, and general welfare are not anticipated to be impacted.

#### RECOMMENDATION

The Planning Commission must consider the criteria above. Should the permit be granted, staff recommend requiring the following conditions:

1. The Permittee shall comply with all federal, state, and local laws and regulations;
2. The permit shall be subject to renewal at five year intervals. The renewal process shall be initiated by the Permittee, and may be done administratively. No public hearing is required for renewal unless it is determined by the Zoning Administrator or the County Board that a hearing is necessary. In the event it is determined that a hearing is necessary, the hearing will take place only after the Permittee submits an application to the County.
3. The permit shall expire if it is not renewed at or near five year intervals. The permit shall expire at such time that Mark and/or Dana Cairns no longer own AND maintain homestead status on the property described in the application (currently PID #05-0061-000).
4. Hours of operation shall be 8 AM – 8 PM, Sunday through Saturday (seven days a week).
5. The maximum number of employees working onsite shall not exceed two at any one time.

STATE OF MINNESOTA  
COUNTY OF HOUSTON

DISTRICT COURT  
CIVIL DIVISION  
THIRD JUDICIAL DISTRICT

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In re: the appeal of the decision of the Houston  
County Board of Adjustment made June 21, 2018  
related to Schutz Quarry:

Kruckow Companies, LLC; Bonanza Grain, Inc.,

**ORDER FOR REMAND**

Plaintiffs-Appellants,

v.

Court File No. 28-CV-18-477

Houston County,

Respondent.

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The above-titled action came before the Honorable Carmaine M. Sturino, Judge of District Court, in Caledonia, Minnesota, on January 7, 2019, on cross motions for summary judgment pursuant to Minn. R. Civ. Pro. 56.

**APPEARANCES:** Plaintiffs-Appellants Kruckow Companies, LLC and Bonanza Grain Inc. were represented by Ranelle Leier. Respondent Houston County was represented by Jay Squires.

The case was commenced by notice of appeal dated July 19, 2018 pursuant to Minn. Stat. § 394.27 subd. 9 and Houston County Zoning Ordinance 12.4, subd. 1. Plaintiffs-Appellants Kruckow Companies, LLC and Bonanza Grain, Inc. (Appellants) appeal the decision of the Houston County Board of Adjustment (the BoA) dated June 21, 2018 regarding the Schutz Quarry.

Appellants moved for summary judgment or in the alternative remand to the Houston County Board of Adjustment. Respondent moved for summary judgment.

Appellants additionally moved to strike the affidavit of Respondent dated December 20, 2018 submitted in support of Respondent's reply memorandum.

Based upon the hearing held, arguments of counsel, the files, and records herein:

**IT IS ORDERED:**

1. That Plaintiffs-Appellants' Motion to Strike Respondent's Affidavit dated December 20, 2018 is **GRANTED**.
2. That Respondent Houston County's Motion for Summary Judgment is **DENIED**.
3. That Plaintiffs-Appellants' motion for Summary Judgment is **AS FOLLOWS**:
  - a. That the Decision of the Houston County Board of Adjustment dated June 21, 2018 regarding the Schutz Quarry is **REMANDED** for rehearing in accordance with this Order.
  - b. That Plaintiffs-Appellants' request to disqualify Board of Adjustment member Bryan Van Gorp from participating in the rehearing is **GRANTED**.
  - c. Bryan Van Gorp is disqualified from participating in re-hearing this matter before the Houston County Board of Adjustment.
  - d. That Plaintiffs-Appellants' request to disqualify Board of Adjustment members Larry Hafner and Ken Visger from participation in rehearing is **DENIED**.
  - e. That the matter of the participation of any other member of the Houston county Board of Adjustment is left to the discretion of the Houston County Board of Adjustment in accordance with its rules.
  - f. That Plaintiffs-Appellants' motion for summary judgment in all other respects is **DENIED**.

4. That the attached Memorandum is hereby incorporated and made part of this Order.

**BY THE COURT:**

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**Carmaine M. Sturino**  
**Judge of District Court**

## **Procedural History**

This appeal of a decision of the Houston County Board of Adjustment arises out of a dispute surrounding the Schutz Quarry located in Winnebago Township in Houston County. The record reflects that there is evidence of Schutz Quarry purportedly existing at least as of the 1940's before the adoption of official controls. The current property owner, Gary Meiners (Mr. Meiners), took possession of the property in July, 2005.

Pursuant to an inquiry regarding the status of Schutz Quarry by Mr. Meiners, the Houston County Zoning Administrator at the time, Robert Scanlon (Mr. Scanlon), sent Mr. Meiners a letter dated February 6, 2008 (the 2008 Letter). The 2008 Letter stated the Schutz Quarry is "considered to be open and usable as it is currently registered in the Houston county quarry log." The 2008 Letter also states: "Even though the quarry is registered locally, there may be additional requirements set forth by the MPCA[.]" Thereafter in January, 2009, Appellants entered into a 99 year lease with Mr. Meiners to extract from the Schutz Quarry.

In 2015, Mr. Scanlon sent Appellants a letter dated May 27, 2015 (the 2015 Letter). This letter was to follow-up on a meeting Mr. Scanlon, Appellants, and other Houston County officials had in response to complaints regarding the Schutz Quarry. The letter stated the following: "I also understand that [Mr. Meiners] and former owners have retained occupancy and/or use of the property as a mine/quarry since the original registration by Houston County Zoning." The letter further states: "As this property has been historically owned, rented, and used by current lease holders and past and current owners, it has been occupied and/or used as a mine." The 2015 Letter again references the Schutz Quarry's registration in determining its nonconforming use status.

Between late 2017 and early 2018, under the current Houston County Zoning Administrator Aaron Lacher (Mr. Lacher), Houston County undertook a review of local nonconforming use mines. This review involved investigation and working with property owners in the area including Mr. Meiners. Mr. Lacher sent Mr. Meiners a letter dated January 9, 2018 to request information from Mr. Meiners regarding the Schutz Quarry. Mr. Meiners' response was received January 25, 2018. Mr. Meiners' response indicated that the Schutz Quarry was not active when Mr. Meiners took possession of the property and has not been continually active while Mr. Meiners was in possession of the property.

After the investigative process concluded Mr. Meiners received a letter from Mr. Lacher dated February 2, 2018. Mr. Lacher's letter notified Mr. Meiners that department staff had determined pursuant to investigation that the Schutz Quarry lost its nonconforming use status due to discontinued use and its current use as a quarry must cease. This was based on the agency's conclusion that from 1967 to 2005 the quarry was not in continual use. The letter does not indicate whether it was sent or copied to Appellants.

Mr. Lacher noted the following eleven bases for his department's decision: aerial photographs at various dates ranging from 1947 to 2017; the relative size of the open pit over time; a 1965 MNDOT document referencing the quarry as inactive; a 1991 MNDOT photograph of the quarry; notes on the back of the photograph stating the site was abandoned 25 years ago; lack of a nonmetallic mining permit from 1998 through 2007; no state or township records of procurements; no county records of procurements before 2008; no state materials testing records from the site; the site not being taxed as a quarry before 2013; and statements from the owner of the quarry that the site was not active in



2005 when purchased.

Appellants filed an appeal of the Zoning Administrator's decision on February 26, 2018 to the BoA. The statutory deadlines for a decision were extended by the parties and the BoA heard the appeal on June 21, 2018. Appellants requested that Bryan Van Gorp (Mr. Van Gorp) and Larry Hafner (Mr. Hafner) not participate in the proceedings. The BoA entertained separate motions to exclude Mr. Van Gorp and Mr. Hafner from participating. Each motion resulted in a deadlocked two yes and two no split in votes. According to advice provided by the Houston County Attorney's Office the rules indicate that deadlock results in Mr. Van Gorp and Mr. Hafner participating by default. Both Mr. Van Gorp and Mr. Hafner then participated in the hearing.

The BoA made the following findings of fact by vote affirming Mr. Lacher's decision: that there is no evidence supporting continuous use of the mine from the 1960's to the 1990's and that the evidence shows natural growth in the quarry before the mid 2000's and the only exception is one period of shot rock hauled by a vote of four yes to one no; that there is an owner-signed form saying the site was inactive on purchase and not continuously active thereafter by a unanimous yes vote; and, that the preponderance of the evidence would lead one to believe there were extended periods of inactivity from 1967 to the mid-2000's by a vote of four yes to one no. A motion to reject Appellants' request which thereby affirmed the decision of Mr. Lacher succeeded by a vote of four yes to one no.

### **Issues**

1. Whether the Decision is arbitrary, capricious, unreasonable, and not supported by substantial evidence;

2. Whether Appellants' due process rights were violated by the actions of the BoA;  
and,
3. Whether the BoA is equitably estopped from performing the actions underlying this proceeding.

Due to the Court's decision disposing of the issues and remanding for rehearing, the Court need not consider the merits of Appellants' estoppel issue at this time.

### **1. Scope of review.**

The district court acts as an appellate court when reviewing a county decision. "Generally [the court's] review of a quasi-judicial decision is limited to an examination of the record made by the local zoning authority." *Big Lake Assn v. Saint Louis County Planning Comm'n*, 761 N.W.2d 487, 490 (Minn. 2009). The court reviews the county's decision only to see "whether there was a reasonable basis for the decision, or whether the county acted unreasonably, arbitrarily, or capriciously." *Id.* See also *Sunrise Lake Ass'n, Inc. v. Chisago County Bd. of Comm'rs*, 633 N.W.2d 59, 62 (Minn. App. 2001). A decision is arbitrary and capricious if it reflects a decision maker's will rather than its judgment. *In re Valley Branch Watershed Dist.*, 781 N.W.2d 417, 423 (Minn. Ct. App. 2010).

As a threshold matter, the scope of the Court's review necessitates striking Respondent's affidavit dated June 21, 2018 for purposes of this appeal. To the extent that the information contained in the affidavit is not multiplicative it is not properly part of the record on appeal.

**2. Appellants have not shown bias on the part of Ken Visger or Larry Hafner, but Bryan Van Gorp's participation necessitates remand.<sup>1</sup>**

**a. Appellants did not preserve the issue of Ken Visger's alleged bias.**

As an initial matter, Appellants requested the recusal of only two members of the BoA at the meeting: Mr. Van Gorp and Mr. Hafner. The issue of any alleged bias on the part of Ken Visger (Mr. Visger) was not raised and the BoA only took action on the participation of Mr. Van Gorp and Mr. Hafner. There is nothing in the record being appealed which would suggest Appellants preserved this issue or that the BoA made any determinations on these allegations of bias now leveled at Mr. Visger. Even so, and in the alternative, the allegations of bias surrounding Mr. Visger are subject to the same generalities, conjecture, and conclusory analysis pervading those leveled against Mr. Hafner discussed below.

**b. Appellants have not supported that Mr. Hafner nor Mr. Visger are biased.**

Appellants' due process claims as to Mr. Hafner and Mr. Visger are ultimately speculative and conclusory. Appellants intimate that Mr. Hafner and Mr. Visger may have opinions regarding mining, nonconforming use, or are involved with advocacy groups committed to opposing mining.

Appellants are unable to demonstrate how the foregoing taints Mr. Hafner's or Mr. Visger's participation in this matter. The conclusion reached by Appellants regarding Mr. Hafner and Mr. Visger and their involvement in "radical" groups opposed to Appellants' pecuniary interests are, at best, conjecture. Mr. Hafner's or Mr. Visger's associations with

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<sup>1</sup> This is properly understood as a combined determination of the first two of Appellants' issues.

interest groups do not demonstrate, or even reasonably imply, an inability to carry out their duty and Appellants provide no instances where either member has failed to do so. Appellants' showing does not support Mr. Hafner nor Mr. Visger being excluded from hearing this matter. Furthermore, Appellants do not argue that any of the challenged BoA members have some sort of pecuniary interest themselves creating a direct and substantial conflict of interest. Appellants have not put forth any compelling evidence that Mr. Hafner or Mr. Visger should be disqualified from hearing this matter initially or on remand.

**c. Mr. Van Gorp's participation was improper and inextricably linked to the outcome.**

The majority of Appellants' argument in this respect is a re-litigation of personal grievances and perceived slights exchanged between themselves and Mr. Van Gorp over some period of time. These do not amount to clearly demonstrating the impropriety the court now finds. Whether Appellants and Mr. Van Gorp are capable of personally getting along is not at issue in these proceedings. However, the record includes strong indications that Mr. Van Gorp prejudged the issue of nonconforming use as it relates to the Schutz Quarry. The BoA minutes state, after all presentations and motions:

“Bryan Van Gorp stated he is empathetic toward Gary Meiners, however, we can't continue in the same direction with these quarry sites. It is time to make better decisions.”

Even though Appellants' strong opinion regarding Mr. Van Gorp personally is not

persuasive, the above entry within the minutes is. This reflects that Mr. Van Gorp, at the very least, disapproved of the previous determinations of Houston County's Zoning Office and that Mr. Lacher's view is now more in line with Mr. Van Gorp's beliefs. In other words, Mr. Van Gorp could be understood here to be acting as a rubber stamp for what he determines to be "better decisions" rather than basing judgment on the record presented. It is reasonable to suspect that Mr. Van Gorp's participation and decisions in this matter reflect his will rather than his judgment. This is disqualifying for this matter. Even if Mr. Van Gorp based his decision on the record in this case, which the court need not reach, these statements are enough of an appearance of bias to exclude Mr. Van Gorp.

Appellants' assertion that the removal of one BoA member necessarily results in remand is ultimately correct as it relates to this proceeding. This is because Mr. Van Gorp's beliefs and the attendant findings are inextricably linked. Mr. Van Gorp moved to find two bases to uphold Mr. Lacher's decision, crafted the attendant findings to those motions, seconded another motion, and eventually moved to reject Appellants' motion. Mr. Van Gorp's participation being as pervasive as it is, removing the same would result necessarily in incomplete and unsustainable findings. A similar BoA decision on a similar record by an unbiased decision maker may, or may not, be arbitrary or reflect the will of the decision maker. But in this matter Mr. Van Gorp's evident prejudgment and extensive participation in this matter makes the decision and Mr. Van Gorp's will indistinguishable.

As Mr. Van Gorp's participation makes the BoA's determination arbitrary, re-hearing of the issue before the Board of Adjustment less Mr. Van Gorp is appropriate.

### **3. Conclusion.**

For the foregoing reasons, the Court remands the matter of Appellants' appeal to the BoA for rehearing on the determinations made by Mr. Lacher. Mr. Van Gorp must be recused. Finding no compelling reason to disqualify Mr. Hafner or Mr. Visger, their participation is left to their discretion or the discretion of the BoA and its members.

The Court's ruling today should not be read so broadly as to imply the merit of any other issues attendant to this case. Similarly, this Order should not be read to require disqualification of BoA members who have an understanding or opinions regarding the issues in this matter, as those do not necessarily reflect prejudgment or bias. The only result of this decision is that the findings and judgment of the BoA are inseparable from Mr. Van Gorp's will and the case must be returned to the BoA for re-determination absent that influence.

# Houston County Agenda Request Form

Date Submitted: June 3, 2019

BOARD DATE: June 11, 2019

Person requesting appointment with County Board: Brian Pogodzinski

**Issue:**

Board approval needed to approve the low bid for SAP 028-599-096 for the replacement of a box culvert on Dotseth Road, in Caledonia Township.

**Attachments/Documentation for the Board's Review:**

Abstract for SAP 028-599-096 is available but not public until after the award.

**Justification:**

**Action Requested:**

Board approval to accept lowest responsible Bidder.

For County Use Only			
<b>Reviewed by:</b>	_____ County Auditor	_____ County Attorney	_____ Zoning Administrator
	_____ Finance Director	_____ County Engineer	_____ Environmental Services
	_____ IS Director	_____ Other (indicate dept)	_____
<b><u>Recommendation:</u></b>			
<b><u>Decision:</u></b>			

All agenda request forms must be submitted to the County Auditor by 4:00 p.m. on Monday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and determine if the request will be heard at a County Board meeting.

# Houston County Agenda Request Form

This form is not intended for the general public. It is intended for use by county department heads, representatives of other governmental units or vendors/agencies who contract with Houston County. Members of the public may address the Board during the Public Comment Period. (See Policy for Public Comment Period).

Date Submitted: 6/6/2019

Person requesting appointment with County Board: John Pugleasa, Director Public Health & Human Services

Will you be doing a power point or video presentation:  Yes  NO

**Issue:**

Approve Toward Zero Deaths (TZD) resolution authorizing submission of grant application, and naming Director of Public Health & Human Services to act on behalf of Houston County with regard to TZD grant and program.

**Attachments/Documentation for the Board's Review:**

Two copies of resolution for review and signature

**Justification:**

**Action Requested:**

Approve TZD resolution and sign required paperwork

For County Use Only			
<b><u>Reviewed by:</u></b>	<input type="checkbox"/> County Auditor	<input type="checkbox"/> County Attorney	<input type="checkbox"/> Zoning/Environmental Service
	<input type="checkbox"/> Finance Director	<input type="checkbox"/> County Engineer	<input type="checkbox"/> HR/Personnel
	<input type="checkbox"/> IS Director	<input type="checkbox"/> Other (indicate dept)	
<b><u>Recommendation:</u></b>			
<b><u>Decision:</u></b>			

All agenda request forms must be submitted to the County Auditor by 4:00 p.m. on Monday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and schedule appointments as appropriate.



2020 Toward Zero Deaths (TZD) Safe Roads Grant  
Request for Proposal  
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Appendices

- A. Required Activities
- B. Optional Activities
- C. Memorandum of Understanding
- D. County Crash Data
- E. Commissioner’s Travel Plan Summary
- F. Sample Resolution
- G. Calendar for 2020 TZD Activities
- H. OTS Evaluation Form

- All questions due by 4 p.m., May 31, 2019
- Responses posted by 4 p.m., June 7, 2019
- Applications are due 4 p.m., June 14, 2019



New funding allocation for **Alcohol** Impaired Driving Activities

[Kristen.Oster@state.mn.us](mailto:Kristen.Oster@state.mn.us)

651-201-7077

# 2020 Toward Zero Deaths (TZD) Safe Roads Grant Request for Proposals

## Office of Traffic Safety, Minnesota Department of Public Safety

### I. Introduction/Overview

To continue working toward the goal of zero traffic deaths and serious injuries on Minnesota's roads, the Office of Traffic Safety (OTS) in the Department of Public Safety is funding county coalition work through the Toward Zero Deaths (TZD) Safe Roads grant program.

Research shows that education, media campaigns, or public information efforts on their own are not effective in changing traffic safety behaviors. To be effective, these initiatives must be tied to a larger activity, such as enhanced enforcement. The perception of a high likelihood of receiving a citation for violating traffic laws has a strong impact on driver and passenger behaviors.

The Toward Zero Deaths (TZD) Safe Roads grant program uses a data-driven, interdisciplinary approach that targets areas for improvement and employs proven countermeasures, integrating applications of: education, enforcement, engineering, and emergency medical and trauma services (the "4Es").

TZD Safe Roads Grantees must work on the identified problems with the greatest need in the area served.

Grants will be written for a one year period, beginning Oct. 1, 2019 and ending Sept. 30, 2020.

TZD Safe Roads grant funds are used to implement specific traffic safety activities that enhance other local traffic safety initiatives. OTS provides grant funds from the National Highway Traffic Safety Administration (NHTSA), a division of the Federal Department of Transportation.

### II. Principles of the TZD Safe Roads Program

A. The TZD Safe Roads program incorporates three basic elements:

1. The development of local working coalitions; diverse community partnerships whose members focus on traffic safety and actively participate in coalition activities.
2. The use of data-driven and proven practices/strategies to be carried out by the members of the coalition to decrease traffic related deaths and serious injuries.
3. The development of fatal review committees whose members review the contributing factors related to local traffic death and serious injury crashes, identify possible solutions that could have prevented the crashes or outcomes and implement strategies to prevent similar crashes and outcomes.

The primary document used by OTS to define the allowable strategies is Countermeasures that Work the 9th Edition, 2017 which can be accessed at:

<https://dps.mn.gov/divisions/ots/tzd-safe-roads/Pages/default.aspx>

### III. Submission Deadline

All TZD Safe Roads grant applications must be submitted via the Department of Public Safety's electronic grant system <https://app.dps.mn.gov/egrants> (E-grants) by no later than 4:00 PM, Friday, June 14, 2019. OTS will not consider late proposals and will not accept mailed, delivered, faxed or e- mailed proposals.

First time E-grant users must apply for a username and password by clicking the New User link <https://app.dps.mn.gov/EGrants/Registration2.aspx>

You will be given access by a DPS administrator within two business days.

Questions on the E-grants system should be submitted to Terri Pieper at [terri.pieper@state.mn.us](mailto:terri.pieper@state.mn.us) or 651-201-7073.

Questions on this RFP must be addressed to Kristen Oster at [kristen.oster@state.mn.us](mailto:kristen.oster@state.mn.us).

Questions must be submitted no later than 4:00 PM, Friday, May 31, 2019.

Answers to questions asked and clarifications sought that are not specific to a single proposal will be posted on the OTS TZD Safe Roads Partners page <https://dps.mn.gov/divisions/ots/tzd-safe-roads/Pages/default.aspx> by June 7, 2019.

### IV. Eligibility Instructions

TZD Safe Roads grants provide funding for county or multi-county coalitions to address and prevent traffic deaths and serious injuries in the area served. Applicants must provide county-wide grant services.

OTS will accept applications from school districts, public health departments, emergency medical service providers, law enforcement, non-profits, and other governmental and private agencies, but does not accept applications from individuals or unincorporated organizations.

Applications must have at least one local law enforcement agency (sheriff or police) participating in the 2020 TZD Enforcement Grant Program with OTS. If the applicant organization serves more than one county, at least one participating enforcement agency from each county served must be shown.

#### County Crash Data:

2013 to 2017 fatal and serious crash data (Appendix D) for the average number of deaths and serious injuries and their primary contributing factors will be used to identify counties with the greatest need for TZD Safe Roads Grant resources. For greater impact in reducing traffic related serious injuries and deaths, applications from counties with traffic deaths and serious injury yearly averages that are at or above state averages from 2013 – 2017 will be awarded additional points.

Contributing factors in the area served that are at or above the state averages must be the primary focus of the optional grant activities.

### V. Completing Grant Application Forms

#### A. Risk Assessment:

The federal government requires a pre-award risk assessment for all grant applications. There is a section in E-grants for applicants to provide risk assessment information.

#### B. Authorized Representative:

The Authorized Representative is the individual authorized by the applicant organization's governing board to execute a legally binding contract or agreement. The Authorized Representative is identified by a governing board resolution.

**C. Organization Background and Experience:**

Provide a brief description of the organization. Organizations must have offices in the county or counties served.

Private, non-profit, and other non-governmental organizations must provide an IRS Form 990 or the most recent certified financial audit with the TZD Safe Roads grant application.

**D. Coalition Coordinator's Background and Experience:**

A brief résumé of the coalition coordinator's background and experience as it relates to coalition leadership, grant management, traffic safety and community organization must be provided. If the coalition coordinator is unknown, describe the qualifications you will look for in a potential coordinator and the anticipated date the coordinator will be hired if the application is awarded.

**E. Coalition Support:**

Five letters of support or a Memorandum of Understanding (MOU) from each core coalition member organization is required. Each letter or MOU must state that the organization will actively participate in coalition meetings and grant activities.

To meet this requirement, include a letter or MOU from coalition members representing;

- Emergency medical services
- Engineering at the city, county, or state level
- Public health
- County Sheriff's Office
- Police Department(s)

Letters of support or MOU's from the sheriff and/or police chief(s) must include a statement that they will assist in obtaining crash information for Fatal and Serious Injury Committee meetings. (Appendix C)

**F. Signature Option:**

On the Signature Option page in E-Grants, select the "Print, sign, scan, and upload into E-Grants" option for submitting the signed grant agreement. The signature process will occur after the grant work plan and budget have been approved.

**Resolutions:**

Before OTS can execute a grant agreement, the agency must provide the OTS with a resolution from the appropriate governing body (board of directors or county board) authorizing its participation in the TZD Safe Roads Grant Program. It's best to begin the process of obtaining a resolution at the same time the grant application is submitted. Resolutions are uploaded onto the E-grants system only after the grant work plan and budget are approved. (Appendix F)

## VI. TZD Safe Roads Coalition Work Plan

Applicants are encouraged to be specific when describing proposed grant activities.

**A. Required Grant Activities: (Appendix A)**

Each TZD Safe Roads Coalition must:

1. Meet a minimum of six times during the grant year.
2. Establish a Fatality and Serious Injury Review Committee (FSIRC) that meets at least quarterly.

3. Implement public information and earned media campaigns for enhanced enforcement efforts.
4. Implement at least one activity to increase awareness of the dangers of driving distracted.

#### B. Optional Grant Activities:

It's highly recommended that grant applicants select the optional activities that focus on the leading problems of the area served. Applications may include one optional innovative activity to address driver behaviors. The activity must:

1. Address an identified problem in the area served.
2. Be measurable.
3. Be evaluated to measure outcomes. (Appendix B)

### VII. Budget Instructions and Limitations

Applicants are encouraged to be specific when describing proposed budget items. Include the following elements in the grant application.

We have added a straight line of funding for impaired driving related activities. As such, when creating your budget, please allocate impaired driving related activity to impaired driving funding.

For example: Direct Labor at \$35.00, if all hours are for an impaired driving activity, allocate all hours to impaired funding.

If zero hours are for impaired driving activity, allocate all hours to non-impaired funding.

#### A. Direct Labor:

TZD Safe Roads Grantees are allowed a maximum average of 15 hours per week total staff time. OTS limits staff time to ensure coalition members are active. \$35 per hour is the maximum hourly rate including fringe benefits. Maximum hours covers all staff time, including but not limited to the coalition coordinators time, regardless of the coalition coordinators status as a sub-contractor or an employee of the grantee organization. If the coalition coordinator will be under contract to the grantee organization, OTS must approve the contract before it takes effect.

Staff time and fringe benefits must be for the actual hours spent coordinating the approved grant activities. Only the employer's portion of FICA, insurance, and retirement benefits are eligible for reimbursement. Vacation, sick, or personal time off are not eligible costs.

As part of the grant application, identify the staff member (if known), current position title, number of hours that will be dedicated to work on approved TZD Safe Roads grant activities, and the hourly rate for each position that will be funded through the grant. The individual amounts of fringe benefits must be identified in the budget section of the grant application. *Example; FICA, health insurance, retirement.*

OTS does not reimburse time for salaried staff with titles such as Director or Executive Director. OTS does not reimburse for general administration such as supervision of employees or other oversight.

Per NHTSA's Highway Safety Grant Funding Guidance, Part IV, C "Unallowable Training Costs:" reimbursement for staff or sub-contractor time to attend training or conferences is not allowed unless 100 percent of the full-time staff or sub-contractors time is paid with federal funds. Time to attend the TZD Statewide Conference (with the exception of time spent presenting) is not an allowable grant expense.

Grant recipients cannot use federal funds to take the place of, or serve as a substitute for, existing funding used for a current or routine position or program. Other state and local funds for the same activities may not be decreased as a result of additional federal funds made available through the TZD Safe Roads Grant Program. Instead, TZD Safe Roads grant funds must be used to provide additional resources that otherwise would not be available for the TZD Safe Roads program activities and cannot be used to pay for regularly scheduled work.

The following examples offer some guidance on determining staff time that qualifies for reimbursement:

- 1) *Agency A employs Ann for 40 hours a week. Ann will manage the grant within her current hours of work. Agency A cannot claim Ann's salary as part of the grant's budget because those grant funds would take the place of current agency funds dedicated to that position.*
- 2) *Agency B employs Bob for 25 hours a week. Bob will manage the grant by working an additional 10 hours per week during the grant period. Agency B can include those additional hours in the grant's budget and receive reimbursement for the time that Bob works on approved grant activities.*
- 3) *Agency C has a current contract with Mary to manage public health projects in their area. Mary will manage the grant under the current contract. Agency C cannot include Mary's staff time in its proposed budget or charge a portion of the contract costs to this grant.*
- 4) *Agency D will hire a contractor to manage the grant. Agency D can include the contractor's time in its proposed budget and claim the portion of the contract that reimburses the contractor for work on approved grant activities. Agency D must report the contractor's rate and the actual hours the contractor spends on the approved grant activities to the OTS to receive reimbursement; in addition, OTS must approve the contract in writing before it takes effect.*
- 5) *Agency E has a section director that is the supervisor for an employee who works directly on the Safe Roads project. Agency E may not claim time for supervision as a cost to the project.*

#### B. Contractual Coordinator Services:

List the services in detail and when available, identify the service provider. (Example; TZD Safe Roads Coalition Coordinator @ \$25.00 per hour averaging 15 hours per week or 780 hours per year). The OTS will analyze each request for its necessity, appropriateness, potential benefit, and impact. The OTS must pre-approve any contract before it is legally binding (signed).

Allocate hours worked on impaired activities to impaired funding.

#### C. Contractual Victim Impact Speakers:

For Victim Impact Presentations, a maximum of \$500 in Federal Grant Funds per event for actual in-state travel costs may be used to reimburse presenters. Presenter time, fees, and stipends are not reimbursable costs.

Grantees must initiate a sub-contractor agreement that clearly identifies the agreed upon budget with the presenter before each event. All sub-contractor agreements must be approved by the OTS prior to execution.

Federal grant funds may be used to reimburse presenters for actual in-state travel costs according to the Commissioner's Travel Plan, explained on Attachment E.

An invoice from the presenter showing all actual costs must be provided to OTS for reimbursement.

If presentation is for impaired driving allocate these costs to VIP Impaired Activity funding.

#### D. Travel Expenses:

Costs for in-state mileage, meals (when not provided as part of a meeting or conference), and lodging for TZD conferences, workshops, meetings, and other approved grant activities incurred by the coalition coordinator are allowed within the limits of the Commissioners Travel Plan. (See Appendix E)

List multiple trips to like events on one line of the grant application; (e.g.; mileage for six coalition meetings @ \$5.00 each = \$30).

The TZD Statewide Conference will be held Oct. 23 - 24 in St. Cloud. Attendees are responsible for registering themselves for the conference and reserving their own hotel room.

The OTS will pre-pay the registration fee for the coalition coordinator.

Coalition coordinators may be reimbursed for hotel (up to \$125/ night) and mileage costs to attend the conference under the following guidelines:

- Per NHTSA's Highway Safety Grant Funding Guidance, Part IV; C, time to attend or travel to and from the TZD Statewide Conference is not an allowable grant expense. The only exception is time used to present at the conference.
- Mileage at the rate of \$0.580 per mile.
- Meals within the Commissioner's Travel Plan, unless provided as part of the conference.
- Hotel costs for two nights, up to \$125/ night, for the coalition coordinator when the home agency is further than 60 miles from the conference. When the home agency is between 35-60 miles from the conference, OTS will reimburse for one night, up to \$125/ night. OTS will not pay for hotel costs for coordinators whose home agency is 35 miles or less from the conference.

If all of your travel is for an impaired driving related event, you may allocate all of your travel expenses to impaired funding.

If a percentage of your travel is spent on impaired driving related activities, allocate that percentage of your travel to impaired funding.

#### E. Supplies and Materials:

Actual costs for supplies and materials that are reasonable and necessary for approved grant activities are allowed.

Costs for operational items and services that are provided to an agency on a centralized basis are not allowable unless the portion specific to the grant can be separated and documented.

If your supplies and materials are for impaired driving, allocate this to your impaired funding.

#### F. Print, Copy, Postage:

Brochures and other materials provided at no cost by DPS must be used when possible.

Costs for layout, design, and printing of other printed pieces may be eligible for reimbursement only with prior approval from the OTS grant coordinator. Printed materials

must include traffic safety and/or enforcement related messages. Billboard rental costs are not allowed.

Postage and other communications expenses that are necessary for specific approved grant activities may be eligible for reimbursement. The OTS grant coordinator should be consulted prior to incurring any costs if there is any question regarding reimbursement eligibility.

Estimate print, copy, postage costs in detail in the grant application.

*For example; 50 workplace policy surveys mailed at \$.55 per survey = \$27.50*

If your Print/Copy/ Postage is for impaired driving materials allocate to impaired funding.

#### G. Phone:

Phone and internet costs are reimbursable based on the percentage of salaried hours reimbursed through the grant. For example; the coalition coordinator works on the grant 12 hours per week (.3 FTE). Up to 30 percent of the monthly telephone and internet costs may be reimbursed, with a maximum of \$200 for telephone and \$200 for internet costs during the grant period. Documentation of costs are required for reimbursement.

Determine the monthly percentage of time you spend on the phone/internet for impaired driving and allocate this to impaired driving funding.

#### H. Social Media Platforms:

Grantees may be allowed to utilize social media platforms to promote their coalition activities. A small budget (up to \$500) may be awarded to produce and promote local coalition activities, including the purchase of filters, boosting of social media posts and other programming specialties for specific messaging under the following conditions:

- a) All Paid Social Media Platform messages must be pre-approved by the TZD Safe Roads Coordinator and the OTS Media Liaison.

Example, SnapChat Filter for a local Prom with a Traffic Safety Message.

- b) Social Media Platform Usage must include reporting analysis.

Examples: Number of: Likes, Clicks, Shares, Reactions, Comments, Posts, Engagements, Engagement Rates.

If funding is being used to boost or promote social media posts, please provide us with information which captures the outreach of paid reach and an unpaid reach.

For example, Facebook and Instagram report paid reach versus organic reach.

These examples are not a complete list, only examples.

Allocate Social Media platforms with specific messaging for impaired driving to impaired driving funding.

#### I. Other Direct Costs:

Light refreshments for TZD Safe Roads meetings, up to a maximum of \$25 per occurrence, are eligible for reimbursement. No other food or refreshment items are allowable.

Be sure to estimate other direct costs in detail.

*For example; Light refreshments for six coalition meetings at \$25.00 each = \$150.00*



Determine the percentage of meeting time spent on impaired driving related activities to allocate to your impaired driving funding.

**J. Local Costs:**

Please do not include an estimate of local costs in the grant application. \$0.00 must be entered in the Local Match columns for budget lines in the grant application.

Local costs are expenses or donations directly related to the project that are not reimbursed by any federally funded grant. Expenses paid using county, municipal, or private funding, or donations of time, materials, or services related to the project demonstrates the local commitment to the project objectives. OTS reports local costs to the National Highway Traffic Administration.

Grantees will be required to report local costs with each quarterly financial report.

Documentation requirements for local costs are the same as reimbursable costs.

Determine allocation for Impaired Local Costs separately if utilizing impaired funding.

**K. Non-Allowable Costs:**

The OTS will not reimburse TZD Safe Roads Grantees for any non-allowed expenses, such as:

- a) Paid media, such as advertising in a newspaper or airtime. However, funding may be used to develop messages that are tied to specific approved program activities with approval from the OTS grant coordinator.
- b) Cash, prizes, gift certificates, tickets to any entertainment or sports venue.
- c) Give-away items such as key chains, pens, T-shirts, or candy.
- d) Items not related to specific approved grant activities or the approved budget.

Please note: This is not a complete list.

**L. Lobbying:**

No TZD Safe Roads funds can be used for any direct or indirect activity specifically designed to urge or influence a state or local elected representative to favor or oppose the adoption of any specific legislative proposal, ordinance, or law.

## **VIII. Administrative and Financial Obligations**

**A. Administrative Obligations:**

By submitting the grant application, the grantee's authorized representative acknowledges that the following documents referenced in this Request for Proposal have been read in their entirety. The documents will be referenced in the grant agreement if funds are awarded.

The documents include:

- Grant Program Guidelines
- Terms and Conditions
- Federal Audit Requirements
- 2020 TZD Safe Roads RFP

**B. Financial Obligations:**

After the grant application work plan and budget are approved, the authorizing official must certify that the applicant agency is entering into a legally binding contract with the Minnesota Department of Public Safety through signature on a resolution.

The grantee agency is responsible for managing all TZD Safe Roads grant project and financial issues. Grantees are responsible for reviewing and approving all claims for reimbursement. If the coalition coordinator prepares the claim, another person within the grantee agency must review and approve the claim prior to submission to OTS. The grantee agency is responsible for managing all TZD Safe Roads grant financial issues. This responsibility cannot be assumed by a sub-contractor.

#### Contracts/sub-contracts/grants/sub-grants:

The OTS must pre-approve all sub-contracts for TZD Safe Roads administration and activities before the sub-contract is signed by any party. Documentation of costs, such as receipts or expenditure statements, is required for reimbursement. Invoices from an agreement not pre-approved by the OTS may not be eligible for reimbursement.

#### Reimbursement:

Eligible costs will be reimbursed only after the grant recipient incurs the cost, appropriate documentation is provided, and the claim is approved by the OTS. Only actual costs incurred during the grant year (Oct. 1, 2019 to Sept. 30, 2020) will be reimbursed.

#### Program Income:

Program income is defined as money that results directly from a grant-supported activity or that is earned as a result of the grant agreement. Volunteer hours, gifts, or services are not considered program income; actual money must be involved.

Grant recipients must document program income, including the activity that generated the income, the amount, and the use of the income, as part of the invoices and reports with as much detail as if it were federal funds. Check with your OTS grant coordinator before spending program income or if you are in doubt about the status of a source of funding as program income.

### IX. Grant Cancellation Criteria:

A TZD Safe Roads Grant may be cancelled by OTS if any of the following occur:

- A. The grantee failed to have any activity during a complete quarter.
- B. The grantee is deemed unable to conduct the required coalition meetings, committee meetings, or other required grant activities.
- C. The Financial Status Reports (invoices/FSRs) were submitted one month late at least two times unless the grantee was given prior approval from the OTS coordinator or entered a zero sum FSR.
- D. Quarterly Progress Reports were submitted two or more weeks late at least two times, unless the grantee obtained prior approval from the OTS coordinator.
- E. The OTS did not receive a response to an e-mail or call within fourteen calendar days of making the request to the grantee two times during a project year.
- F. Other breaches of laws, requirements, rules or procedures by the grantee.

A grantee is responsible for letting the OTS coordinator know if the coalition coordinator will be away from work for fourteen consecutive days or more and for providing the OTS coordinator with contact information on an interim coalition coordinator during that time period.

These rules will not be in effect in the case of a grantee agency affected by an emergency or natural disaster (such as a major fire, flood or tornado). Having a critical staff person or coalition coordinator quit or otherwise leave is not a natural disaster. If a critical person leaves, the grantee is responsible for notifying their OTS coordinator and working out a timeline by which duties, reports, and invoices will be resumed with him or her and obtaining the OTS coordinator's written approval of the plan.

## X. Reporting Obligations

The OTS encourages grant recipients to communicate with the OTS coordinator assigned to their grant throughout the grant period. When in doubt about any grant activity or expenditure, always call or e-mail the OTS coordinator beforehand.

### A. Financial Reports/Invoices:

In the E-grants system, invoices are referred to as a Financial Service Report (FSR). FSRs must be submitted on a quarterly basis on or before the last Friday of the month following the end of each quarter.

Quarterly reimbursements will not be processed until the progress report for the quarter is approved.

### B. Progress Reports:

1. Quarterly progress reports on all grant activities are due by the 15th day of the following month of the end of each quarter. The OTS will provide standard reporting forms. At a minimum, quarterly progress reports must include information on:

- a) Coalition meetings held and meeting minutes.
- b) Quarterly Fatal and Serious Injury Review Committee meetings held and meeting minutes.
- c) Outreach and media activities to support high visibility enforcement efforts.
- d) Implementation and progress of all approved grant activities.
- e) Timesheets showing the actual hours and a description of the grant related activities performed for each individual whose time is reimbursed through the grant. Forms will be provided by OTS.

### C. Final Progress Report: Due on or before Oct. 25, 2020.

The final report summarizes all grant activities, progress made toward reaching each measurable goal, and evaluation results. Forms will be provided by OTS.

## XI. Resolutions

The resolution serves two purposes. It assures the governing body supports participating in the proposed project and it states who is authorized to sign the grant.

The sample resolution has a place for two officials to sign certifying that the resolution was adopted. Other methods of certifying the adoption of a resolution are also acceptable. All resolutions must have ink signatures and may require an imprint of the county seal.

Legal signatures for a county are the Board Chair and Clerk of the County Board (M.S. 375.13); or individual positions specified in the resolution approved by the County Board.

Nonprofit organizations may submit a copy of their approved by-laws in place of a resolution only if it identifies who is authorized to sign contracts and agreements on their behalf.

The OTS strongly urges using the sample as the exact model for your resolution. Using the

exact model will ensure acceptability by DPS and quicker processing of awarded grants.

Never deviate from the grant dates on the sample resolution. All TZD Safe Roads Grants must start Oct. 1, 2019 and end Sept. 30, 2020.

Don't include a grant dollar amount in the resolution. The amount awarded may be different than the amount requested in the application. If your board requires a specific amount, have the words "*or a lesser amount as awarded by the Department of Public Safety, Office of Traffic Safety*" added after the amount is specified.

Use the title of the official authorized to sign the grant agreement rather than the specific name of the person. If your board requires a specific name as well as a title, add the words "*and (his or her) successor (on staff or in office)*" after the name is specified.

Resolutions are submitted through the OTS E-grants system only after the applicants work plan and budget are approved. (Appendix F)

## XII. Grant Award Selection Criteria

The OTS awards grants based on the number and quality of grant proposals received, amount of available funding, and the past performance of the applicant agency (if applicable).

Evaluation of Proposals for TZD Safe Roads Grants (Appendix H):

Grant applications must be entered in the e-grants system by 4:00 PM, Friday, June 14, 2019. A committee of OTS staff members will review and evaluate all grant applications.

OTS staff members will award points based on:

1. The severity of the problems identified. (Appendix D)
2. A reasonable and accurate work plan with:
  - a) *Measurable goals*
  - b) *Evaluation criteria to fit identified problems for all activities.*
3. OTS' past experience with applicant agency, if any.
4. Coalition coordinator experience and qualifications.
5. A reasonable and accurate budget plan.
6. Applicant organization traffic safety and/or grant experience.

Activities that demonstrate the implementation of proven traffic safety practices and strategies that fit identified problems and have reasonable measurable goals are of great importance. (Appendix D)

The OTS will likely require a conference call or meeting to clarify or revise the grant proposal and/or budget after tentative awards have been announced. If necessary, the applicant will need to revise their application in the E-grants system after the call or meeting. Save your application in electronic format in case modifications are necessary.

Notification of tentative grant awards is expected to be given before July 22, 2019.

## Required TZD Safe Roads Coalition Activities

### TZD Safe Roads Coalition:

Active coalitions are the key to the success of TZD Safe Roads activities. In an active coalition, the work is shared by all members. **Coalitions must meet a minimum of six times during the grant year.** Applications must include a proposed meeting schedule (i.e. the third Tuesday of every other month).

### TZD Safe Roads Coalition Members:

List the name (if known) and organization affiliation of all coalition members. Applicants are encouraged to include broad and diverse representation in their coalitions.

### TZD Safe Roads Coalition Mission Statement:

Existing coalitions must include their current mission statement. Coalitions that are in the developmental stages must include a proposed draft mission statement.

*For example: To reduce fatal and serious injury crashes that are speed, alcohol, distracted, and unbelted occupant related in \_\_\_\_\_ County.*

### Measurable Coalition Goals and Evaluation Measures:

**Coalition goals must be measurable.** It's recommended that the coalition goals are consistent with the TZD enforcement goals as they relate to fatalities and serious injuries and/or fatal and serious injury crashes, in order to have common county-wide goals.

*For example: Reduce fatalities and serious injuries from an average of 12 per year (2013 to 2017) to less than 6 from October 1, 2019 through September 30, 2020.*

Applications must include a list of coalition evaluation measures that will be implemented during the grant period.

*For Example:*

- *Increase the number of active coalition members from 10 (2019 grant year) to 14, and the amount of volunteer hours spent on coalition activities from 100 (2019 grant year) to 130.*
- *Conduct a survey of coalition members to find their level of satisfaction with the group and what they recommend for improvements.*

### Fatal and Serious Injury Review Committee:

Each TZD Safe Roads Coalition must establish a Fatality and Serious Injury Review Committee (FSIRC) that meets **at least quarterly** to review every fatal crash in their area. In addition, committees should review as many serious injury crashes as possible to identify recent crash and injury factors.

The purpose of the FSIRC is to identify:

- Factors that contributed to the crashes, resulting fatalities, and serious injuries.
- How the crashes could have been avoided.
- Actions that will be taken to prevent similar crashes, injuries and deaths, and the person(s) responsible for completing them.

TZD Safe Roads grant applications must include the proposed dates that the FSIRC plans to meet each quarter (i.e. the third Tuesday of Dec, March, June & Sept.), and a list of known or potential committee members. At a minimum, the committee must include representatives from law enforcement; engineering; emergency medical services; and the TZD Safe Roads coalition coordinator.

A FSIRC Guide is available at: <https://dps.mn.gov/divisions/ots/tzd-safe-roads/Documents/mn-frc-guide.pdf>

### Community Outreach Supporting TZD Enforcement:

All TZD Safe Roads Coalitions are required to implement public information and earned media campaigns for enhanced enforcement efforts. Grant applications must describe the outreach activities planned for each enforcement mobilization. (See Appendix G.)

Safe Roads Coalition community outreach prior to TZD enforcement activities include:

## Appendix A

- ✓ Distribution of information.

*Examples: Letters to the editor, bar-coasters, lawn signs, posters, changeable message signs, social media postings.* Resources can be viewed and materials can be ordered at: [ots.dps.mn.gov](https://ots.dps.mn.gov)

- ✓ Work with enforcement agencies to develop and conduct media outreach, such as news conferences, radio interviews, and other events.
- ✓ An optional strategy for this required grant activity is to coordinate Mock Crash events to encourage youth seat belt use and not drive distracted or impaired. Mock Crash events must coincide with other school-based traffic safety activities. A guide for conducting a Mock Crash is available at; <https://dps.mn.gov/DIVISIONS/OTS/TEEN-DRIVING/Pages/default.aspx>

- ✓ Distracted Driving Awareness:

All TZD Safe Roads Coalitions are required to implement at least one activity to increase awareness of the dangers of driving distracted.

Activities may include the use of a Table-Top Probability Wheel, Distract-A- Match® 2 or similar activity at community events, high schools, and post-secondary educational institutions.

The Probability Wheel is a tool to help educate the public on the increased likelihood of being in a distracted driving related crash in an engaging and interactive way. Cost is \$380, which is an eligible grant expense.

Distract-A-Match®2 is a simple game that demonstrates the impact of cognitive, visual, and manual distractions. Cost is \$150, which is an eligible grant expense. See <https://fatalvision.com/distract-a-match.html>

Similar materials may be eligible. If applicable, specify other item in proposed work plan and budget.

The measurable goals for this required activity must include:

- Number of distracted driving activities that will be completed.
- Number of individuals that will be reached.

## Optional TZD Safe Roads Coalition Activities

TZD Safe Roads Grantees must work on the identified problems with the greatest need in the area served by selecting strategies on the following pages of this document. It's highly recommended that organizations select the optional activities that focus on the leading problems of the area served, rather than trying to address multiple traffic safety issues.

When considering optional impaired driving activities, keep in mind that impaired driving is a more significant problem for those 21 and over than those under 21.

Applications may include one optional innovative activity to address driver behaviors. The proposed activity must address an identified problem, be measurable, and include an evaluation plan to measure its effectiveness. Each activity will be considered on a case-by-case basis. Innovative activities are those not listed in Countermeasures That Work.

### Setting Measurable Goals:

TZD Safe Roads Grant Applicants must set measurable goals for each activity selected. Measuring the impact of the grant activities allows coalition members to evaluate the effectiveness of their work and determine the next best steps.

Successful evaluation depends on setting measurable goals and objectives for the coalition's grant efforts. Being very clear about what you are trying to accomplish will help you obtain success.

*For example: A coalition activity goal could be to increase the number of medical and chiropractic clinics that facilitate teen driver safety discussions with teens/parents through the use of hand-held probability wheels and provide materials to families from 12 in 2018 to 20 during the 2019 grant period.*

### Evaluating Grant Activities:

Applications must specify what observable measures or indicators will be used to identify that the key outcomes of each activity are being achieved.

### TZD Statewide Conference:

TZD Safe Roads coalition coordinator attendance at the 2019 TZD Statewide Conference on October 23 and 24 in Saint Cloud is highly recommended, but not required. The conference registration fee will be waived.

TZD Safe Roads grant applications must state if the coalition coordinator will or will not attend the 2019 TZD State Conference.

### Regional TZD Meetings:

Coalition coordinators may be reimbursed for regional TZD meetings under the following guidelines:

- Time and mileage to attend TZD Regional Steering Committee meetings.
- Time to participate in TZD Regional Steering Committee meetings via teleconference.
- Time and mileage to meet with other traffic safety coalition coordinators in your region up to four times a year only when scheduled by the TZD Regional Coordinator.
- Time and mileage to attend the TZD Regional Workshop in your region.

Please note; conducting a specific traffic safety activity at a county fair, such as a pedal cart / drunk goggle demonstration, will be considered on a case-by-case basis. Costs, including coordinator time, will be limited only to the essential costs for conducting the traffic safety activity. Handing out brochures and talking to people at a community event

Appendix B

on its own is not an approved grant activity.

<b>OPTIONAL GRANT ACTIVITIES</b>			
<i>Reminder: Measurable goals for each activity selected must be stated in the application.</i>			
<b>STRATEGY</b>	<b>ACTIVITIES</b>	<b>TARGET MARKET</b>	<b>EVALUATION MEASURES</b>
Victim Impact Presentations	Coordinate a maximum of two victim impact presentations that coincide with a high visibility enforcement campaign that are open to the public and have the potential to reach at least 50 people. An agreement between the grantee and speaker is required, and must be pre-approved by OTS.	General population.	Participant surveys.  Number of participants.  Earned media.
Medical Clinic Teen Driver Safety Awareness	Discuss with and assist medical and chiropractic clinics to facilitate teen driver safety discussions with teens/parents through the use of hand-held probability wheels and provide materials to families.	Teen drivers and their parents.	Number of participating clinics, feedback.
Workplace Traffic Safety Training and Policies	Discuss with and assist local employers to conduct traffic safety training events that focus on workplace policies regarding cell phone use, seat belts, speeding and alcohol, with defined sanctions for non-compliance using the Minnesota Safety Council's Network for Employers for Traffic Safety (NETS) resources. See: <a href="http://www.mnsafetycouncil.org/nets/">http://www.mnsafetycouncil.org/nets/</a> <i>This does not include participating in events such as health fairs.</i>	General population.	Number of workplace training events held.  Number of employees trained.
Improve Serving Practices at Liquor Establishments	Discuss responsible server practices with managers/owners of liquor establishments to increase their support and encourage participation in server training classes taught by accredited Regional Alcohol Awareness Trainers. This does not include providing server training itself.  See: <a href="https://dps.mn.gov/divisions/age/alcohol/Pages/default.aspx">https://dps.mn.gov/divisions/age/alcohol/Pages/default.aspx</a>	Impaired drivers, with a focus on males under age 35.	Number of establishments reached that support responsible serving practices.  Number of establishments that participate in server training classes.
Local Government Education	Conduct presentations to county boards and city councils on traffic safety issues, TZD efforts, and support for law enforcement traffic safety efforts.	Local policy makers.	Number of governing bodies presented to.



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STRATEGY	ACTIVITIES	TARGET MARKET	EVALUATION MEASURES
Sober Cab and Alternative Transportation	Implement, maintain, or improve sober cab and/or alternative transportation options.	Impaired drivers, with a focus on males under age 35.	<p>Number of new sober cab/alternative transportation projects.</p> <p>Number of people using sober cabs/alternative transportation services.</p>
Motorcycle Safety and Training	<p>While conducting outreach to employers and others, as noted above, promote participation in the Minnesota Motorcycle Safety Center's (MMSC) motorcycle training courses. See: <a href="https://dps.mn.gov/divisions/ots/mmsc/Pages/default.aspx">https://dps.mn.gov/divisions/ots/mmsc/Pages/default.aspx</a></p> <p>In early June, enhance motorist awareness of motorcycles by using MMSC and DPS materials, utilizing the same means as for outreach of enforcement efforts. DPS materials, (sample news releases, talking points, etc.) are available in early spring.</p>	<p>Training: Males up to age 55</p> <p>General population</p>	Number and means of outreach and materials distributed.
Pedestrian Safety Crosswalk Event	<p>Conduct Pedestrian Safety education and outreach to pedestrians and motorists.</p> <p>Must include:</p> <ol style="list-style-type: none"> <li>1) Aggressive messaging prior to crosswalk event to educate the public when and where this is happening.</li> <li>2) The crosswalk event should have high visibility in the community.</li> <li>3) Enhanced enforcement and education with Law Enforcement making contact with Pedestrians and Motorists during the event.</li> </ol>	Pedestrians and motorists	<p>Media contacts &amp; publications made prior to event.</p> <p>Number of events.</p> <p>Number attended event.</p> <p>Number of LE contacts.</p>

Appendix B

STRATEGY	ACTIVITIES	TARGET MARKET	EVALUATION MEASURES
Point of Impact Evaluation	<p>Evaluate <i>Point of Impact</i> (POI) Teen Driver Safety Parent Awareness Classes offered by driver education providers in your area. Use evaluations to work with driver educators to enhance the quality and effectiveness of their POI programs.</p> <p>Complete 4 hour OTS training on evaluation components and procedures.</p>	New Drivers and their Parents	<p>Number of POI classes evaluated.</p> <p>Number of observed program enhancements implemented by</p>
You tell OTS	<p>Provide OTS with an idea you have to be innovative and creative in your area.</p> <p>The possibilities are limitless. One example is the high school seat belt challenge.</p>	You tell OTS	You tell OTS how you will evaluate and measure the success of your events.

**Memorandum of Understanding**

The purpose of this understanding is to clarify the expectations and level of support that the

\_\_\_\_\_ will provide on behalf of the  
(Agency or Entity)

\_\_\_\_\_ TZD Safe Roads Coalition during the period beginning  
(Grantee Agency or Entity)  
October 1, 2019 and ending September 30, 2020.

The goal of this collaboration is to work together toward the goal of zero traffic deaths and serious injuries on our roads and highways.

Agreement:

The \_\_\_\_\_ hereby agrees to:  
(Agency or Entity)

- 1. Regularly attend TZD Safe Roads Coalition meetings.
- 2. Regularly attend Fatal Review Committee meetings.
- 3. Actively participate in TZD Safe Roads Coalition activities.
- 4. Report outcomes of activities to the TZD Safe Roads Coalition Coordinator.
- 5. Assist in obtaining crash information for Fatal and Serious Injury Committee meetings. (Enforcement agencies only.) [delete this statement for non-enforcement partners]

The \_\_\_\_\_ hereby agrees to:  
(Grantee Agency or Entity)

- 1. Provide adequate notice of scheduled TZD Safe Roads Coalition meetings.
- 2. Provide TZD Safe Roads Coalition meeting minutes.
- 3. Provide adequate notice of scheduled Fatal Review Committee meetings.
- 4. Provide Fatal Review Committee meeting minutes.
- 5. Actively participate in TZD Safe Roads Coalition activities.

To accomplish these objectives, TZD Safe Roads Coalition meetings will be held at least six times a year. Fatal and Serious Injury Review Committee meetings will be held at least four times a year.

This memorandum may be terminated by either party giving the other party one month notice in writing.

Nothing in this MOU shall be deemed to be a commitment or obligation of funds from either party.

This MOU is at-will and may be modified with the mutual consent of the authorized individuals of both parties.

Signed,

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Organization: \_\_\_\_\_ Organization: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix D

**County Population and Baseline Performance Measures  
2013-2017**  
Data in bold and highlighted are at or above State averages

87 Counties	All Fatalities and Serious Injuries		Speed Related Fatalities and Serious Injuries		Distraction Related Fatalities and Serious Injuries		Alcohol Related Fatalities and Serious Injuries		Unbelted Fatalities and Serious Injuries	
County	Total	Avg. per Year	Total	Avg. per Year	Total	Avg. per Year	Total	Avg. per Year	Total	Avg. per Year
Aitkin	53	10.6	18	3.6	5	1.0	11	2.2	13	2.6
Anoka	497	<b>99.4</b>	68	<b>13.6</b>	74	<b>14.8</b>	106	<b>21.2</b>	59	<b>11.8</b>
Becker	97	19.4	24	<b>4.8</b>	19	<b>3.8</b>	28	<b>5.6</b>	27	<b>5.4</b>
Beltrami	97	19.4	16	3.2	15	3.0	34	<b>6.8</b>	20	<b>4.0</b>
Benton	89	17.8	13	2.6	17	<b>3.4</b>	19	3.8	15	3.0
Big Stone	10	2.0	2	0.4	1	0.2	3	0.6	4	0.8
Blue Earth	119	<b>23.8</b>	21	4.2	23	<b>4.6</b>	31	<b>6.2</b>	23	<b>4.6</b>
Brown	43	8.6	20	4.0	9	1.8	11	2.2	10	2.0
Carlton	90	18.0	24	<b>4.8</b>	9	1.8	14	2.8	13	2.6
Carver	122	<b>24.4</b>	28	<b>5.6</b>	20	<b>4.0</b>	28	<b>5.6</b>	18	<b>3.6</b>
Cass	107	<b>21.4</b>	32	<b>6.4</b>	17	<b>3.4</b>	35	<b>7.0</b>	27	<b>5.4</b>
Chippewa	39	7.8	10	2.0	4	0.8	9	1.8	13	2.6
Chisago	104	20.8	19	3.8	21	<b>4.2</b>	25	<b>5.0</b>	22	<b>4.4</b>
Clay	80	16.0	22	<b>4.4</b>	10	2.0	20	4.0	19	<b>3.8</b>
Clearwater	21	4.2	6	1.2	3	0.6	7	1.4	4	0.8
Cook	20	4.0	8	1.6	3	0.6	8	1.6	5	1.0
Cottonwood	29	5.8	1	0.2	6	1.2	10	2.0	8	1.6
Crow Wing	138	<b>27.6</b>	26	<b>5.2</b>	25	<b>5.0</b>	29	<b>5.8</b>	22	<b>4.4</b>
Dakota	524	<b>104.8</b>	91	<b>18.2</b>	80	<b>16.0</b>	85	<b>17.0</b>	57	<b>11.4</b>
Dodge	25	5.0	8	1.6	2	0.4	5	1.0	7	1.4
Douglas	82	16.4	14	2.8	9	1.8	19	3.8	21	<b>4.2</b>
Faribault	40	8.0	18	3.6	7	1.4	10	2.0	19	<b>3.8</b>
Fillmore	44	8.8	1	0.2	8	1.6	16	3.2	7	1.4
Freeborn	71	14.2	16	3.2	4	0.8	18	3.6	15	3.0
Goodhue	133	<b>26.6</b>	28	<b>5.6</b>	20	<b>4.0</b>	22	4.4	22	<b>4.4</b>
Grant	17	3.4	3	0.6	2	0.4	4	0.8	6	1.2
Hennepin	1,639	<b>327.8</b>	297	<b>59.4</b>	218	<b>43.6</b>	337	<b>67.4</b>	140	<b>28.0</b>
Houston	30	6.0	8	1.6	6	1.2	4	0.8	4	0.8
Hubbard	62	12.4	18	3.6	10	2.0	20	4.0	11	2.2
Isanti	97	19.4	15	3.0	16	<b>3.2</b>	22	4.4	21	<b>4.2</b>
Itasca	110	<b>22.0</b>	25	<b>5.0</b>	24	<b>4.8</b>	30	<b>6.0</b>	24	<b>4.8</b>
Jackson	40	8.0	8	1.6	5	1.0	6	1.2	11	2.2
Kanabec	36	7.2	4	0.8	8	1.6	9	1.8	8	1.6
Kandiyohi	99	19.8	21	4.2	24	<b>4.8</b>	21	4.2	21	<b>4.2</b>
Kittson	12	2.4	2	0.4	4	0.8	6	1.2	4	0.8
Koochiching	22	4.4	8	1.6	2	0.4	5	1.0	5	1.0
Lac Qui Parle	13	2.6	2	0.4	3	0.6	4	0.8	1	0.2
Lake	46	9.2	16	3.2	10	2.0	11	2.2	8	1.6
Lake of Woods	7	1.4	1	0.2	2	0.4	3	0.6	1	0.2
Le Sueur	59	11.8	13	2.6	15	3.0	19	3.8	18	<b>3.6</b>
Lincoln	16	3.2	6	1.2	3	0.6	4	0.8	2	0.4

## Appendix D

County Population and Baseline Performance Measures 2013-2017 Data in bold and highlighted are at or above State averages										
87 Counties	All Fatalities and Serious Injuries		Speed Related Fatalities and Serious Injuries		Distraction Related Fatalities and Serious Injuries		Alcohol Related Fatalities and Serious Injuries		Unbelted Fatalities and Serious Injuries	
County	Total	Avg. per Year	Total	Avg. per Year	Total	Avg. per Year	Total	Avg. per Year	Total	Avg per. Year
Lyon	60	12.0	11	2.2	6	1.2	17	3.4	12	2.4
Mcleod	76	15.2	12	2.4	18	<b>3.6</b>	16	3.2	11	2.2
Mahnomen	23	4.6	2	0.4	2	0.4	9	1.8	10	2.0
Marshall	14	2.8	4	0.8	4	0.8	4	0.8	3	0.6
Martin	59	11.8	12	2.4	9	1.8	17	3.4	14	2.8
Meeker	57	11.4	12	2.4	5	1.0	20	4.0	13	2.6
Mille Lacs	75	15.0	15	3.0	15	3.0	15	3.0	17	3.4
Morrison	101	20.2	20	4.0	11	2.2	32	<b>6.4</b>	23	<b>4.6</b>
Mower	44	8.8	6	1.2	8	1.6	6	1.2	6	1.2
Murray	26	5.2	2	0.4	0	0.0	3	0.6	7	1.4
Nicollet	57	11.4	13	2.6	15	3.0	13	2.6	11	2.2
Nobles	39	7.8	8	1.6	3	0.6	9	1.8	11	2.2
Norman	19	3.8	2	0.4	2	0.4	5	1.0	2	0.4
Olmsted	236	<b>47.2</b>	42	<b>8.4</b>	28	<b>5.6</b>	47	<b>9.4</b>	41	<b>8.2</b>
Otter Tail	140	<b>28.0</b>	27	<b>5.4</b>	14	2.8	38	<b>7.6</b>	36	<b>7.2</b>
Pennington	30	6.0	8	1.6	1	0.2	8	1.6	9	1.8
Pine	111	<b>22.2</b>	32	<b>6.4</b>	12	2.4	33	<b>6.6</b>	20	<b>4.0</b>
Pipestone	21	4.2	4	0.8	0	0.0	8	1.6	4	0.8
Polk	70	14.0	8	1.6	13	2.6	12	2.4	19	<b>3.8</b>
Pope	27	5.4	7	1.4	5	1.0	10	2.0	7	1.4
Ramsey	613	<b>122.6</b>	149	<b>29.8</b>	68	<b>13.6</b>	131	<b>26.2</b>	52	<b>10.4</b>
Red Lake	9	1.8	3	0.6	0	0.0	3	0.6	0	0.0
Redwood	48	9.6	13	2.6	9	1.8	10	2.0	16	3.2
Renville	47	9.4	13	2.6	12	2.4	10	2.0	17	3.4
Rice	115	<b>23.0</b>	17	3.4	16	<b>3.2</b>	35	<b>7.0</b>	20	<b>4.0</b>
Rock	27	5.4	5	1.0	3	0.6	6	1.2	7	1.4
Roseau	28	5.6	3	0.6	9	1.8	5	1.0	9	1.8
St. Louis	340	<b>68.0</b>	79	<b>15.8</b>	54	<b>10.8</b>	93	<b>18.6</b>	70	<b>14.0</b>
Scott	190	<b>38.0</b>	40	<b>8.0</b>	21	<b>4.2</b>	37	<b>7.4</b>	24	<b>4.8</b>
Sherburne	177	<b>35.4</b>	32	<b>6.4</b>	32	<b>6.4</b>	50	<b>10.0</b>	15	3.0
Sibley	63	12.6	20	4.0	13	2.6	9	1.8	15	3.0
Stearns	248	<b>49.6</b>	56	<b>11.2</b>	46	<b>9.2</b>	60	<b>12.0</b>	42	<b>8.4</b>
Steele	70	14.0	14	2.8	13	2.6	11	2.2	13	2.6
Stevens	15	3.0	2	0.4	3	0.6	2	0.4	4	0.8
Swift	29	5.8	8	1.6	3	0.6	15	3.0	9	1.8
Todd	73	14.6	16	3.2	13	2.6	31	<b>6.2</b>	23	<b>4.6</b>
Traverse	4	0.8	0	0.0	0	0.0	1	0.2	1	0.2
Wabasha	52	10.4	11	2.2	9	1.8	10	2.0	6	1.2
Wadena	34	6.8	9	1.8	3	0.6	9	1.8	10	2.0
Waseca	35	7.0	7	1.4	11	2.2	10	2.0	8	1.6
Washington	238	<b>47.6</b>	48	<b>9.6</b>	46	<b>9.2</b>	61	<b>12.2</b>	30	<b>6.0</b>

Appendix D

<b>County Population and Baseline Performance Measures 2013-2017</b> <b>Data in bold and highlighted are at or above State averages</b>										
87 Counties	All Fatalities and Serious Injuries		Speed Related Fatalities and Serious Injuries		Distraction Related Fatalities and Serious Injuries		Alcohol Related Fatalities and Serious Injuries		Unbelted Fatalities and Serious Injuries	
County	Total	Avg. per Year	Total	Avg. per Year	Total	Avg. per Year	Total	Avg. per Year	Total	Avg per. Year
Watonwan	32	6.4	5	1.0	9	1.8	4	0.8	5	1.0
Wilkin	16	3.2	9	1.8	3	0.6	9	1.8	7	1.4
Winona	106	<b>21.2</b>	33	<b>6.6</b>	12	2.4	26	<b>5.2</b>	21	<b>4.2</b>
Wright	237	<b>47.4</b>	36	<b>7.2</b>	27	<b>5.4</b>	44	<b>8.8</b>	36	<b>7.2</b>
Yellow Medicine	27	5.4	6	1.2	3	0.6	6	1.2	11	2.2
<b>State Avg.</b>	<b>9,137</b>	<b>21.0</b>	<b>1,862</b>	<b>4.3</b>	<b>1,372</b>	<b>3.2</b>	<b>2,118</b>	<b>4.9</b>	<b>1,502</b>	<b>3.5</b>

## **Commissioner's Travel Plan Summary:**

Reimbursable expenses may include, but are not limited to, the following:

- Use of a personal automobile at the IRS rate of \$0.58 per mile.
- Parking fees with receipts.
- Hotel accommodations at actual costs with receipts.
- Meals provided as part of a conference or meeting are not reimbursable.
- Meals may be reimbursed under the following conditions:
  1. Breakfast if leaving home before 6:00 AM or if away from home overnight up to \$9.00.
  2. Lunch if in travel status more than 35 miles away from office or if away from home overnight up to \$11.00.
  3. Dinner if you cannot return home until after 7:00 PM or are away from home overnight up to \$16.00.

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that Houston County Public Health & Human Services enter into a grant agreement with the Minnesota Department of Public Safety, for traffic safety projects during the period from October 1, 2019 through September 30, 2020.

John Pugleasa, Houston County Public Health & Human Services Director, is hereby authorized to execute such agreements and amendments as necessary to implement the project on behalf of Houston County Public Health & Human Services.

I certify that the above resolution was adopted by the Board of Commissioners of Houston County on May 28, 2019.

SIGNED:

WITNESSETH:

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
*(Title)*

\_\_\_\_\_  
*(Title)*

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Date)*



# 2020

## Quarterly Invoices and Reports *(Fiscal agencies only)*

- Oct. 1, 2019: 1st quarter events entered and agency rosters updated with training dates in ROAR
- Dec. 2, 2019: 2nd quarter events entered in ROAR
- Jan. 20, 2020: 1st quarter invoice and progress report in E-Grants
- March 2, 2020: 3rd quarter events entered in ROAR
- April 20, 2020: 2nd quarter invoice and progress report in E-Grants
- June 6, 2020: 4th quarter events entered in ROAR
- July 13, 2020: 3rd quarter invoice and progress report in E-Grants
- Oct. 16, 2020: 4th quarter invoice, progress report in E-Grants
- Oct. 30, 2020: Final Report in E-Grants

## 2020 Short Reports

*Required to be completed by each agency)*

- Jan. 3: DWI arrests, highest B.A.C., seat belt citations from Nov. 27 - Dec. 31
- May 4: Hands free and wireless comm. citations, seat belt citations from April 6-30
- June 5: Belt/child restraint citations from May 18-31
- July 24: Speed, seat belt citations from June 22– July 19
- Aug. 10: Hands free and wireless comm. citations from Aug. 1-8
- Sept. 11: DWI arrests, highest B.A.C., seat belt citations from Aug. 14 - Sept. 7
- Oct. 5, 2020: Seat belt/child restraint citations from Sept. 18-30

## Enforcement Dates

- DWI (optional): Nov. 7-9; 2019 - deer hunting opener
- DWI: Nov. 27, 29-30; Dec. 5-7; 12-14; 19-21, 26-28, 2019
- Distracted: April 6-30, Aug. 1-8, 2020
- DWI (optional): May 7-9, 2020 - fishing opener
- Seat belts and child restraints: May 18-31, 2020
- Speed: June 22—July 19, 2020
- DWI: Aug. 14 - Sept. 7, 2020
- Move Over (optional): Aug. 31, 2020
- Seat belts and child restraints: Sept. 18 - 30, 2020
- 13 Counties:** Oct. 31; March 14 or 17; July 3

October 2019

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November 2019

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December 2019

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January 2020

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2020

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

March 2020

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2020

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May 2020

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

June 2020

S	M	T	W	Th	F	S
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July 2020

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August 2020

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

September 2020

S	M	T	W	Th	F	S
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Campaign Announcement to Media
  Statewide Results to Media
  Statewide Enforcement





## DPS/OTS Evaluation of 2020 TZD Safe Roads Grant Applications

### Summary of Review Criteria and Points:

- 1) Problem ID: 30 points
- 2) Applying Organization: 5 points
- 3) Proposed Coalition Coordinator: 10 points
- 4) Work Plan: 20 points
- 5) Budget: 15 points
- 6) Past experience with OTS: 20 points (*Agencies with no past OTS experience will be awarded 20 points.*)

**Total Possible Points: 100**

Pre-award risk assessment results will also be considered when evaluating grant applications.

**Reviewers may assign a whole number between the ranges for each category.**

Applicant Agency: \_\_\_\_\_ Reviewer's Initials: \_\_\_\_\_ Total Points: \_\_\_\_\_

<b>Problem ID – Serious Injuries and Deaths at or above State Averages</b>	<b>Points Possible</b>	<b>POINTS AWARDED</b>	<b>Ranked Priorities</b>
TOTAL NUMBER	10		
NUMBER of ALCOHOL RELATED	5		
NUMBER of UNBELTED	5		
NUMBER of SPEED RELATED	5		
NUMBER of DISTRACTION RELATED	5		
<b>PROBLEM ID TOTAL POINTS</b>	<b>30</b>		n/a

**Comments:**

### **Applying Organization – Points Possible 5**

	Very Poor	Poor	Fair	Very Good
Traffic safety and/or grant experience	-5	0	3	5
<b>Total Organization Points (-5 to 5):</b>				

**Comments:**

### **Coalition Coordinator Experience– Points Possible 10**

	Very Poor	Poor	Fair	Very Good
Coalition leadership & Grant management	-5	0	3	5
Traffic safety/community organization	-5	0	3	5
<b>Total Coordinator Points (-10 to 10):</b>				

**Comments:**

**Work Plan - Points Possible 20**

	Very Poor	Poor	Fair	Very Good
Fit with Problem ID	-5	0	3	5
Effective Strategies & Activities	-5	0	3	5
Measurable Goals	-5	0	3	5
Evaluation of Activities	-5	0	3	5
<b>Total Work Plan Points (-20 to 20):</b>				

**Comments:****Budget - Points Possible 15**

	Very Poor	Poor	Fair	Very Good
Expenses allowable &/or detailed	-5	0	3	5
Expenses reasonable &/or justifiable	-10	0	5	10
<b>Total Budget Points (-15 to 15):</b>				

**Comments:****Past OTS experience with applicant - Points Possible 20**

	Very Poor	Fair	Very Good
Adherence to grant work plan and budget	-10	5	10
Timeliness and completeness of progress reports and invoices	-5	3	5
Communication with OTS staff	-5	3	5
<b>Total Past OTS Points (-20 to 20):</b>			
OR			
Past OTS experience: <i>Not Applicable</i>	20		

**Comments:****Pre-Award Risk Assessment Results:**

LOW	MEDIUM	HIGH
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**Comments:**

RESOLUTION NO. 19-20

**AUTHORIZATION TO EXECUTE  
MINNESOTA DEPARTMENT OF PUBLIC SAFETY  
2019 TOWARD ZERO DEATHS STATE ROADS GRANT**

June 11, 2019

BE IT RESOLVED that the Houston County Board of Commissioners authorizes the Houston County Public Health and Human Services to enter into a grant agreement with the State of Minnesota Department of Public Safety to execute the 2019-2020 Toward Zero Deaths Safe Roads Grant program and

BE IT FURTHER RESOLVED that the County Board Chairperson, County Administrator and the Public Health and Human Services Director are authorized to execute such agreements and amendments as necessary to implement the project on behalf of the County of Houston.

\*\*\*\*\*CERTIFICATION\*\*\*\*\*

STATE OF MINNESOTA

COUNTY OF HOUSTON

I, Jeff Babinski, do hereby certify that the above is true and correct copy of a resolution adopted by the Houston County Board of Commissioners at the session dated May 28, 2019.

WITNESS my hand and the seal of my office this 28<sup>th</sup> day of May 2019.

(SEAL)

\_\_\_\_\_  
Jeff Babinski, County Administrator