

TUESDAY, MAY 26, 2009

**APPROVED MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING HELD**

**STATE OF MINNESOTA)
DODGE COUNTY)**

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2009-10 C.O.W.

The Dodge County Commissioners met in Committee of the Whole May 26, 2009, in the Commissioner's Room at the Dodge County Courthouse Annex, Mantorville, MN, at 8:45 a.m. CDT. David Hanson, Chair opened the meeting at 8:45 a.m. CDT.

Meeting Convened

The Chair acknowledged those present:

Those Present

Members present: Klaus Alberts District #1
Lyle Tjosaas District #2
David Erickson District #3
Don Gray District #4
David Hanson District #5

Members absent: None

Also present: David McKnight County Administrator
Becky Lubahn Deputy County Clerk
Guy Kohlnhofer County Engineer

County Engineer Guy Kohlnhofer discussed with the Board a highway access request from McNeilus Properties.

McNeilus Properties
Driveway Access
Discussion

McNeilus Properties, LLC is currently planning the construction of a 2,400 square foot commercial building on the southeast corner of the intersection of County Road 7 and County Road 34. This would include a 1,200 square foot Subway restaurant and one additional suite for lease. Long term plans are to build an additional 2,200 square feet for additional lease space.

Currently there is an existing driveway on County Road 34 on the northeast corner of the property that serves the chiropractor's office on the property to the east. When McNeilus Properties first started planning this development a year ago, they were told by the County Engineer that use of this driveway was not permissible. They would have to limit access to an entrance created from County Road 7. However, after reviewing the site with Subway management, they do not believe that the site would support their business without a second entrance, and they would not be interested in the site for their store unless there was an entrance from County Road 34. McNeilus Properties feels the use of the County Road 34 entrance is critical to the development of this site because of traffic volume and Subway restaurant requirements, as well as access problems for service vehicles, refuse trucks, school buses and delivery trucks caused by restricting access to the use of the County Road 7 entrance only.

McNeilus Properties has reviewed this plan with the City of Dodge Center Planning and Zoning, Dodge Center City Engineer, Dodge Center City Council and the adjoining property owner Dodge Center Chiropractic, Dr. Andrew Kline who currently uses the County Road 34 entrance, all of which are in support of the petition.

McNeilus Properties cannot develop this site without an anchor tenant such as Subway. Therefore, they are asking that the Board consider allowing the use of two entrances to this site, one from County Road 7 and one from County Road 34.

McNeilus Properties
Driveway Access
Discussion -
Continued

The Board reviewed a site plan showing the proposed building, parking lot and driveway entrances.

Mr. Kohlhofer reported that the Highway Department was approached in early 2008 regarding the development of a quick service Mayo Clinic in the southeast corner of CSAH 34 and CSAH 7 in Dodge Center. At that time it was explained to the developers that access to CSAH 7 would be permitted but access to CSAH 34 would be into an area of turn lanes and through lanes and no safe access would be possible. With the short distances between the intersections to the east and west there is no reasonable way to safely access CSAH 34 between them. The plans for a clinic have since fallen by the wayside.

McNeilus Properties has now submitted plans to the County Administrator for the development of a Subway shop that includes access to CSAH 34. The County Engineer feels that this type of use would have substantially more traffic than the first planned clinic.

Several diagrams of the intersection were provided for the Board's review. The geometry challenges of the requested access include right turn and through lanes on the near side of CSAH 34; left turn, through lane and right turn lanes on the far side of CSAH 34; and a pedestrian crossing just to the east. The County Engineer reported that he attempted to construct a traffic diagram indicating conflict points but was unable to establish an accurate diagram due to the complexities of the combined lanes and intersections.

The County Engineer addressed the current access to the chiropractor's garage in this area. This access was left in during the recent construction as there was no other reasonable access to the property and traffic was expected to be minimal. Recently it was noted that some clients were using this access and it was requested that the chiropractor erect a sign discouraging its use.

Any increase in access to this area is not recommended by the Highway Department. However, if that recommendation is not followed the minimum upgrades to the area should include widening of CSAH 34 to permit installation of increased traffic control measures. These would include the installation of a raised median, requiring a right in/right out for traffic using the requested access, and possibly a stop light at CSAH 34 and CSAH 7. These measures are not expected to substantially reduce the number of crashes but rather prevent the more hazardous broad side crashes that often lead to more serious injuries. It is not known at this time how to address the issue of the pedestrian crossing to the east.

Access to high volume roads near intersections has been permitted for many years with the belief that shops and service stations needed multiple direction accesses in order to be successful. As traffic has increased this has been proven false and the traveling public has suffered through increased crashes at these locations due to the many complexities of multiple turning vehicles. As communities mature, traffic further increases and the road authorities are now saddled with spending millions of dollars to buy properties and access rights to improve traffic and reduce crashes. Dodge County recently reconstructed CSAH 34 through Dodge Center and at that time took the opportunity to combine and reduce the accesses to many of the properties. The County Engineer felt this would be a step backward for the safety of the driving public as well as the pedestrians in the community.

McNeilus Properties
Driveway Access
Discussion -
Continued

Mr. Kohlhofer noted that for an example of the challenges of multiple accesses near intersections the Board need look no further than Kasson near the current Burger King. The area of this intersection has produced no fewer than 27 reported crashes in the ten years ending 2006. At an estimated average cost of \$20,000 per crash, that is a direct cost of over a half a million dollars to the traveling public.

The County Engineer recommended denial of McNeilus Properties request for additional access to CSAH 34 because it does not fit into the county's access guidelines.

Commissioner Alberts commented that although the request is not ideal, it is not out of the question. It was Mr. Alberts' opinion that because the speed limit is lowered that it is not a problem to add an additional driveway access. Commissioner Alberts also noted that the city needs business opportunities like this.

Commissioner Erickson discussed other possible intersection options and mentioned that the Burger King entrances in Kasson are similar to what McNeilus Properties is proposing for the new Subway location.

Mr. Kohlhofer again pointed out that the Burger King intersection is the highest crash intersection in the City of Kasson.

Commissioner Tjosaas expressed concerns regarding public safety and suggested that the proposed turn lane be constructed as a right turn lane only.

The County Engineer commented that they could put in a median to help direct traffic. Mr. Kohlhofer stated that a right in/right out turn lane would help.

It was Commissioner Tjosaas' opinion that the safety of the people is the first priority.

Entry off of County Road 7 to the Chiropractor's office was discussed.

Another concern addressed by the County Engineer was that the building proposal shows that the business would be partially built in the highway right-of-way.

Commissioner Alberts stated that he sees where the County Engineer is concerned but does not believe that there is enough concern to warrant denying this request.

Mr. Kohlhofer discussed the traffic count for this section of road with the Board.

Commissioner Hanson wanted to know in what way the County Engineer would agree to a right out access.

McNeilus Properties
Driveway Access
Discussion -
Continued

Mr. Kohlnhofer stated that the design is not agreeable to him, but if the Board wants to approve this request they need to require a median that will get the desired result.

Commissioner Erickson commented that he would like to see the county make a good faith effort to work the access issue out with the city of Dodge Center.

The County Engineer reminded the Board that it is his job to make sure that the people traveling on county roads are safe, not to make the Board happy.

City of Dodge Center Mayor Bill Ketchum stated that he understands Mr. Kohlnhofer's concerns but does not want to miss out on this opportunity. Mr. Ketchum agreed with Commissioner Alberts' comment that although this access is not ideal, this is a good business opportunities for the city.

Dan Blaisdell of McNeilus Properties, LLC. discussed with the Board other business opportunities for the additional leased space.

The County Engineer stated that the other option would be for the city to buy these types of properties to prevent these types of buildings from being developed.

Commissioner Hanson commented that he would like to see a cost analysis developed for the proposed access with a median.

It was Commissioner Erickson's opinion that they were creating more hassles with this request than needed.

Commissioner Gray reported that he has driven by the proposed site and thinks that the current design is very confusing with all of the arrows but can abide by the cities' request to approve the access.

Commission Alberts commented that for the sake of business he thinks the access should be allowed.

Commissioner Tjosaas reiterated that he was concerned about the safety issue. If they can do something to improve the safety issue, he is in favor of the request.

Commissioner Hanson reported that he agrees with Commissioner Gray's comments.

It was the consensus of the Board to allow McNeilus Properties, LLC access to County Road 34 as discussed.

Commissioner Gray indicated that he agreed with the Mayor's comments and that this is an opportunity that does not come along often. Mr. Gray felt that there are more intersections in the county that are of more concern than this one.

The County Engineer, County Administrator, City of Dodge Center and developer were asked to work together in order to move forward with the request.

The Chair adjourned the meeting at 9:16 a.m. CDT.

Meeting Adjourned

ATTEST:

DAVID HANSON
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: