

**WADENA COUNTY BOARD OF COMMISSIONERS ADJOURNED BOARD
MEETING JANUARY 18, 2007/9:00 A.M.**

The Wadena County Board of Commissioners Meeting was held on Thursday, January 18, 2007, at the Wadena County Courthouse in the Courthouse Auditorium at 415 Jefferson St. S., Wadena Minnesota. The meeting was called to order at 9:00 a.m. by Vice Chairman Orville Meyer and the pledge of allegiance to the flag was said.

Also present: Commissioners Mary Harrison, Lane Waldahl, absent Bill Stearns and Dave Schermerhorn.

The Board Agenda to stand as distributed.

Mike Carr, Sheriff, came before the Board and provided them with a handout outlining the Jail Sally Port remodeling. He stated that he had talked with Charley Tourilla, Sentence To Serve Supervisor, who informed him that, if the Board gives approval, STS can start after the County Attorney's Office Project was completed. Sheriff Carr informed the Board that the materials expense for the project would be \$6,454.45 and STS will provide the labor. He also informed the Board that he was requesting the purchase of a new camera system for a cost of \$9,630.57, that could be paid for out of the Canteen Fund, Jail Supplies and Jail Repair and Maintenance budgets. Sheriff Carr also requested authorization to replace the ceiling tiles in the Dispatch area for a cost \$2,850.

The Board requested Sheriff Carr research the possibility of using ceiling tiles the County currently has on hand.

Motion by Waldahl, seconded by Harrison, to approve the remodeling of the Sally Port at a cost of \$6,454.45, the purchase of a Video Recording System at a cost of \$9,630.57, to be funded through the 2007 Jail Budget, and replacement of the ceiling tiles in the Dispatch area for a price not to exceed \$2,500.00, to be funded through the County Building Fund, motion carried.

Sheriff Carr presented the Board with a Police Officer Declaration Resolution that would allow new part-time Deputy Martin Penner to participate in the PERA Police and Fire Fund.

Motion by Harrison, seconded by Waldahl, to approve the following two Resolutions,

Police Officer Declaration

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the Board of County Commissioners, of Wadena County hereby declares that the position titled part time deputy, currently held by Martin J. Penner, meets all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction by the governmental subdivision.

STATE OF MINNESOTA
COUNTY OF Wadena

I, Charleen West, clerk of Wadena County, do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 15th day of November, 2006; the original of which is on file in this office. I further certify that 5 members voted in favor of this resolution and that 5 members were present and voting.

Signed: _____

Date: November 15, 2006

Motion carried.

Sheriff Carr informed the Board that he had received the payment of 25% of his accumulated sick leave earned while serving as Deputy Sheriff, as outlined in the union contract. He requested Board authorization to retain the remaining 75% balance, to be used if he should return to his previous position.

Also present was Debbie Mursu, Payroll Supervisor, who stated that this would affect Sheriff Carr and County Recorder Soledad Henriksen.

Board consensus was to check with the State Auditor regarding the matter.

The Board tabled discussion and action on the agenda items of- c.) Maintenance Department – Rollover/Reserve 2006 Maintenance Budget and d.) Reorganization of County Building Fund and County Maintenance Fund Accounts, until the February 6, 2007 Board Meeting. The

requested the Auditor/Treasurer compile information as to building and repair and maintenance budgets within all County Departments.

Deana Skov, Zoning/Solid Waste/Parks Director, informed the Board that Curt Sumner had resigned his position on the Adjustment Board and Planning Commission and that there was a need of a member from Commissioner Waldahl's District. Ms. Skov stated she would like to ask Charley Funk to fill this vacancy.

Vice-Chairman Meyer, appointed Commissioner Lane Waldahl as a temporary Planning Committee Member due to Commissioner Dave Schermerhorn's inability to attend that evenings Planning Commission Meeting.

Ms. Skov informed the Board that Vice-Chairman Meyer and she had been requested to attend the Thomastown Township Board Meeting on January 9, 2007, at which time they were informed by the Township Board that they were concerned with the development in their township. They requested the County and Zoning Office update the County Comprehensive Plan beginning in 2008. Ms. Skov informed the Board that she had already scheduled such an update.

Ms. Skov informed the Board that the contract had expired with Solid Waste for electronics and appliances collection at the Transfer Station, but they were continuing to collect for the County under the previous contract. She stated that their new prices have gone up slightly, however, service has been very satisfactory and she recommended approval to the new contract with Solid Waste. She stated that the cost will increase to the customer where there has been an increase in Solid Waste fees, however, the \$5.00 co-pay will remain unchanged.

Vice Chairman Meyer questioned whether this change in fees would require a public hearing.

The Board requested that the County Attorney be contacted as to whether a fee public hearing would have to be held regarding this fee increase.

Motion by Harrison, seconded by Waldahl, to approve the 2007 Contract with Solid Waste for Wadena County electronic and appliance collection, motion approved.

Karen Nelson, Public Health Director, and Paul Sailer, Human Services Director, came before the Board to request approval of a Memorandum of Understanding between South Country Health Alliance and Wadena County outlining the parties commitment to an ongoing partnership to provide comprehensive, integrated health care services to enrollees.

Motion by Waldahl, seconded by Harrison, to authorize the Public Health Director and the Human Services Director to sign the Memorandum of Understanding between South Country Health Alliance and Wadena County, motion carried.

Ms. Nelson and Mr. Sailer also requested approval of the Agreement for Community Resource Management Team between South Country Health Alliance and Wadena County, which sets

forth and defines the purposes of the Community Resource Management Team in each county, to provide for funding from SCHA to the County for such teams, and to define the nature of the relationship between the parties to this Agreement.

Mr. Sailor, informed the Board that this Agreement will cover staff needs adequately.

Motion by Waldahl, seconded by Harrison, to approve of the Agreement for Community Resource Management Team between South Country Health Alliance and Wadena County, motion carried.

Ms. Nelson presented the Board with an agenda and requested Board action on such.

Motion by Waldahl, seconded by Harrison, to authorize the Public Health Director to sign renewal contracts effective January 1, 2007, to December 31, 2007, as follows:

- A. City of Menahga facility use at Menahga Family Center for Senior Health Screening and Education Clinics monthly one-half days at \$50.00 annually.
- B. Bell Hill \$51/hour + mileage at the prevailing county rate.
- C. On Call Nursing - \$51/hour + mileage at prevailing county rate
 - 1) Freshwater
 - 2) Wadena Deer Creek School District

Motion carried.

Motion by Harrison, seconded by Waldahl, to adopt the revised Immunization Policies as recommended by the Wadena County Public Health Advisory Committee and Dr. Leonard Lamberty, PH Medical Consultant effective January 18, 2007, motion carried.

Board recessed at 10:05 a.m.

Board reconvened at 10:18 a.m.

Bob Johnson, State Auditor, came before the Board to review the 2005 Wadena County State Auditor's report. He informed the Board there had been no difficulty in conducting the audit of Wadena County as there were no new findings and several items were resolved. Mr. Johnson pointed out that it was the County's responsibility to manage and maintain internal controls to help protect mis-statement and fraud.

Mr. Johnson gave a comparison of Wadena County with other Counties as follows:

Cash Balances:	General Fund lower than recommended (64%)	Average 118%
	Road & Bridge (38%)	Average 48%
	Social Services (42%)	Average 61%

He stated that percentages do not apply to the Road and Bridge Fund and the Social Services fund as cash is received throughout the year.

Dave Anderson, Veteran's Service Officer, and Paul Sailer, Social Services Director, came before the Board to update them on the Veteran's Ride Program.

Mr. Sailer informed the Board that Social Services had recently purchased two new automobiles, which will free up the Social Services van for the Veteran's Service Officer. He suggested setting up a special account for handling the funds.

Mr. Anderson suggested paying a driver \$50 and charging the Veteran \$25 and that he does have some possible drivers interested.

Motion by Waldahl, seconded by Harrison, to approve the Letter of Agreement as follows:

Letter of Agreement

Wadena County Social Services, Wadena County Veterans Services, and the Wadena County Auditor-Treasurer agree to work together to improve transportation services for veterans in need of medical care at V.A. hospitals and clinics.

Wadena County Social Services agrees to the following:

- To transfer the agency's 2005 Dodge van to the county for a payment of \$1
- To provide garage space for the 2005 Dodge van
- To use the 2005 Dodge van four days per week beginning March 5, 2007, for Social Services business
- To have gasoline purchases on these four days paid by the agency

Wadena County Veterans Services agrees to the following:

- To use the 2005 Dodge van one day per week beginning March 5, 2007, for the transportation of veterans to V.A. facilities preferably on Wednesdays
- To arrange with the Wadena County Maintenance Department oversight of basic maintenance services
- To have gasoline purchases billed to the Wadena County Auditor-Treasurer
- To schedule use of the 2005 Dodge van one quarter in advance
- To recruit drivers and schedule passengers
- To transfer to the Wadena County Auditor-Treasurer funds received from passengers, organizations, etc.

Wadena County Auditor-Treasurer agrees to the following:

- To pay Wadena County Social Services \$1 for the 2005 Dodge van
- To pay for maintenance and insurance for the 2005 Dodge van
- To pay for gasoline purchases for the 2005 Dodge van and to pay drivers with funds set aside in a special account for the transportation of veterans to V.A. facilities
- To enter revenue received from passengers, contributions from organizations, etc. into a special account for the transportation of veterans to V.A. facilities

This agreement will be reviewed by the three department heads three months after initiation of transportation services to V.A. facilities. The agreement is effective after approval by the Wadena County Board of Commissioners.

Date of Board Action 18th day of January 2007

By _____
David Anderson, Veterans Services Officer

January 18, 2007
Date

By _____
Char West, Auditor-Treasurer

January 18, 2007
Date

By _____
Paul M. Sailer, Human Services Director

January 18, 2007
Date

To run for a six month trial period, motion carried.

Char West, Auditor/Treasurer, stated that the issue of paying volunteers should be researched as it may cause the volunteers to be considered County employees for workers compensation purposes.

Rudy Yglesias, Maintenance Superintendent, and Cody Yglesias, Maintenance, informed the Board that the Courthouse generator roof was leaking and needed to be replaced. They presented the Board with quotes on the replacement of the roof from Herzog Roofing in the amount of \$4,650 and A-Plus Roofing in the amount of \$2,200.

Motion by Waldahl, seconded by Harrison, to accept the low quote of \$2,200 from A-Plus Roofing for the replacement of the Courthouse generator roof, motion carried.

Rudy Yglesias informed the Board that Buttweiler Do All had sent a letter to the Auditor regarding the denied payment of the additional charges on Wensman Building Roof Repair Project.

Board consensus to request the Auditor/Treasurer write a letter to Jerry Vosen of Buttweiler Do All inviting him to attend a Board Meeting to explain the additional charge.

Rudy Yglesias informed the Board the generator repair had cost \$3,066 for a new water pump. He stated that the generator was in good condition, however, replacement parts were becoming more difficult to find because of its age. Mr. Ygelsias requested Board consideration to replace the generator or buy a backup generator. He stated that a backup generator on wheels would be less expensive than replacing the current generator and that it could also be used at the other County Buildings, following some additional wiring.

Rudy Yglesias informed the Board that the County Attorney's Office Remodeling Project should be complete within 2 to 2 ½ weeks. The only hold-up is whether or not the carpet was in.

Cody Yglesias provided the Board with the following costs for sheetrock, taping, lighting and heating for the Wensman Building

Drywall	\$5,344	
Lighting	4,130	
Heating	1,450	
East Wall	<u>1,500</u>	(needs fir, tape and sheetrock – clay tile at present)
	\$12,424	

Motion by Waldahl, seconded by Harrison, to approve the Wensman Building Records Storage remodeling cost estimate of \$12,424, to be paid from the County Building Fund, motion carried.

The Board discussed with Mr. Yglesias their consideration of amendments to the 2007 Maintenance budget, moving building repair dollars to Dept. #112.

Mr. Yglesias stated that he needed to have access to money for repairs.

Bill Ness, Administrative Highway Engineer, came before the Board to inform them that Joel Ullring, Highway Engineer, would like authorization to advertise for the annual fuel bids.

Motion by Waldahl, seconded by Harrison, to authorize the County Engineer to advertise for the 2007 fuel bids, motion carried.

Mr. Ness reported the Bridge Replacement Project on CSAH 23 had been completed and inspected by MnDot, and approved by the District State Aid Engineer and certified by Mr. Ullring. Mr. Ness requested Board acceptance of the project and authorize final payment.

RESOLUTION

Commissioner Harrison offered the following resolution and moved for its adoption:

WHEREAS: Midwest Contracting, LLC of Marshall, MN has completed the following County State Aid Road Construction Project in accordance with the terms of their Contract:

SAP 80-623-11, CSAH 23, Bridge 80J14, between Township Road T-84 and CR 167. Net Length = .038 miles.

NOW THEREFORE BE IT RESOLVED: That the Wadena County Board of Commissioners do hereby accept said Road Construction Project and also do hereby authorize the final payment upon receipt of final documentation to Midwest Contracting LLC, of Marshall, Minnesota for said Project.

Commissioner Waldahl seconded the motion and the same carried.

Adopted at Wadena, Minnesota.

ATTEST:

Charleen West, Auditor-Treasurer
Wadena County, Minnesota

Bill Stearns, Chairman

Mr. Ness requested approval of the Resolution for final payment for the CSAH 26 Bridge Replacement Project, which had been inspected and approved.

RESOLUTION

Commissioner Waldahl offered the following resolution and moved for its adoption:

WHEREAS: Anderson Brothers Construction of Brainerd, MN has completed the following County State Aid Road Construction Project in accordance with the terms of their Contract:

SAP 80-626-16 and SAP 80-626-17, CSAH 26, Bridge NO. 80J15, between 270th Street and TH 227. Net Length = .277 miles. Reclaim Existing Surface, Bituminous Surfacing and Centerline Culvert Replacement, between 270th Street and TH 227. Net Length = 4.059 miles.

NOW THEREFORE BE IT RESOLVED: That the Wadena County Board of Commissioners do hereby accept said Road Construction Project and also do hereby authorize the final payment upon receipt of final documentation to Anderson Brothers Construction of Brainerd, Minnesota for said Project.

Commissioner Harrison seconded the motion and the same carried.

Adopted at Wadena, Minnesota.

ATTEST:

Charleen West, Auditor-Treasurer
Wadena County, Minnesota

Bill Stearns, Chairman

Motion by Harrison, seconded by Waldahl, to approve the payment of \$1,290.00 to Thomas and Karen Bristow, for gravel fill material on Highway 2, motion carried.

Soli Henriksen, Recorder, informed that Board that she attended the Winter Conference for County Recorders and had been informed that a Compliance Fund Committee should be developed for the oversight of the County funds received through Recording fees. She stated that these funds can only be used for the purpose of improving the recording of land documents

as outlined in MS 357.182 Subd 7. She recommended that a Compliance Fund Committee be set up consisting of the Recorder, Auditor/Treasurer, Zoning and Assessor since those offices are involved in land records and the processing of the documents. Ms. Henriksen requested Board authorization to contact the Department Heads involved to form a committee.

Board consensus was to set up a Compliance Fund Committee including a representative from the offices of Recorder, Auditor/Treasurer, Zoning, Assessor and Commissioners Waldahl and Harrison.

Ms. Henriksen also informed the Board that the State currently requires all documents received by the offices involved to be returned to the State within 15 days and that the State will reduce that turn-around time down to 7 days. She stated that, at present, she has one full-time and one part-time employee in her office. Ms. Henriksen stated that she was not requesting additional help at present, however, the amount of office help was going to interfere with compliance, so she may come back to request to increase the hours of the part-time help an additional day, which can be paid from the Recorder's Compliance Fund.

Ms. West read to the Board a brief summary of a meeting requested by the Local #320 union held on December 19, 2006.

“On December 19, 2006 a meeting was held, per the Local #320 Teamsters Union, to discuss the calculation of the \$300 lump sum payment and “additional cash compensation” relating to the 2006 payroll back pay. Present were Joanne Derby, Local #320 Union Agent, Cody Ygelsias General Unit Steward, Tom Aagard, Essential Unit Steward, Debbie Mursu, Payroll Supervisor, Tom Fitzpatrick, Labor Attorney and Char West, Auditor/Treasurer.

Following explanation of the calculation of the \$300 lump sum payment, the Local #320 representatives were in agreement of such.

The Local #320 requested the calculation of “additional cash compensation” to be made at the time each employee qualifying for “additional cash compensation” as step movement/ anniversary, instead of on the start of the 15th year, 20th year, etc. with the stated justification that there is a new base wage reflected with each step. They also requested the 2006 “additional cash compensation”, relating to going on the new 2006 salary scale, be calculated on the new salary scale instead of reflecting the “additional cash compensation” that was received at the time the employee entered the 15th year, 20th year, etc.

Group consensus and recommendation to the Board of Commissioners;

-To calculate the 2006 “additional cash compensation” on the new 2006 salary scale.

-The calculation of “additional cash compensation” will occur on the start of the 15th year, 20th year, etc., as was past practice and defined in the 2006, 2007, 2008 Union Contracts.”

Following Board discussion, the Board requested Ms. West contact the County Labor Attorney to request his attendance at the February 6, 2007 Board meeting for the purpose of providing additional information pertaining to the matter.

Commissioner Harrison informed the Board that there was a difference of opinion on whether the Fair Board could request Sentenced To Serve to do the work on the Wadena Fairground Roof Repair.

Board consensus was that Sentence To Serve can be requested to work on the Wadena Fairground Roof Repair Project.

Ms. West informed the Board that in 2006 \$1,750 had been transferred from the General Fund to the Tax Forfeited Fund to cover surveying expenses of an unsold Tax Forfeited parcel. She stated that clean-up costs of an unsold Tax Forfeited parcel had also been received. She requested Board action to transfer the \$1,750 from the Tax Forfeited Fund to the General Fund and then transfer \$2,500 from the General Fund to the Tax Forfeited Fund to cover additional expenses out of the Tax Forfeited Fund, retroactive to 12/31/06.

Motion by Harrison, seconded by Waldahl, to transfer \$1,750 from the Tax Forfeited Fund to the General Fund, as of 12/31/06, motion carried.

Motion by Waldahl, seconded by Harrison, to transfer \$2,500 from the General Fund to the Tax Forfeited Fund, as of 12/31/06, motion carried.

Motion by Waldahl, seconded Harrison, to approve the 3.2 Malt Liquor License Application for the R & J Horse Sales Event to be held on February 3 and 4, 2007, contingent upon the License Application being submitted by a qualified non-profit, meeting statutory requirement, appropriate liability insurance, approval of County Attorney and County Sheriff, motion carried.

Motion by Harrison, seconded by Waldahl, to approve the Property Tax Abatement for Russell Morlock, Rockwood Township, parcel #11.032.4010 and #11.032.1040 to reflect a change from non-homestead to homestead, motion carried.

Motion by Waldahl, seconded by Harrison, to set the 2007 County Board of Appeal and Equalization Hearing for June 11, 2007, 9:00 a.m. in the Board of Commissioners Room, motion carried.

Motion by Harrison, seconded by Waldahl, to authorize Auditor's Office employee Debbie Mursu to exceed the accumulated vacation hour limit up to 265 hours and the compensatory time limit up to 90 hours, to be reduced below the stated limits by April 1, 1007, as per the Auditor/Treasurer's recommendation, motion carried.

Motion by Waldahl, seconded by Harrison, to approve the Board of Commissioners Meeting Minutes of December 8, 2006, December 15, 2006, and December 21, 2006, as presented, motion carried.

Commissioner's Reports - None

Motion by Waldahl, seconded by Harrison, to approve the following AMC Resolution,

LOSS OF FEDERAL ENTITLEMENT BENEFITS

WHEREAS, U.S. Code of Federal Regulations, Title 42, Part 435.1008 states that federal financial participation (FFP) is not available in expenditures for services provided to individuals who are inmates of public institutions, and

WHEREAS, this immediate cessation of benefits occurs prior to the issuance of formal charges or convictions, and

WHEREAS, counties must provide medical services to all persons incarcerated in local jails and detention facilities, and

WHEREAS, as the result of this regulation to immediately cease FFP for medical benefits, all costs of medical care must be borne solely by counties;

NOW THEREFORE BE IT RESOLVED that the Wadena County Board of Commissioners requests and strongly urges Congress to amend necessary federal statutes to allow federal financial participation for medical benefits to incarcerated individuals until convicted and sentenced to secure detention.

Dated this 18th day of January, 2007

Charleen West, Auditor/Treasurer

Orville Meyer, Vice-Chairman

motion carried.

Fran Kueker, Sentence To Serve crew leader, came before the Board to inform them that the STS crew would be cleaning up an area by the Fair Grounds and questioned where the garbage charge should be sent.

Motion by Waldahl, seconded by Harrison, to authorize the payment of the garbage bill resulting from STS cleanup by the Fair Grounds, motion carried.

Motion by Waldahl, seconded by Harrison, to approve the payment of \$5,000 for postage in the Courthouse postal meter, motion carried.

Motion by Harrison, seconded by Waldahl, to approve payment of the Board of Commissioner Bills in the amount of \$346,488.63, motion carried.

Motion by Waldahl, seconded by Harrison, to adjourn the Board of Commissioners Meeting at 12:53 p.m., motion carried.

Charleen West, Auditor/Treasurer

Orville Meyer, Vice-Chairman