

WADENA COUNTY BOARD OF COMMISSIONERS BOARD MEETING
NOVEMBER 6, 2007/9:00 A.M.

The Wadena County Board of Commissioners Meeting was held on Tuesday, November 6, 2007, at the Wadena County Courthouse in the Commissioners Room at 415 Jefferson St. S., Wadena Minnesota. The meeting was called to order at 9:00 a.m. by Chairman William Stearns and the pledge of allegiance to the flag was said.

Present: Commissioners Lane Waldahl, Dave Schermerhorn, Orville Meyer and Mary Harrison.

Motion by Meyer, seconded by Schermerhorn, to approve the Agenda as amended to include k.) Sesquicentennial Grant Application, l.) Printer–Law Library and m.) MRCC Resolution Clean Water Act, motion carried.

The Board dispensed with the approval of the Board Minutes.

Silvia Silvers, Wadena County DAC Director, came to the Board to request Board consideration to transfer the portion of the Wadena County DAC building, owned by the County, to the Sebeka DAC for \$1.00. She stated that the DAC will assume the street assessments that will be levied on the property.

Commissioner Harrison informed the Board that she, Ms. Silvers, and Char West, Auditor/Treasurer met with the Sebeka Economic Development Authority and discussed the situation with them. She added that they were willing to accept the property and hand it over to the DAC providing the legal matters could be taken care of in one day to avoid unnecessary expense and liability.

Ms. West stated that the Sebeka EDA's attorney would be responsible for their portion of the transaction and the County Attorney would handle the County's portion. She added that the previous County Attorney had researched the procedure for the Board several years ago and that the current County Attorney concurred that the County could legally transfer the property to another government entity, such as the EDA, for \$1.00.

Discussion was held regarding whether the EDA was aware of the need to hold a Public Hearing to allow public input on the property transfer, which may affect the transaction being completed within one day.

Motion by Harrison, seconded by Schermerhorn, to agree in principal to the transfer of the Wadena County DAC property to the Sebeka Day Activity Center through the Sebeka Economic Development Authority for the amount of \$1.00 contingent upon the Wadena County Attorney drawing up of a legal Resolution, motion carried unanimously.

Solidad Henriksen, Recorder, informed the Board that the Recorder's Office was in the process of having E-Recording software installed and was working with the MIS Department. She stated that TriMN had informed the MIS Director of some specific equipment needed for the

installation, which would cost \$3,855.30 and could be purchased with Recorder's Compliance Fund dollars. She added that she had contacted the Compliance Fund Committee who had approved her bringing the bill before the Board to request approval for payment. She pointed out that the E-Recording software had previously been purchased.

Motion by Waldahl, seconded by Harrison, to approve the payment of \$3,855.30 to Morris Electronics for the purchase and installation of computer equipment for the E-Recording software, to be purchased from the Recorder's Compliance Fund, motion carried unanimously.

The Board reviewed and discussed the Clean Water Act Resolution sent by the National Association of County Officers (NACO).

Commissioners Waldahl and Schermerhorn stated that the Minnesota Rural Counties Caucus (MRCC) was concerned about the wordage in the Resolution used by Representative Jim Oberstar.

Commissioner Harrison commented that the bill was badly worded, but something was needed for protection of water usage by residents.

Commissioner Waldahl reported that MRCC was requesting the County to support the NACO Resolution and that the wording had been changed to support the position of NACO.

RESOLUTION

Federal Clean Water Act Resolution

Commissioner Meyer offered the following resolution and moved for its adoption;

WHEREAS, The Congress of the United States has taken up measures to broaden the scope of the jurisdiction of the nation's Clean Water Act (CWA); and

WHEREAS, one change being sought through federal legislation will remove from the act the term "navigable waters" and replace it with the term "waters of the United States"; and

WHEREAS, said change in language will negatively impact local units of government in that the US Army Corps of Engineers will be forced to review projects and applications for permits in greater numbers, which may also cause delay of permitting to local agencies; it is noted that the Corps already faces a national backlog of 30,000 permits under present definition of waters; and

WHEREAS, the National Association of Counties (NACo) opposes any federal efforts to change the definition in the CWA from "navigable waters," to "waters of the United States";

BE IT RESOLVED that the Association of Minnesota Counties hereby is in support of the NACo opposition to federal efforts to change the definition in the CWA from "navigable waters" to "waters of the United States."

BE IT FURTHER RESOLVED that the Wadena County Board of Commissioners hereby is in support of the Association of Minnesota Counties and the NACO opposition to federal efforts to change the definition in the CWA from “navigable waters” to “water of the United States.”

Commissioner Waldahl seconded the motion and the same carried.

ATTEST: _____
Charleen West, Auditor/Treasurer William Stearns, Chairman
Wadena County, Minnesota

Commissioner Waldahl reported that he and Commissioner Meyer had attended a Law Library Meeting on October 22, 2007, and were informed that a new printer was needed. He added that a motion was necessary for the Court Administrator to work with the MIS Director regarding the purchase of a new printer.

Motion by Meyer, seconded by Schermerhorn, to purchase a printer for the Law Library for a cost under \$300, motion carried.

Motion by Waldahl, seconded by Schermerhorn, to purchase the Law Library printer from the MIS budget and if budget short fall occurred at the end of 2007, the MIS budget would be amended, motion carried.

Deana Skov, Zoning/Parks/Solid Waste Director, came before the Board to report that the collection in Thomastown Township was successful with materials in the container being recyclables only. She added that the City of Wadena, Wing River Township and City of Sebeka containers were also in place.

Ms. Skov reported that the outhouse at Anderson’s Crossing had been completed and requested the Board to release funds from the Parks Reserve to reimburse Umland Construction for their work.

Motion by Waldahl, seconded by Schermerhorn, to approve the payment of \$2,700.00 to Umland Construction for the construction of an outhouse at Anderson’s Crossing, to be paid out of Park Tax Forfeited Reserve funds, motion carried.

Mrs. Skov stated that the County Parks were now closed for the season and that camping fees were \$3000 more than projected.

Chairman Stearns questioned Ms. Skov as to whether copies of the tape of the Perham Incinerator meeting in Fergus Falls had been received? He requested that once it was received copies be made for Commissioners Meyer, Schermerhorn and Waldahl. He added that another meeting regarding the Perham Incinerator had been scheduled for November 28, 2007, at 1:00 p.m. in New York Mills.

Ms. Skov stated that at that time Stearns County would have a definite answer as to whether they would be participating in the joint powers agreement.

The Board set a Special Board of Commissioners Meeting for November 28, 2007, at 1:00 p.m. at the Ottertail County Government Center in New York Mills.

Chairman Stearns called the 2008 Fee Public Hearing to order at 9:30 a.m. He stated that the purpose of the Public Hearing was to give the public an opportunity to discussion and ask questions pertaining to the proposed 2008 County Fees.

Karen Nelson, Public Health Director, came before the Board to inform them of the proposed Public Health 2008 Fee adjustments for cholesterol, vaccine administration, Mantoux administration, Health Promotion for the Community and Licensing Fees for food, beverages and lodging. She added that the increases were based on the increase in cost of supplies and personnel. Ms. Nelson stated that it was the policy that no one would be denied service based on ability to pay.

Char West, Auditor/Treasurer, presented the Board with proposed 2008 Confession of Judgment Set Up Fee of \$25 and Research Fee of \$10. She stated that the Confession of Judgment Fee would cover the cost of the initial forms and personnel time to set up the Confession, this fee had not previously been charged by Wadena County and that surrounding counties currently charge a much higher fee. Ms. West added that the Research Fee of \$10 was currently being charged by the Recorder's Office.

As questions were neither received nor public in attendance of the public hearing, the Board continued with additional Agenda items.

Ms. Nelson requested authorization to sign a contract with the Minnesota Department of Health Indoor Air Program for the Radon Health Promotion grant to be used to provide education to the public.

Motion by Harrison, seconded by Waldahl, to authorize the Public Health Director to sign a contract with the Minnesota Department of Health Indoor Air Program in the amount of \$2,661.50 effective October 1, 2007 to September 30, 2008, for the Radon Health Promotion grant with the potential for an additional \$2,661.50 after the Federal Radon Allocation to Minnesota was set, motion carried.

Commissioner Harrison reported that the Old Wadena Society applied many months ago for their 501 3C designation and to date had not received it. She stated that she had volunteered to write a Sesquicentennial Grant in the amount of \$5,000 for signage for the Wetland Walk in Old Wadena which required a match in donations of in-kind or cash. She added that the County could act as the fiscal agent as the grant needed to be funneled through a governmental agency, with no cost to the County.

Motion by Meyer, seconded by Schermerhorn, to apply for the Sesquicentennial Grant in the amount \$5,000 and designate Wadena County as fiscal agent for the grant, motion carried.

Ms. West informed the Board that the State Auditors were to trying to schedule an Exit Conference for the 2006 County Audit. She stated that in previous years the Board had designated two Commissioners to act as the Audit Committee. Ms. West added that she anticipated receiving a reply from the State Auditors prior to the end of the Board Meeting so the Commissioners could check their schedules and make the appointments, if they so chose.

The Board reviewed correspondence from the Minnesota Counties Insurance Trust (MCIT) informing them of the 2007 MCIT Annual Meeting and Notice of Board Election on December 3, 2007 in Minneapolis.

The Board re-appointed Commissioner Meyer as voting delegate and Chairman Stearns as alternate to the MCIT Board.

The Board reviewed information from the Central Minnesota Housing Partnership, Inc. regarding HOME Rental Rehabilitation Program Funding availability.

Motion by Waldahl, seconded by Schermerhorn, to approve the re-appointment AMC Voting Delegates; Commissioners Mary Harrison, Orville Meyer, Dave Schermerhorn, Bill Stearns, Lane Waldahl, County Engineer Joel Uring, Public Health Director Karen Nelson and Auditor/Treasurer Char West, motion carried.

The Board reviewed the Todd Wadena Community Corrections Quarterly Financial Report.

Ms. West informed the Board that MIS Director Kevin Stensrude had requested Board consideration in receiving a presentation on Document Management, which could be held during the November 27, 2007 Board Meeting at 11:00 a.m.

The Board agreed to the scheduling of the Document Management presentation during the November 27, 2007 Board Meeting.

Commissioner Harrison recommended hotel reservations be placed at this time for the spring AMC Legislative Conference to be held on April 9th through 11th, 2008, at the Crown Plaza Hotel. The Auditor/Treasurer will book the reservations.

Chairman Stearns closed the 2008 Fee Public Hearing at 10:00 a.m. as no further discussion or comments were received.

Motion by Meyer, seconded by Waldahl, to approve the 2008 Wadena County Fee changes, as presented, motion carried.

The Board recessed at 10:05 a.m.

The Board reconvened at 10:20 a.m.

Commissioner Waldahl informed the Board that during the Law Library meeting that he and Commissioner Meyer attended, the need for the Library to be available to the public was again discussed. He stated that a space within the Courthouse needed to be found as well as other issues within the Courthouse need to be addressed, i.e. the Emergency Operation Center, heating and air conditioner problems, etc. Commissioner Waldahl requested hiring Tony Stoll, Baker, Hogan & Houx Architects, to meet with the Board to review the County needs which could include the erection of three walls and a roof over the current jail for added space to the Courthouse.

Commissioner Meyer added that the Law Library needed to be open to the public at all times and that the Commissioner's Room may be a possibility to consider.

Commissioner Waldahl commented the Commissioner's Room was used for the most part, two times a month and that the Auditorium could be used for a Commissioner's Room.

Commissioner Harrison commented she thought the Commissioner's Room would make a good Law Library and would like Mr. Stoll to look at the possibility. She added that she did have some reservations about using the Auditorium for the Commissioner's Room permanently.

Commissioner Harrison pointed out the possibility of putting a meeting room in the Wensman Building and felt Mr. Stoll should definitely be invited to check out the needs in the Courthouse and also the possibility of a multi-purpose room at the Wensman Building.

Commissioner Schermerhorn commented that if the Board was going to look at the problems, we should look at everything. He added that there was a need to update the Courthouse.

Chairman Stearns said a working meeting with Mr. Stoll would be the next step and questioned whether the Board would be available the afternoon of the November 27th Board Meeting or a Special Board Meeting or Tuesday, November 13th in the afternoon. The Board was available on these dates which will be suggested to Mr. Stoll.

Molly Costen, Wadena Soil and Water Conservation District, came before the Board requesting a signature on the 2008 County Feedlot Program Delegation Agreement.

Commissioner Meyer questioned whether the number of feed lots in Wadena County was increasing, declining or staying the same?

Ms. Costen responded they had declined by about 30%, but the figures were not current.

Motion by Meyer, seconded by Harrison, to authorize the Chairman of the Board to sign the 2008 County Feedlot Program Delegation Agreement and Work Plan, as presented, motion carried.

Scott McKellop, EMS Director, came before the Board to present the 2008 Revision of the Minnesota Homeland Security Emergency Management Mutual Aid Agreement. He stated that this revision had received the blessing of MCIT.

Motion by Waldahl, seconded by Harrison, to accept the 2008 Revision of the Minnesota Homeland Security Emergency Management Region 4 Mutual Aid Agreement, motion carried.

Motion by Harrison, seconded by Schermerhorn, to approve payment of the Board of Commissioner bills in the amount of \$101,847.44, motion carried.

Commissioner Stearns read a letter received from the City of Verndale regarding the Well Head Protection Plan for the City of Verndale. He requested the Meeting Minutes acknowledge receipt of the Plan.

The Board requested the Auditor/Treasurer to contact Deana Skov, Zoning/Parks/Solid Waste Director, requesting her review of the Plan and report her comments on such during the November 27, 2008, Board Meeting.

Chairman Stearns commented that before he loses his reign as Chairman he would like to distribute the Board Committee appointments for information.

Joel Uring, Highway Engineer, informed the Board that he had received approval from the Mn/DOT to proceed with the SP 80-030-03 FP Intersection Lighting Project and requested approval of the following Resolution.

RESOLUTION
County Wide Rural Intersection Lighting
SP 80-030-03, CHSP 07(035)

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

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the County of Wadena to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Chairman and the Auditor/Treasurer are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in “Minnesota Department of Transportation Agency Agreement No. 91947”, a copy of which said agreement was before the County Board and which is made a part hereof by reference.

Commissioner Waldahl seconded the motion and the same carried.

ATTEST: _____
Charleen West, Auditor-Treasurer William Stearns, Chairman
Wadena County, Minnesota

Mr. Ullring introduced Rick Krueger with the Transportation Alliance who would be providing a presentation to them pertaining to the Transportation Alliance.

Mr. Ullring informed the Board that a Public Hearing was scheduled in the Thomastown Township Hall on Tuesday, January 8, 2008 at 7:00 p.m. He added that the purpose of the Hearing was to discuss the revocation of portions of County Roads 114 and 124 located in Thomastown Township.

Mr. Ullring informed the Board that because of the snowplow truck located in Staples it was necessary to look into the option of the use of a fuel card. He stated that he would like to obtain a Fuel Purchasing Card through Wright Express which was a company that was used to working with government agencies. Mr. Ullring added that the card will be set up with authorization controls as determined necessary by the County, which would be used strictly for fuel purchases. He stated that the cost for the card was a one-time \$40.00 account setup fee with a \$2.00 per card per month charge. He pointed out that the card could possibly be used by county departments in the future.

Discussion was held regarding the current development of a County Credit Policy that would further address the use of credit cards by County Departments, which would be presented to the Board for consideration in the near future.

Motion by Waldahl, seconded by Harrison, to set up an account with Wright Express to obtain a Fuel Purchasing Card for the Highway Department and for the Highway Engineer to work with the Auditor/Treasurer to set up the account, motion carried.

Mr. Ullring requested the purchase of a new John Deere 772D motor grader at a cost of \$217,168.00 less trade in value of \$118,000.00 for the Caterpillar 140H motor grader, for a net purchase price of \$99,168.00 plus sales tax for a total cost of \$105,613.92. Mr. Ullring pointed out that he would be requesting reimbursement for engineering labor costs on State Aid projects in the amount of \$110,000.00 to apply towards this purchase.

Motion by Harrison, seconded by Schermerhorn, to approve the purchase of a John Deere 772D motor grader at a total cost of \$105,613.92 including tax contingent upon transfer of CSAH reimbursement if \$110,000.00 was applied to the purchase.

Commissioner Stearns commented as Mr. Ullring's liaison, what would it mean if they were successful in turning back township roads in the future.

Mr. Ullring responded that currently the Department has four motor graders and if successful with the program to revoke county roads back to townships, the next time a motor grader replacement was needed they would strongly consider whether the replacement was necessary. He added that it would depend on the number of County road miles.

Motion carried unanimously.

Mr. Ulring requested authorization from the Board to attend the Transportation Research Board (TRB) annual meeting in Washington, D.C. on January 14, 2008. He stated that ASCE would cover the transportation costs and one night's lodging.

Motion by Meyer, seconded by Schermerhorn, to approve the Highway Engineer's attendance of the Transportation Research Board (TRB) annual meeting in Washington D.C. on January 16, 2008, motion carried.

Mr. Ulring announced the resignation of Bill Ness as of November 30, 2007, from the Highway Department and informed them of an open house in his honor from 1:00 – 3:00 p.m. on November 16, 2007, at the Highway Department.

Motion by Waldahl, seconded by Harrison, to accept with regret the resignation of Bill Ness from the Highway Department, as of November 30, 2007, motion carried.

Mr. Ulring reported that Jeff Adolphson and Diana Heston of the Highway Department had both completed their 6-month probationary periods satisfactorily.

Mr. Ulring informed the Board that Karen Otremba of the Highway Department had returned to work from FMLA and also would like to recognize the excellent job that Robin Wegscheid did while filling in during Ms. Otremba's absence.

Mr. Ulring reported to the Board that the repairs were made to the Wensman parking lot. He added that he felt the water would drain properly.

Mr. Ulring stated that the CSAH 16 project by Menahga was now complete. He also reported that the CSAH 23 project of bituminous paving had been completed November 2, 2007 and that shouldering would be done this week.

Commissioner Reports were tabled until the following Board Meeting.

Chairman Stearns adjourned the November 6, 2007 Board Meeting at 11:15 a.m. He stated that the Transportation Alliance Legislative Update power point presentation would be given in the Courthouse Auditorium.

Charleen West, Auditor/Treasurer

William Stearns, Chairman