

WADENA COUNTY BOARD OF COMMISSIONERS REGULAR MEETING
May 1, 2007/9:00 A.M.

The Wadena County Board of Commissioners Meeting was held on Tuesday, May 1, 2007, at the Wadena County Courthouse in the Board of Commissioners Room at 415 Jefferson St. S., Wadena Minnesota. The meeting was called to order at 9:00 a.m. by Chairman Bill Stearns and the pledge of allegiance to the flag was said.

Also present were Commissioners Orville Meyer, Dave Schermerhorn, Mary Harrison, and Lane Waldahl.

Motion by Meyer, seconded by Schermerhorn, to approve the day's agenda as presented, motion carried.

Commissioner Harrison pointed out the following April 19, 2007 Board Meeting minute amendments; page 3 "Commissioner Waldahl informed the Board that he had sent Veteran's to see Mr. Anderson . . ." should read "Commissioner Waldahl informed the Board that he had sent Veterans to see Mr. Anderson . . ."; page 4 change "Sheriff Carr informed the Board that Deputy Sheriff Luke Manderscheid had resumed the responsibility . . ." to read "Sheriff Carr informed the Board that Deputy Sheriff Luke Manderscheid had assumed the responsibility . . ."

Motion by Schermerhorn, seconded by Harrison, to approve the Board Meeting Minutes of April 19, 2007, as amended, motion carried.

Mike Carr, Sheriff, introduced Dwight Albers of A'viands Food Service Company. Also present were Jean Birch, Administrative Assistant and Tom Speed, Jail Administrator. Sheriff Carr informed the Board that he would like to propose that the Wadena County Sheriff's Department consider contracting with A'viands Food Service for prisoner meals due to the liability of Sheriff's Department employees currently preparing the meals. He stated that the Administrative Assistant holds the license for meal preparation, at this time.

Sheriff Carr distributed a handout listing the surrounding counties that contract with A'viands Food Service.

Mr. Albers informed the Board that A'viands is headquartered in Roseville and serves 23 county jails in Minnesota. He stated that the company takes care of all of the licensing and documentation required by the MN Department of Corrections and assumes all liabilities so the County would no longer be responsible for liability insurance. Mr. Albers also pointed out that all documentation was done for required audits by the State of Minnesota. He stated that A'viands provides a continental style breakfast, a hot lunch and a hot dinner, that the foods are all made from scratch and that they maintain their own safety and sanitation programs. Mr. Albers also stated that A'viands would also like to provide meals to other County staff outside of the Jail.

Sheriff Carr informed the Board that there was an average of 20 prisoners per day which would reflect the annual expense of \$63,510.00. He stated this option would eliminate the liability and

he would prefer to use Ms. Birch and Mr. Speed in the jobs they were hired for.

Kyra Ladd, County Attorney, informed the Board that there have not been issues to date, however, Ms. Birch cannot be there to oversee meal preparation at all times, one incident would be catastrophic.

The Board questioned how the current meals served compared to what A'viands proposed, whether a diabetic meal was available and if STS bag lunches were provided? They also discussed the cost of the A'viands contract cost versus the 2007 budgeted expense for meals.

Sheriff Carr stated that currently a cold breakfast and two hot meals are provided.

Mr. Albers pointed out that special diet needs were met and STS bag lunches were included in the 20 lunch average.

Sheriff Carr pointed out that the service contract could begin June 1st if approved by the Board today.

Mr. Speed informed the Board that several years ago the County budgeted \$9.50 per prisoner per day and that the current proposal was less than that figure.

Chairman Stearns questioned whether insurance premiums would be reduced if this program were implemented and recommended contacting the Minnesota Counties Insurance Trust.

Motion by Meyer, seconded by Waldahl, to approve a Contract with Aviand's Food Services to provide meals for the Wadena County Jail at a rate of \$2.90 per meal, 60 meals per day, 365 days per year, total expense of \$63,510 per year, commencing June 1, 2007, any meals over 20 meals per day would be billed at the rate of \$2.90 per meal.

Chairman Stearns questioned how Sheriff Carr would make up the \$9,000 over budget?

Sheriff Carr stated that he will make it up.

Motion carried.

Chairman Stearns called to order the Wadena County Fee Public Hearing at 9:30 a.m.

Deana Skov, Zoning/Parks/Solid Waste Director, presented the Board with a handout outlining the following fee changes. She stated that she was recommending an increase in the fee for 911 addressing and signing to \$75.00, which more accurately reflected the cost involved.

Ms. Skov informed the Board that a new 42" printer had been purchased for GIS maps. She stated that adjoining counties fees were compared as well as the cost of the printer and employee time. She recommended the fee of \$30 per ½ hour set-up fee for large scale printing (minimum charge) plus;

<u>Parcel Map (no fill)</u>		<u>Arial Map (solid fill)</u>
24" wide	\$4.00	\$6.00
36" wide	\$6.00	\$8.00
42" wide	\$8.00	\$10.00

Ms. Skov informed the Board that, due to the increased County cost for the disposal of appliances and electronic items, it was necessary to increase the fees. She stated that they will try to complete the year with the current fee of \$5 per item for Wadena County residents. She recommended the following non-resident/commercial fee changes;

Appliances – from \$12.00 to \$13.00.

Electronics – Non-resident/Commercial fees

Computer CPU	\$12.00
Computer Monitors	\$17.00
Laptop	\$17.00
Printers	\$12.00
Scanners	\$12.00
Desktop Copiers	\$12.00
Medium Copiers	\$22.00
Large Copiers	\$42.00
15" Televisions	\$17.00
Over 15" Televisions	\$27.00
Consol Televisions	\$32.00
Stereos	\$12.00
Misc. Electronics	\$12.00
Hard drive destruction	\$27.00

Joel Ullring, Highway Engineer, presented the Board with a handout requesting a fee change for mailbox supports from \$58.00 to \$75.00 to reimburse the cost of materials and labor.

Mr. Ullring also requested a fee change for commodity sales such as signs, culverts, salt/sand, etc. He stated that he proposed including a 10% handling fee in addition to the material cost.

As no questions or public comments were received, the Board continued with the Board agenda.

Motion by Waldahl, seconded by Harrison, to approve the payment of \$5,000.00 to the U.S. Postal Service, Auditor's check #24753 on April 23, 2007 for the purpose of replenishing postage in the Courthouse postage meter, motion carried.

Motion by Meyer, seconded by Schermerhorn, to amend the April 19, 2007, Board motion accepting the resignation date of Gary Stelzer, Deputy Sheriff, as of May 1, 2007, to April 30, 2007, motion carried.

Motion by Schermerhorn, seconded by Harrison, to amend the April 19, 2007 Board motion to “approve Administrative Leave for Wadena County employees who were scheduled to work during the hours of 2:00 p.m. to 4:30 p.m. on April 3, 2007, when the County Offices were closed due to inclement weather that could have affected employee safety” to read “approve Administrative Leave for Wadena County Employees who were scheduled to work during the hours of 2:00 p.m. to 4:30 p.m. on April 3, 2007 and were at work until 2:00 p.m. on said day, when the County Offices were closed due to inclement weather that could have affected employee safety”, motion carried.

Motion by Schermerhorn, seconded by Waldahl, to amend the April 19, 2007 Board motion “to approve payment of the Board of Commissioner bills in the amount of \$110,115.34 to \$110,005.34, motion carried.

Motion by Meyer, seconded by Schermerhorn, to approve the Courthouse Postage Meter Lease Agreement with Dakota Mailing for a 60-month lease, including meter rental, resets, and maintenance at a cost of \$203.97 per month, motion carried.

Char West, Auditor/Treasurer, informed the Board that the necessary documentation had been sent to the DNR Land Board for the land exchange between Potlatch and Wadena County. She stated that the DNR requested Board approval of the following resolution, which would complete the documentation.

CERTIFIED COPY OF RESOLUTION COUNTY BOARD OF WADENA COUNTY

ADOPTED: MAY 1, 2007

Commissioner Harrison offered this resolution and moved its adoption: Commissioner Schermerhorn seconded:

WHEREAS, the Wadena County Board of Commissioners accepted the application of Potlatch and Wadena County for a Land Exchange and directed Davis Appraisals to complete an appraisal of Wadena County property involved in the Land Exchange:

WHEREAS, on August 17, 2006 the Wadena County Board of Commissioners set a public hearing for September 5, 2006 at 10:15 A.M., and a corrective hearing on September 21, 2006 at 10:30 A.M. to consider the proposed exchange of property described as follows:

County Tax Forfeited Land:
E1/2 SW1/4 of NE1/4 Sec 23, Twp 135, Range 33
Part of Parcel ID# 03.023.1020
&
NE1/4 NE1/4 (AKA: Gov Lot 1) Sec 4, Twp 136, Range 33
Parcel ID# 06.004.1010

Private Land:
SW1/4 SE1/4 Lying East of the Crow Wing River &
N1/2 S1/2 SE1/4 SE1/4 Sec 5, Twp 138, Range 33
Part of Parcel ID# 04.005.4010

WHEREAS the Wadena County Board of Commissioners accepts the land values as presented by Davis Appraisals, Inc.

WHEREAS, the necessary reclassifications, appraisals, and hearing as required in M.S.A. 94.344 have been met and complied with no objections to this land exchange.

NOW, THEREFORE, BE IT RESOLVED, that the exchange as set forth in the list as posted in the Office of County Auditor – Treasurer is hereby recommended for approval to the Land Exchange Commission by the Board of Commissioners of Wadena County.

This resolution was adopted by a majority vote: Ayes: 5 Nays: 0 .

STATE OF MINNESOTA }
County of Wadena }
Office of County Auditor }

I, Charleen West, County Auditor-Treasurer of the County of Wadena, State of Minnesota, do hereby certify that the above is a true and correct copy of a resolution adopted by the Wadena County Board of Commissioners at a meeting held on the 1st day of May,2007.

Witness by hand and seal.

Charleen West, Wadena County Auditor/Treasurer

Ms. West informed the Board that Karen Nelson, Public Health Director, was unable to attend the Board of Commissioners Meeting but requested approval of the 3rd year contract with Cass County for the Rural Health Outreach Grant.

Motion by Waldahl, seconded by Schermerhorn, to authorize the Public Health Director to sign the 3rd year contract with Cass County Health, Human and Veterans Services, Public Health Division for Rural Health Outreach Grant effective May ,1, 2007 to April 30, 2008, in the amount of \$28,032, motion carried.

Commissioner Reports:

Commissioner Stearns MCIT Technical Day of Training – recommended the County Attorney send the Assistant County Attorney to the training

Public Health Director recommended one Commissioner attend the Appointed Spokesperson Training in Minneapolis on May 8, 2007.

Motion by Schermerhorn, seconded by Meyer, to authorize Commissioner Harrison to attend the Risk Communication Seminar on May 8th, 2007, motion carried.

Commissioner Stearns: Efficiency Workshop for Building Operators in Staples.
Recommended the Maintenance Superintendent attend this workshop.
Minnesota Assn of Community Corrections (MACCAC) Annual Conference September 5-7, 2007.

Chairman Stearns, Commissioner Harrison, Ms. Skov and Ms. West informed the Board that the GIS Committee had received a presentation by Cloud Cartographics regarding the development of new County plat books and the Committee recommended the development and purchase of 500 new plat books at a cost of \$10,000 with a delivery date of February 2008. Ms. West stated that approximately \$11,500 has been set aside, as per Board motion, for such a purchase.

Motion by Meyer, seconded by Schermerhorn, to approve a Contract Agreement with Cloud Cartographics for the development and purchase of 500 plat books at a cost of \$10,000 pending contract approval from the County Attorney and the Committee working out the details, motion carried.

Chairman Stearns closed the Fee Public Hearing at 10:00 a.m., as no further public comment was received.

Motion by Waldahl, seconded by Harrison, to approve the Zoning, GIS, Solid Waste and Highway fee changes, as previously presented, motion carried.

The Board recessed at 10:01 a.m.

The Board reconvened at 10:14 a.m.

Joel Uring, Highway Engineer, informed the Board that the 1980 International semi-tractor had been sold at the Verndale Auction and requested authorization to purchase a 2001 Sterling semi-tractor at a cost, including tax and license, of \$24,999.75 to replace the old truck that was sold.

Motion by Harrison, seconded by Waldahl, to authorize the Highway Engineer to purchase a 2001 Sterling Semi-tractor for the Highway Department at a cost of \$24,999,75 including tax and license, motion carried.

Mr. Uring requested authorization to hire James Reed as temporary-seasonal help to assist the Department in the Engineering/Construction division at an hourly rate of \$10.00 per hr. with a start date of May 14, 2007, motion carried.

Motion by Waldahl, seconded by Schermerhorn, to authorize the Highway Engineer to hire James Reed as temporary-seasonal help to assist in the Highway Department's Engineering/Construction division at \$10.00 per hour, start date of May 14, 2007, motion carried.

Mr. Ulring informed the Board that the Wadena Depot Restoration Plan had been approved by the State. He requested authorization to advertise for bids for the project, to be opened on June 5, 2007 at 10:30 a.m.

Motion by Waldahl, seconded by Harrison, to authorize the Highway Engineer to advertise for bids for the Depot Restoration Project with bids to be opened June 5, 2007, at 10:30 a.m. in the Wadena County Board Room, motion carried.

Mr. Ulring updated the Board on the CSAH 50 construction project and informed them that the date of completion would be around June 1, 2007.

Mr. Ulring informed the Board there was an overrun of \$9,000 - \$10,000 for concrete/pavement removal at the Wensman Parking Lot. He stated that he was reviewing the situation and will inform them of the results.

Motion by Meyer, seconded by Schermerhorn, to approve the payment of Board of Commissioners bills in the amount of \$79,584.15, motion carried.

Commissioner Reports, continued:

Commissioner Waldahl West Central Task Force Meeting (WCTCC)
Health Meeting at T. Maxwells, Staples, Sub Committee

Commissioner Harrison Rural Minnesota Libraries Workshop

Rudy Yglesias, Maintenance Superintendent, came before the Board to discuss the issue of humidity control in the Wensman Building storage room. He stated that he had been informed that a roof top air conditioning unit would not be feasible to install just for the storage room. Mr. Yglesias pointed out that the humidity was currently running about 40% and recommended the Maintenance Department monitor the humidity in the room and, if necessary, purchase a small dehumidifier. This would require several electrical outlets at a cost of \$300.00 from Graham Refrigeration.

Board consensus was to monitor the humidity and use a dehumidifier, if necessary.

Paul Friedrich, Trail Breakers Snowmobile Club, requested Board approval of the 2008 MN Snowmobile Trails Assistance Program application and the following Resolution;

**RESOLUTION AUTHORIZING SPONSORSHIP OF TRAILS OPERATED BY
TRAIL BREAKERS, INC.**

BE IT RESOLVED that Wadena County act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for Grooming of Snowmobile trails managed by Trail Breakers, Inc.

BE IT FURTHER RESOLVED that upon approval of its application by the state, that Wadena County may enter into an agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

BE IT FURTHER RESOLVED that Char West is authorized to sign such an agreement with the Department of Natural Resources.

BE IT FURTHER RESOLVED that Char West is hereby authorized to serve as the fiscal agent for the above referenced project.

ADOPTED BY Wadena County on May 1, 2007 .

ATTEST:

I, Charleen West, do hereby certify that the above is a true and correct copy of a resolution adopted by the Wadena County on May 1, 2007.

Signed: _____
Char West, Auditor/Treasurer

Motion by Meyer, seconded by Schermerhorn, to approve Wadena County serving as the pass through agent of State grant funds for the Trailbreakers Snowmobile Club, motion carried.

Mr. Friedrich reviewed with the Board the Minnesota Snowmobile Trails Assistance Program Maintenance and Grooming Application. He stated that there were 140 miles currently completed with a deadline of April 2008 to finish the project. Mr. Friedrich also pointed out that funding has increased from \$38,000 to \$57,000.

Motion by Harrison, seconded by Waldahl, to approve the MN Snowmobile Trails Assistance Program Maintenance and Grooming Application for the Trail Breakers Snowmobile Club, motion carried.

Commissioner's Reports, continued:

Commissioner Stearns Perham Resource Recovery Center and discussion on expansion

Commissioner Schermerhorn Land Use Workshop
5/1/07-pg. 8

Commissioner Meyer Executive Board – South Country Health Alliance – 1st Quarter
report negative, as expected.

Deana Skov, Zoning/Parks/Solid Waste Director, informed the Board that an application for a Conditional Use Permit was received from Duane and Rebecca Graba for the purpose of operating a massage therapy business in their home. She stated that the Planning Commission recommended approval of such.

RESOLUTION

Commissioner Schermerhorn moved that the following Resolution be adopted:

RESOLVED: That the County Board approves issuance of the following Conditional Use Permit:

Duane P. & Rebecca J. Graba application for Conditional Use Permit to permit a massage therapy business to be run out of the home with the following findings of fact:

1. The requested use will not create an unreasonable excessive burden on the existing roads or other utilities because there will be only one at a time;
2. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties;
3. The requested use creates another job opportunity for someone;
4. The requested use is consistent with the Wadena County Land Use Control Ordinance; and
5. The requested use is not in conflict with the Wadena County Comprehensive Plan.

On property described as: The West Half of the southwest Quarter (W1/2 SW ¼) Except Highway, Section 35, Township 137 North, Range 34 West, Meadow Township, located in an A-2 Mixed Agriculture Forestry District.

Commissioner Harrison seconded the motion and the same carried.

Adopted this 1st day of May 2007.

Attest: _____
Charleen “Char” West, County Auditor/Treasurer _____
Chairperson

Ms. Skov informed the Board that a second application for a Conditional Use Permit had been received from Roger and Vicki Tuorila for the purpose of also operating a message therapy business in their home. She stated that the Planning Commission recommended approval of such.

Barb Ellingson and Amy Greenwald, Rising Phoenix representatives, came before the Board to request their consideration of waiving the payment of property taxes on the building Rising Phoenix had purchase in September 2005.

Mr. Brekke reviewed a letter from the Department of Revenue regarding the Rising Phoenix property tax situation, which stated that the Department had initially concluded that Rising Phoenix was taxable, but following review of additional information, have concluded that Rising Phoenix, in their opinion, should be exempt from property tax. Mr. Brekke stated that he was able to abate the property taxes for 2007, but due to the purchase of the property in September 2005, which was after the July 1st deadline, he was unsure whether the Board had the authority to abate the 2006 property taxes. He recommended reviewing the matter with the County Attorney prior to Board consideration.

Motion by Meyer, seconded by Harrison, to approve the abatement of 2006 property taxes, payable 2007, for Rising Phoenix property, parcel #22.340.0100, motion carried.

Motion by Schermerhorn, seconded by Meyer, to adjourn the Wadena County Board of Commissioners Meeting at 11:25 a.m., motion carried.

Charleen West, Auditor/Treasurer

William Stearns, Chairman