

WADENA COUNTY BOARD OF COMMISSIONERS MEETING
NOVEMBER 4, 2008, 9:00 A.M.

The Wadena County Board of Commissioners Meeting was held on Tuesday, November 4 , 2008, 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 Orville Meyer and the pledge of allegiance to the flag was said.

Also present: Commissioners Lane Waldahl, William Stearns, and Mary Harrison; absent Dave Schermerhorn. Also present: Auditor/Treasurer Char West.

Motion by Waldahl, seconded by Harrison, to approve the day's Agenda as presented, motion carried.

Ms. West informed the Board that Board Minutes were not available for approval at the present time.

Deana Skov, Zoning/Parks Director, came before the Board to request approval of a Hauler's License for Waste Management.

Motion by Harrison, seconded by Stearns, to approve the renewal of a Hauler's License for Waste Management, motion carried.

The Board reviewed correspondence from Minnesota County Insurance Trust (MCIT) requesting designation of a Voting Delegate and Alternate.

Chairman Meyer stated that if there were no change in the MCIT delegates, no action was needed. He added that currently the delegate was himself who would be attending his last meeting; with Commissioner Stearns as Alternate.

The Board agreed that there was no need to change the designated MCIT Voting Delegates.

The Board reviewed correspondence from NJPA regarding voting information and a ballot for the 2008 NJPA Board of Directors election.

Motion by Stearns, seconded by Harrison, to approve the vote as a Board for Commissioner Lane Waldahl to serve on the National Joint Powers Alliance Board of Directors, motion carried.

Commissioner Waldahl informed the Board that Todd Wadena Electric Cooperative needed an easement across County land in order to replace power lines to the Bell Hill Recovery Center. He added that it would be 40' in width and 200' in length. Commissioner Waldahl stated that the easement was presented to the Assistant County Attorney for review and that they were just informed that she had reviewed it and it was acceptable as presented.

Motion by Waldahl, seconded by Harrison, to approve a 40' x 200' easement to Todd Wadena Electric Cooperative across County property at the Bell Hill Recovery Center for the purpose of replacing power lines to the Center, motion carried.

Karen Nelson, Public Health Director, came to the Board with two items for approval, the first of which was an amendment to the Food/Beverage/Lodging Agreement with the Minnesota Department of Health. She pointed out that this amendment would discontinue the Water portion responsibilities of the Agreement starting January 1, 2009, as recommended by the Public Health Advisory Committee. Ms. Nelson added that the turn back to the State would be until the new Water Delegation Agreement was ready and then the County could reconsider taking back the responsibility.

Commissioner Meyer questioned Ms. Nelson what the downside of doing this would be.

Ms. Nelson responded that the downside would be that the State system would be paying for two people going out as well as the County losing some local control.

Commissioner Stearns clarified that we are only talking about carving out the water testing from what the current Sanitarian does; he will continue to check for rodent droppings, temperatures, etc. and the main functions.

Ms. Nelson responded this was correct. She pointed out that the State wanted more detailed reports so the County would have a little less to do, since the State would be taking over the Water portion of the FBL Agreement.

Commissioner Stearns questioned if the County could subcontract the water testing to the Soil & Water Conservation District.

Ms. Nelson responded that this could not be done as the testing could only be done by a qualified sanitarian. She added that the County could get the Sanitarian from Morrison County or turn it back to the State. Ms. Nelson pointed out that the Sanitarian contracted by Wadena County did very good work and was very efficient; however, he did not have enough time to do what the State required.

Commissioner Harrison stated that, under the circumstances, this option was probably the only way to go but she was concerned as it left the County vulnerable if State cuts continued the following year as the State may charge the County for the service or cancel out of the agreement.

Ms. Nelson reassured that there would be another opportunity the following year to decide if we want to take both or one of the Agreements and the Board would be in on the decision.

Motion by Waldahl, seconded by Stearns, to approve amending the current Food/Beverage/Lodging Delegation Agreement with the Minnesota Department of Health to discontinue the Water Protection portion responsibilities for 2009 until the new Water Delegation Agreements were available for consideration, as recommended by the Wadena County Public Health

Advisory Committee on October 9, 2008, motion carried.

Ms. Nelson informed the Board that the Minnesota Computer Counties Cooperative (MCCC) Board of Directors had requested the Board of Commissioners sign a statement agreeing to the Maintenance Agreement for the County's Public Health Software. She pointed out that the reason for the ratification was that it was essential for them to know that there would be enough counties and finances to go through 2013. Ms. Nelson added that the Maintenance Agreement included a 5% increase each year for the next five years and that she had argued strongly against this due to county levy limits; however, the Attorney negotiating with ACS stated that this was the best they could do.

Chairman Meyer questioned what would happen if the County did not go along with this.

Ms. Nelson responded that then the County would not have Public Health Software that they were required to have for electronic health records; the entire nation had to have electronic health records by 2012. Ms. Nelson advised that she did have the expense in the Public Health 2009 Budget which was approximately \$15,000 per agency or \$4,700 per quarter.

Commissioner Stearns commented on the County's change in software vendor's for the Tax Software and pointed out that if the current software would be able to be updated instead of rewritten it would be less costly. He questioned what MIS Director Kevin Stensrude's comments were on the issue.

Ms. Nelson stated that she had not discussed this with him but he was the delegate for the MCCC Board and she could discuss it with him.

Chairman Meyer questioned whether there were consequences to wait with this decision until the next Board Meeting.

Ms. Nelson responded that she did not think so.

Chairman Meyer stated that, as Mr. Stensrude was the County's delegate on the MCCC Board, the Commissioners would like to request Mr. Stensrude to provide a report on MCCC at the next Board Meeting.

Board consensus was to table action on the MCCC Maintenance and Support Agreement for the Public Health Department until the November 20, 2008 Board Meeting.

Joel Uring, Highway Engineer, came before the Board with several agenda items. He informed them that MnDot was proceeding with their plans to overlay TH 10 between Staples and Wadena this coming summer. Mr. Uring also noted the need to repair five unpaved gravel road crossings (2 county and 3 townships) within Wadena County and that the cost of which was estimated at \$22,500 or \$4,500 per crossing, which could be tied into the MnDOT Project. He stated that he had received a Resolution to proceed with the improvement from Wadena Township and was still working with Aldrich Township. Mr. Uring requested Board approval of the following Resolution:

Commissioner Stearns questioned what would happen if Aldrich Township did not agree to this Agreement.

Mr. Ulring responded that then the crossing in Aldrich Township would not be done and everything else would proceed.

WADENA COUNTY RESOLUTION

IT IS RESOLVED that Wadena County enter into Mn/DOT Agreement No. 93361-R with the State of Minnesota, Department of Transportation for the following purposes:

To provide for a lump sum payment by the County to the State of the County's share of the costs of the grading and paving of various road approach construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 10 from the end of the four lane east of Wadena to the west limits of Motley under State Project No. 7702-44 (T.H. 10=002).

IT IS FURTHER RESOLVED that the Board Chairman and the Auditor/Treasurer are authorized to execute the Agreement and any amendments to the Agreement.

Attest: _____
Charleen West, Auditor/Treasurer Orville Meyer, Chairman

Mr. Ulring reported that a Public Hearing was held on October 28, 2008, at the Shell River Township Hall to receive public comment concerning the revocation of 11 miles of County Road to the Township. He added that there was no opposition to the road revocations by those present and the Town Board passed a motion to accept the road revocations. Mr. Ulring stated that, based on this, he had brought forward a resolution for the Board to approve that revoked CR 149 (2 miles & ADT = 15), CR 150 (6 miles & ADT =25) and CR 152 (3 miles & ADT – 45) a total of 11 miles to Shell River Township.

RESOLUTION to Revoke County Roads

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

WHEREAS: The Wadena County Board has the authority granted in Minnesota State Statute 163.11 POWERS RELATING TO HIGHWAYS to revoke county roads to a township.

WHEREAS: A public hearing was held on October 28, 2008 in accordance with Minnesota State Statute 163.11 to hear comments from township residents concerning the revocation. The Shell River Township Board of Supervisors unanimously passed a motion to accept the transfer of roads from Wadena County jurisdiction.

WHEREAS: The following roads (a total of 11 miles) are being revoked:

1. CR 149 from CSAH 23 to CSAH 15. A 2 mile road segment located along the south line of Section 29 and east line of Section 32. This road shall have the County Road number removed, but remain known as 350th Street (east-west segment) and 179th Avenue (north-south segment).
2. CR 150 from CSAH 23 to CSAH 15. A 6 mile road segment located along the south line of Section 17, east line of Section 20, south lines of Sections 21 and 22, and east lines of Sections 27 and 34. This road shall have the County Road number removed, but remain known as 370th Street (east-west segment along south line of Section 17), 179th Avenue (along east line of Section 20), 360th Street (along south lines of Sections 21 and 22) and 199th Avenue (along east lines of Sections 27 and 34).
3. CR 152 from CSAH 23 to CSAH 24. A 3 mile segment located through the middle of Sections 3, 4 and 5. This road shall have the County Road number removed, but remain known as 394th Street.

WHEREAS: Wadena County is required by M.S. 163.11 to maintain these roads for a period of two (2) years from the date of this resolution.

NOW THEREFORE BE IT RESOLVED: That the road transfers and name changes described above are hereby approved and ordered by the Wadena County Board of Commissioners as of the date of this resolution.

Commissioner Waldahl seconded the motion and the same carried.

Adopted at Wadena, Minnesota on this 4th day of November, 2008.

ATTEST: _____
Charleen West, Auditor-Treasurer

Orville Meyer, Chairman

Mr. Ulring informed the Board that the Trailblazers Snowmobile Club, sponsored by the City of Nevis, had requested permission to smooth out the road ditch bottom prior to winter. He pointed out that the Club had an existing permit for the snowmobile trail along CSAH 18 in the Huntersville area and they use the same area as the ATV's use. Mr. Ulring added that the current 1979 Permit would be updated and set up for a five year review period and that no further action was required.

Mr. Ulring requested Board approval to travel out of state in January 2009 for the annual Transportation Research Board (TRB) meeting in Washington, D.C. He stated that the Transportation and Infrastructure Committee, within the Technical Council on Cold Regions Engineering, had scheduled to meet at the TRB meeting and that ASCE would cover travel expenses to and from the meeting and one day per diem.

Motion by Waldahl, seconded by Stearns, to authorize the Highway Engineer to attend the Transportation Research Board meeting in Washington, D.C. in January 2009, and to be

reimbursed for travel expenses not reimbursed by ASCE, motion carried.

Mr. Ulring informed the Board that he had been requested to submit up to two transportation projects by November 6, 2008 that could be developed and awarded within 90 days of when a bill for funding was passed. He added that the project needed to be State Transportation Improvement Program (STIP) eligible. Mr. Ulring pointed out that he did plan to submit two projects and that the information would be submitted to MnDot and then forwarded on to Congressman Oberstar.

Commissioner Stearns questioned if this would be County Roads or CSAH roads.

Mr. Ulring responded that basically major or minor collector routes; any roads that were eligible for Federal Funds. He added that these projects would be 100% federally funded.

Richard Paper, Wadena County Historical Society, came to the Board regarding a project connected with the Anthropology Department at the University of Minnesota. He stated that the Society would like to start the program if the University could receive the funding as it was a great opportunity, good for our tourism and would basically not be of any cost to the County. Mr. Paper pointed out that there were a lot of historical sites in Wadena County that would benefit the U of M students.

Chairman Meyer requested Mr. Paper to expound further on what this would consist of and how big of an area it involved.

Mr. Paper responded that basically there would be meter digs done; equipment to look underground and then bring about 15 students in which would be part of their learning. He pointed out that if they did find artifacts they would like to take them back for further study and then return them.

Commissioner Harrison questioned whether their archeologist was open to letting some of the County's students or the public come in for interaction from the Community.

Mr. Paper stated that he thought they probably would want to have some control, however, there could be established times that people could sign up to go to the site, as long as it was not intrusive to them.

Chairman Meyer questioned when this would occur.

Mr. Paper responded that it may be in June 2009. He added that he was sure they would leave the site in good condition.

Motion by Waldahl, seconded by Harrison, to authorize the Wadena County Historical Society to contact the Archeological Department of the University of Minnesota to proceed with archeological investigations at the Old Wadena Park site,

Ms. Skov, who was also in attendance, pointed out that she had a question about liability regarding the students that would come in and to make sure they were fully covered by the University.

Mr. Paper stated that this would be checked on.

Motion carried.

The Board closed the Board of Commissioners Meeting at 10:05 a.m. for the purpose of meeting with the County Attorney regarding a Personnel Issue. In attendance; Chairman Orv Meyer, Commissioners Lane Waldahl, Mary Harrison, Bill Stearns, County Attorney Kyra Ladd, Sheriff Mike Carr, Chief Deputy Sheriff Bill Cross and Auditor/Treasurer Char West.

Chairman Meyer reopened the Regular Board Meeting at 10:34 a.m.

The Board recessed at 10:35 a.m.

The Board reconvened at 10:46 a.m.

Motion by Harrison, seconded by Waldahl, to approve payment of the Board of Commissioner bills in the amount of \$61,268.23, motion carried.

Ms. West informed the Board that since Tom Aagard, Sheriff's Department Dispatcher, was not in need of FMLA designation at this time, it was being requested that the October 23, 2008 Board motion authorizing this designation as of September 25, 2008 be rescinded and to pass a separate motion authorizing FMLA for the second employee included in the motion.

Motion by Waldahl, seconded by Schermerhorn, to rescind the following October 23, 2008 Board motion; "to approve Family Medical Leave for Cody Yglesias starting September 29, 2008, for two weeks, and to approve Family Medical Leave for Tom Aagard starting September 25, 2008 for up to twelve weeks", motion carried.

Motion by Waldahl, seconded by Stearns, to approve Family Medical Leave for Cody Yglesias starting September 29, 2008, for two weeks, motion carried.

Chairman Meyer updated the Board on South County Health Alliance (SCHA) pointing out that September was the first month in the black. He added that SCHA seemed to have turned a corner and will continue operation.

Commissioners Reports:

Commissioner Waldahl: Regional Radio Board, they were working on determining actual costs to the County

Commissioner Harrison AMC District 4 meeting
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Commissioner Stearns: Shell River Public Hearing regarding road turn back; meeting went well, no problems

Commissioner Meyer: MRCC Meeting at Blueberry Pines.
EMS Meeting, looked like grants from the State were maintaining or increasing some. Seat belt money was decreasing which was normal for September-October partly due to Administrative Fees.

Chairman Meyer adjourned the Board of Commissions Meeting at 11:07 a.m.

Charleen West, Auditor/Treasurer

Orville Meyer, Chairman