

WADENA COUNTY BOARD OF COMMISSIONERS ADJOURNED MEETING
AUGUST 21, 2008/9:00 A.M.

The Wadena County Board of Commissioners Meeting was held on Thursday, August 21, 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, Dave Schermerhorn, Mary Harrison, and William Stearns, Auditor/Treasurer Char West and Consultant Mike Gibson.

Motion by Waldahl, seconded by Harrison, to approve the day's Agenda as amended to include o.) NaCo Hotel Bill, p.) Board Meeting Date Change and q.) AMC Liaison, motion carried.

Motion by Harrison, seconded by Stearns, to approve the Special Board Meeting Minutes of July 17, 2008, the Special Board Meeting Minutes of July 22, 2008, the Adjourned Board Meeting Minutes of July 24, 2008, the Special Board Meeting Minutes of August 1, 2008, the Regular Board Minutes of August 5, 2008 and the Special Board Meeting Minutes of August 12, 2008, motion carried.

Mike Carr, Sheriff, Tom Speed, Jail Administrator, and Brian Savaloja, Deputy Sheriff, came before the Board to review a detailed report of Out-Of-County Boarding costs.

Mr. Speed pointed out that short term offender days do affect in-boarding; when a short time offender has less than 180 days to serve, by Statute they have to remain in our jail, making the County responsible for all of their expenses, including medical. He added that the State did reimburse inpatient to a point and that last year the State paid about \$8 to \$9 versus \$55 per day. Mr. Speed commented that the short term offenders' medical expenses cost the County about \$300 to \$400 per month.

Chairman Meyer questioned Mr. Speed that if a Judge sentenced a person one year and one day did the person go to prison.

Mr. Speed replied that that was correct.

Commissioner Stearns advised that AMC was going to make a point of bringing attention to the short time offender problem counties were facing.

Mr. Speed added that in 2008 a lot of time was spent in booking prisoners; there had been 644 prisoners booked to date in 2008, which was almost as many as in 2004.

Commissioner Stearns confirmed with Sheriff Carr that his Department was trying procedurally to reduce the number of cases going to Court and voiced his appreciation to Sheriff Carr.

Sheriff Carr introduced Brian Savaloja, Deputy Sheriff. Sheriff Carr distributed to the Board the

procedure/policy of handling Administrative Citations. He stated that he had tried to be innovative in trying to bring money into the County without raising County taxes as he was also seeing the burden put on the County by the State. Sheriff Carr pointed out that the State had increased their citation costs by 40% and cited an example of a simple speeding ticket fine which had increased from \$70 to \$130. He added that after creating the policy/procedures the next step would be to implement the plan. Sheriff Carr requested Board approval to proceed with Administrative Citations and explained the procedure; a Deputy would be able stop an offender for speeding, disorderly conduct, being a public nuisance, equipment violations, exhibition driving, failure to obey traffic signals, improper lane changing, littering, trespassing, unlawful deposit of garbage, etc. and issue them an Administrative Citation that would cost the offender \$70 straight across board, however, this would not go on the person's record and the County would retain the dollars. He stated that the driver had the option of a State Citation or an Administrative Citation; the Citation must be paid within 10 days or a State Citation would result. He pointed out that as there were computers in the squad car the Deputies were able track the number of Administrative tickets.

Chairman Meyer questioned Sheriff Carr if there were any cities in the County that were presently issuing these citations.

Sheriff Carr responded that the cities of Staples, Sebeka and Verndale were currently issuing Administrative Citations.

Commissioner Schermerhorn questioned the procedure if the person did not pay the fine and it would have to change to a State Citation.

Sheriff Carr explained that if the fine was not paid within the 10 days, the Administrative Assistant would inform the Deputy, who will then write a State Citation.

Commissioner Waldahl commented that he felt it was a good system and others were using it. He added that it was necessary because of what the State had cut as well as their fines being so high.

Further discussion was held as to the procedures under the Administrative Citations Policy.

Motion by Commissioner Stearns, seconded by Schermerhorn, to approve the implementation of the Administrative Citation Policy in Wadena County as presented by the Wadena County Sheriff, motion carried.

Cindy Pederson, Public Health, came before the Board to request authorization for the Public Health Director to sign several program contacts.

Motion by Waldahl, seconded by Schermerhorn, to authorize the Public Health Director to sign a new contract to provide school health nursing services from August 21, 2008 to June 30, 2009 at \$35.18/hr for up to 368 hours for Wadena Deer Creek School District #2155 for Kindergarten through grade 12, motion carried.

Motion by Stearns, seconded by Waldahl, to authorize the Public Health Director to sign a new contract with the Wadena Police Department for law enforcement officer time for the Zero Adult Provider (ZAP) program from July 1, 2008 to July 30, 2009 in an amount not to exceed \$1,300, motion carried.

Motion by Stearns, seconded by Schermerhorn, to authorize the Public Health Director to sign a renewal contract with Mary Hansen as an independent contractor to teach Project Toward No Drug Abuse courses at \$720 per course and to pay for continuing education costs including course costs and a stipend of \$120 per half day and \$240 per full day effective July 1, 2008 through June 30, 2009, motion carried.

Sean Uselman, Building Services Director, came before the Board to present them with two quotes to replace the large overhead window door with an electric door opener at the Court Administrator's Office, which are as follows;

Lipe Brothers Construction – Large Window	\$3,164.00 plus \$110 door interlock
St. Cloud Door – Large Window	\$2,902.00 plus \$294 door interlock

Mr. Uselman recommended replacing only the large window as the small window did not need to be changed at this time. He also recommended spending a little more on the Lipe Brothers window as it was a better door and would match the ones in the Auditor's and Extension Offices.

Motion by Waldahl, seconded by Schermerhorn, to authorize the Building Services Director to purchase a large electronic window door from Lipe Brothers Construction in the amount of \$3,662.00, with a door interlock at \$110.00 plus electric installation of approximately \$400.00, for a total cost of \$4172.00, paid from County Building Fund department #114, motion carried.

Mr. Uselman commented that the roof above the County Jail needed to be replaced possibly this year, but next year for sure.

Board recommendation was for the Building Services Director to obtain prices.

Joel Ullring, Highway Engineer, came before the Board to request that they rescind the motion of July 1, 2008 adopting the Grant-In-Aid Trail System Resolution which designated a portion of the right-of-way of CSAH 18. He stated that the Resolution referred to an ATV trail but it should have stated an Off Highway Motorcycle trail.

Motion by Schermerhorn, seconded by Harrison, to rescind the July 1, 2008 Grant-In-Aid Trail System Resolution designating a right-of-way portion of CSAH 18 within Huntersville Township as an All Terrain Vehicle trail, motion carried.

RESOLUTION

Commissioner Harrison moved that the following Resolution be adopted:

WHEREAS, Wadena County serves as the sponsor of various recreational trails that are part of the State of Minnesota Grant-in-Aid Trail System; and

Motion by Schermerhorn, seconded by Waldahl, to set the Truth-In-Taxation Initial Public Hearing at 7:00 p.m., December 4, 2008 and Continuation Hearing at 7:00 p.m., December 16, 2008, if necessary, in the Wadena County Courthouse Auditorium, motion carried.

Motion by Waldahl, seconded by Schermerhorn, to pass the following Resolution authorizing a County Absentee Ballot Board;

RESOLUTION AUTHORIZING A COUNTY ABSENTEE BALLOT BOARD

WHEREAS, Wadena County is permitted by Minnesota Statute 203B.13, Subhd, 1 to authorize a County Absentee Ballot Board; and

WHEREAS, this authorization will bring uniformity in the processing of accepting or rejecting returned absentee ballots to Wadena County Elections that would consist of Staff from the Auditor's office as provided in the Statute; and

WHEREAS, this will eliminate the need for election judges to perform this technical and time consuming task on election day wherein the county absentee ballot board can begin this process 30 days prior to an election; and

WHEREAS, Auditor's staff performing this acceptance and rejection function can be trained specifically on this task and allows for greater consistency in the acceptance and rejection process; and

WHEREAS, this will speed the processing of accepted absentee ballots delivered to the precincts to be incorporated into the vote counts on election day; giving election judges more available time for the voters at the polls

THEREFORE, BE IT RESOLVED THAT, that the Wadena County Board of Commissioners hereby authorizes Wadena County Elections to implement a County Absentee Ballot Board that would consist of staff from the Auditor's office to perform the task.

Adopted this 21st day of August, 2008, by the Wadena County Board of Commissioners.

Orville Meyer, Chairperson

Charleen West, Auditor/Treasurer

Char West, Auditor/Treasurer, informed the Board that accounting requirements of the Tax Forfeited Fund made it necessary to zero out the fund at the end of each year. She added that small bills for mowing or clean up of tax forfeited lots had to be paid out of the fund and that revenue into the fund was obtained from the sale of tax forfeited lots but the sale of such had not yet occurred in 2008. Ms. West requested Board approval of a Cash Advance in the amount of \$1,000 from the General Fund to the Tax Forfeited Fund, retroactive to July 31, 2008.

Motion by Schermerhorn, seconded by Stearns, to the approve the cash advance of \$1,000 from the General Revenue Fund to the Tax Forfeited Fund for Cash Flow retroactive to July 31, 2008, motion carried.

The Board tabled Budget Amendments until a future Board Meeting.

Chairman Meyer stated that the Governor had selected a distinguished member of the Wadena County Commissioners to serve on the Star Lakes Committee and he was appointing Commissioner Stearns to serve on the Star Lakes Committee.

Commissioner Stearns stated that he had received a letter stating that Senator Pogemiller had recommended his appointment to the Governor. He explained that the Star Lakes Board was envisioned to be like the Star Cities Program and that if someone wanted their lake to be designated a Star Lake there would be qualifications that had to be met. Commissioner Stearns added that the Board of Soil and Water (BWSR) was in charge of the program.

Chairman Meyer informed the Board that he had been contacted by a member of the Twin Lakes Association suggesting a meeting be set up between Wadena County and the Lake Associations. He added that each lake had their own association and it was suggested to set up a Committee for the purpose of meeting once a year to discuss common needs and that this Committee would consist of two members from each Lake Association and two Wadena County Commissioners. Chairman Meyer stated that the Hubbard Community Building was recommended as a meeting place and it was suggested that they meet this fall before the snow birds left for the winter. Chairman Meyer appointed Commissioner Schermerhorn and Commissioner Harrison to meet with the Wadena County Lake Associations.

Ms. West informed the Board that the Department of Revenue had issued the 2009 Levy Limit Notice for Wadena County which reflected the calculation of such. She added that due to the formula used, the Wadena County's Levy Limit reflected a 2.1% increase instead of 3.9%. Ms. West stated that she anticipated receiving the rest of the needed information for the Board by their September 3rd Board Meeting.

Mike Gibson, Consultant, provided an update to the Board;

- There was continuing research on the Master Plan.
- Regarding the time clock issue; finding something more reasonably priced to meet the needs. Mr. Gibson had been contacted by several citizens stating there needed to be something done about time clocks.
- Working on a number of personnel issues, which were going well.
- ReTap, a group of retired engineers, will be coming to look at the Courthouse HVAC system on August 29th. Coopers came from Brainerd/Baxter with several employees from the SWAB firm, to look at the system. The meeting was encouraging. They stated that the system currently in the Courthouse should have two condensers instead of just the one we currently have. Mr. Gibson felt that after talking with them we were not in the dire straights we had thought we were in.

-NaCo Prescription Plan; one thing needed was the designation of a Department that would handle filling out applications for NaCo. They wanted a specific Department and a specific individual named to oversee the Prescription Program.

Commissioner Harrison commented that it could be under Public Health, Social Services, or some other County Courthouse Department.

Commissioner Waldahl suggested it be under the Health Department.

Mr. Gibson stated that he would talk with the Public Health Director regarding overseeing the program. He added that it would take 8 to 10 weeks to implement it.

- Safety OSHA requirements at the Solid Waste Transfer Station; in regard to how employees cover trailers which was currently not an issue since they do not cover the trailers at this time. The initial quote to correct the situation was very high, however Mr. Gibson had received another quote which he was following up on.
- Negotiation dates are set for September 3, September 17 and September 22, 2009. Highway and Social Services dates will be set soon.
- Building security; Stromberg Technologies and Arvig Communications will be coming to give ideas. Arvig advised they have a Security Solutions Division and wanted to provide a proposal to tighten up security on the outside doors.

Mr. Gibson reminded Chairman Meyer and Commissioner Schermerhorn of the Department Head Meeting at 10:00 a.m. on September 4, 2008.

Mr. Gibson stated he was informed by Carl Peltoniemi that CSAH 23 had been designated as the Wadena County Veterans Memorial Highway. Mr. Gibson will be visiting with the Highway Engineer regarding getting signs up.

The Board further discussed the possible need to replace the Jail roof and recommended Mr. Gibson discuss with Mr. Uselman possible alternatives to replacing the roof.

Ms. West presented the Board with a letter received from Shirley Uselman, Executive Director of the Wadena Chamber of Commerce, introducing Mr. Rich Yates of Town Square Graphics, who's company creates maps to be used as a promotional tool, which the City of Wadena was proposing. She stated that Mr. Yates had previously met with her and had requested Wadena County's financial participation. No action taken.

Motion by Schermerhorn, seconded by Harrison, to approve an On-Sale 3.2% Malt Liquor License Application submitted by the Mid-Minnesota Draft Horse Association for the Bull Bash at the Troy Meech Ranch for August 29, 2008 through August 30, 2008, contingent upon receipt of the certificate of insurance, motion carried.

Motion by Schermerhorn, seconded by Waldahl, to authorize payment of the invoice from Future Forests, Inc, in the amount of \$2,160.00, payment of the invoice for the contract with

Harry Taves, Public Defender, in the amount of \$1,000.00, payment of the invoice for the contract with Ryan Ries, Attorney, Juvenile Delinquent, in the amount of \$300.00, Colony Hotel & Suites, in the amount of \$163.40 for hotel reservation for August 1, 2008 for Commissioner Stearns while attending the AMC Conference, motion carried.

Chairman Meyer addressed the misunderstanding regarding the CHIPS/TPR/Legal Services Contract with Harry Taves, Attorney, and Ryan Ries, Attorney. He added that he and Commissioner Harrison thought they were following the recommendation of the County Attorney. Chairman Meyer stated that he had trouble with this basically being a retainer and questioned whether the Board wished to take any action.

Commissioner Stearns stated that he did not at this time as his concern was for next year and the length of time it takes to make a decision.

Commissioner Waldahl reminded the Board that he had not voted in favor of the motion so if anything was going to be changed it would have to come from the people who made the motion.

Commissioner Harrison stated that she had seconded the motion and was not happy since she had received further information. She pointed out that if we terminated the contract it would require a 30 day notice and with three months left after that how much money would be saved in that time.

Commissioner Schermerhorn commented that would those funds necessarily be saved if there were cases as the County would still have to pay for it as the Judge will appoint someone.

Commissioner Stearns stated that caution needed to be taken so there would be no cause for an inadequate defense charge a year or two down the road by a parent who felt they had not been defended properly. He added that by hiring the present Defense Attorneys we are protecting ourselves against inadequate defense.

Commissioner Waldahl pointed out that the Wadena County Attorney was our legal representation and we need to follow our legal advisor.

Commissioner Harrison stated that she did not believe that since the Judge had the right to appoint an Attorney, that either of our Judges would appoint an attorney that was incapable of doing the job and that an "inadequate defense" was not part of it.

Motion by Harrison, seconded by Waldahl, to terminate the CHIPS/TPR/Legal Services Contract between Wadena County and Harry Taves and Ryan Ries and provide thirty day notice of termination as of August 21, 2008,

Chairman Meyer called for a roll call vote.

Commissioners Waldahl-aye, Harrison-aye, Schermerhorn-aye, Stearns-aye and Chairman Meyer-aye, motion carried unanimously.

Motion by Harrison, seconded by Waldahl, to adopt the following payment plan for CHIPS/TPR cases through December 31, 2008;

Qualifying CHIPS cases:	\$500.00 per case
Qualifying Permanency cases:	\$1,000.00 in addition to CHIPS \$1,500.00 if newly appointed at time of Filing Permanency petition
Qualifying TPR cases:	\$3,000.00 per case

as recommended by the County Attorney, motion carried.

The Board reviewed a letter to the Commissioners from Janice Gira of Fargo, ND, voicing her concern over the smoking outside the front door of the Courthouse.

Commissioner Waldahl recommended checking with the County Attorney as to what the legal requirements were as it related to the entrance of a government building.

Chairman Meyer rescheduled the September Adjourned Board Meeting from Thursday, September 18, 2008 to September 25, 2008, due to a scheduling conflict.

Commissioner Harrison reported that AMC had requested a Liaison from each county for their Redesign Project.

Chairman Meyer appointed Commissioner Harrison to the AMC Redesign Project Committee.

Commissioner Reports:

Commissioner Waldahl	Todd Wadena Community Corrections – budget. Otter Tail Wadena Community Action, sold two houses, 7 were left to be sold. Bell Hill Recovery Center- discussed the needed electrical Improvements; upcoming meeting scheduled for all parties Involved; there will be no cost as Bell Hill will pay; suggested Bell Hill sell the poles and wire to off set cost to get rid of the old transformers.
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Discussion was held as the possibility of a company that will pick up the transformers for recycling.

Chairman Meyer requested Commissioner Waldahl check on the cost of disposing of the transformers.

Commissioner Harrison	Proposed Water Shed Plan – SWCD will discuss at their District Meeting.
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Commissioner Meyer Region 5 Economic Development Informational Meetings in Wadena and Sebeka; the information will be combined and then presented. About 20 in attendance in Wadena.

Commissioner Schermerhorn Region 5 Economic Development Meeting in Sebeka; felt it was a good thing but didn't feel County money should be spent to pay for it; about 30 in attendance in Sebeka.

Commissioner Stearns Perham Incinerator Meeting the following week; Ottertail County Commissioners changed their opinion and now appear to be going to support the expansion.

Motion by Harrison, seconded by Schermerhorn, to authorize payment of the Board of Commissioners bills in the amount of \$88,140.14, motion carried.

Chairman Meyer recessed the Adjourned Board of Commissioners Meeting at 11:33 a.m. for a Closed Session regarding negotiations.

Chairman Meyer reconvened the Adjourned Board of Commissions Meeting at 12:08.

Discussion was held regarding the pros and cons of having garbage haulers hauling garbage to the Transfer Station versus hauling it directly to Perham.

Commissioner Meyer reminded the Board that the County paid for each household for recycling pickup even if they did not recycle.

Commissioner Stearns suggested he and Mr. Gibson sit down with Deana Skov, Zoning/Parks/Solid Waste Director, and get the background on the situation.

The Board of Commissioners meeting adjourned at 12:25 p.m.

Charleen West, Auditor/Treasurer

Orville Meyer, Chairman