

**WADENA COUNTY BOARD OF COMMISSIONERS ADJOURNED MEETING**  
**JANUARY 22, 9:00 A.M.**

The Wadena County Board of Commissioners Adjourned Meeting was held on Thursday, January 22, 2009, 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 Dave Schermerhorn and the pledge of allegiance to the flag was said.

Also present: Commissioners Rodney Bounds, Ralph Miller, Lane Waldahl, and William Stearns, Auditor/Treasurer Char West and HR Consultant Mike Gibson.

Motion by Stearns, seconded by Miller, to amend the day's Agenda to include j.) 2009 Committee Appointment Additions and l.) County Board Agenda Item "Other", motion carried.

Approval of the January 6, 2009 Board Minutes were tabled until later in the meeting.

Approval of the January 7, 2009 Special Board Minutes were tabled until the February 3, 2009 Board Meeting.

Paul Friedrich, Trailbreakers Snowmobile Club, came to the Board with an update; the Club officially grooms a total of 183 miles of trails and they spend between 70 and 80 hours a week with two machines keeping the trails in shape. He pointed out that the Grant of \$61,000 was a pass through of funds from the State to the County which was divided into 4 different bench marks. Mr. Friedrich stated that since the Board meetings do not always coincide with the due dates, he was coming to the Board to request Board authorization to allow the Auditor/Treasurer to sign the contracts without coming to the Board for approval as the full contract had already been previously approved by the Board.

Motion by Waldahl, seconded by Bounds, to authorize the Auditor/Treasurer to sign the State DNR Payment Requests relating to the Trailbreakers Snowmobile Club grooming of the local snowmobile trails,

Commissioner Miller suggested Mr. Friedrich provide the Board with an update at the next closest Board meeting following a payment request.

Mr. Friedrich stated that he could provide the Board with a handout.

Motion carried.

Melinda Dexter, Wadena Soil & Water Conservation (SWCD) District Manager, came before the Board to report on the County Feedlot Program for the period of July 1, 2008 through December 31, 2008. She pointed out that this was only a six month report as the MPCA was changing their fiscal year to begin January 1. Ms. Dexter stated that a signature from the Board was required in order for the District to obtain their funding of the program for the following year. She reviewed the report pointing out that there were a total of 34 performance credits and that Molly Costen,

SWCD staff member that oversaw the Feedlot Program, had earned additional points which brought additional funding from the MPCA to the District. She noted the District was currently working with several feedlots that had Wetland Conservation Act (WACA) violations.

Commissioner Miller questioned as to where the violations occurred.

Ms. Dexter responded one feedlot violation was in Orton Township and two wetland violations were in Wadena Township.

Commissioner Bounds questioned what was involved in a violation.

Ms. Dexter responded if someone had a wetland area that they filled in with dirt; this would be a violation. She added that two of the WACA violations were in Wadena Township.

Commissioner Miller questioned what happens when a violation occurs.

Ms. Dexter responded they were going through a mediation process and had until June 1, 2009 to take the fill out of the wetland and restore it to its original depth and width; the alternative was a possible Court case.

Commissioner Bounds asked if someone turned them in.

Ms. Dexter responded that most of the complaints come in from residents but sometimes the DNR does a fly over and photographs anything that looks suspicious.

Commissioner Miller clarified that in the event of an irrigator wheel track within a wetland, they don't need to come in.

Ms. Dexter responded that they do need to contact the Farm Service Agency (FSA) as a Certificate of Exemption was required.

Rin Porter, Verndale Sun, questioned whether the number of feedlots has increased or decreased.

Ms. Dexter responded that there had been a decrease; in approximately 1997 there were about 250 feedlots which had dropped considerably.

The Board thanked Ms. Dexter for her presentation and Chairman Schermerhorn signed the Report, as requested.

Karen Nelson, Public Health Director, requested the Board delay the 2009 Food, Beverage, Lodging, Camps, Mobile Home Parks and Pool License penalty date from December 31, 2008 to February 27, 2009. She pointed out that the reason for the 60 day delay was due to the economic hard times.

Motion by Waldahl, seconded by Miller, to approve the delay of the 2009 license penalty date for Food, Beverage, Lodging, Camps, Mobile Home Parks and Pools from December 31, 2008 to February 27, 2009, and refund late fees that had already been paid, motion carried.

Ms. Nelson reminded the Board that a Wadena County establishment owner needed to be appointed to the Environmental Health Task Force. She provided the Board with a list of potential people and asked whether the Board had a preference.

Board recommendation was for Ms. Nelson to check the list and find a business owner to serve on the Environmental Health Task Force.

Ms. Nelson requested payment of the first half of the County appropriation for the Public Health Department.

Motion by Stearns, seconded by Bounds, to approve the payment of \$82,687.00 to the Public Health Department for the first half of the 2009 County Allocation, motion carried.

Sara Collins came to the Board regarding Wadena County 4-H, stating that she had three children who were very active in 4-H and provided the Board with positive information on 4-H activities. She stated that she had read an article in the newspaper about possible cuts; stating that she respects the Board, knows they had a hard job and cuts may have to be made, but after reading the article about possibly eliminating the 4-H Coordinator, she was shocked. Ms. Collins added that the Extension Office Manager and 4-H Coordinator were the roots of the program and that 4-H would not survive without the 4-H Coordinator.

Jeff Nardelo, Ag Society Chairman, was also in attendance at the Board Meeting stating similar concerns.

Chairman Schermerhorn informed Ms. Collins that the County Board had already approved the Memorandum of Understanding with Extension.

Commissioner Stearns provided a brief history of the situation and advised that Jim Carlson was the Extension Regional Director. He pointed out that because of the two new Commissioners on the Board, Mr. Carlson was asked to explain more for their information, which was included in the newspaper.

Commissioner Miller stated that he was the liaison to the Extension Department and the Fair Board and if there were concerns, to feel free to contact him. He added that he was glad Ms. Collins came to the meeting.

Chairman Schermerhorn related his appreciation for Ms. Collins and Mr. Nardelo coming before the Board with their concerns.

Chairman Schermerhorn addressed the invoice received from the Minnesota Rural Counties Caucus (MRCC) for annual dues in the amount of \$2,100. He pointed out that he had been

requested to be the Wadena County Board representative for the MRCC to see if it served the County's purposes and he felt the only agenda item they had was the 10 ton road issue. Chairman Schermerhorn stated that there were other agenda items and that the Board needed to determine if the 10-ton road was a big enough issue to pay \$2,100 in annual dues.

The Board discussed the MRCC's agenda which was similar to the Association of Minnesota Counties (AMC), pointing out that a lot of the discussion was regarding the northern part of the state.

Commissioner Miller questioned what a 10 ton road meant.

Commissioner Stearns and Chairman Schermerhorn responded that they want all highways and county roads to have a capacity of 10 ton to move rural crops, i.e. grain, potatoes; they want our roads to stand up under the usage of trucks.

Chairman Schermerhorn stated that if MRCC was mimicking the AMC priority list, does the Board want to pay \$2,100 in dues plus Commissioners expense to attend meetings; this totals approximately \$3,000 and are we getting our \$3,000 worth.

Motion by Waldahl, seconded by Stearns, to inform the Minnesota Rural Counties Caucus that, due to hard times and with regret, Wadena County withdraws from the organization, motion carried.

The Board recessed at 9:58 a.m.

The Board reconvened at 10:08 a.m.

Chairman Schermerhorn called the Public Fee Hearing to order at 10:10 a.m. to 10:40 a.m.

Lori Miller and Mike Willie, Social Services Department, came before the Board regarding the change of the sliding fee scale Rule 25 Chemical Dependency Assessments fee.

Ms. Miller pointed out that the fee was based on income; the Federal Poverty guidelines were used which were the same guidelines as were used for detox collections. Ms. Miller stated that the fee would be \$125.

Chairman Schermerhorn called for any questions.

Rin Porter, Verndale Sun, questioned that if the person had no money and no job, were they denied the assessment.

Ms. Miller responded that they would not be denied as no one would be left behind for an assessment. She pointed out that when someone had completed the assessment and then were into treatment, State Funding called Consolidated Treatment Funding was available.

As no further questions were received, Chairman Schermerhorn continued with the Board Agenda.

Jeff Adolphson, Assistant Highway Engineer, came to the Board on behalf of Joel Uling, Highway Engineer, to request Board approval of the final payment for two 2008 construction projects as well as authorization to advertise for bids for 2009 construction and maintenance projects.

Motion by Waldahl, seconded by Bounds, to approve the final payment of \$39,271.94 to Mark Sand & Gravel for SP 80-623-13, CSAH 23 reconstruction, motion carried.

Motion by Waldahl, seconded by Stearns, to approve the final payment of \$71,409.93 to Mark Sand & Gravel for SAP 80-623-19, CSAH 23 overlay, motion carried.

Mr. Adolphson requested authorization to advertise for the 2009 construction and maintenance projects.

Chairman Schermerhorn questioned whether the overlay on CSAH 21 from Menahga to CSAH 23 had been included in the proposals.

Mr. Adolphson responded that it was included in the 5-Year Road Plan; the County Highway Department would receive local road improvement bonding as they would be paving part of the shoulders and inside the curves from Menahga out to CSAH 23 provided the Project was let and awarded by May 2009.

Commissioner Waldahl stated that he had read that the City of Menahga was questioning whether they would participate in the Project.

Mr. Adolphson stated that this was correct. He pointed out that this was a separate Project that would be concurrent with the County Project depending on what the City would decide. Mr. Adolphson added that once the City decided then the County would make a decision on how and when they would continue with the Project.

Discussion was held regarding the regulations for State Aid Municipal construction funds.

Motion by Waldahl, seconded by Stearns, to authorize the advertisement for bids for the following 2009 Highway Construction Projects:

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|---------------|---|
| SP 80-623-16  | Grading, aggregate base and bituminous surfacing on CSAH 23 from TH 227 to CR 167 |
| SAP 80-621-10 | Reconstruction on CSAH 21 in the City of Menahga from TH 71 to north city limits  |
| SAP 80-621-11 | Mill and overlay on CSAH 21 from Menahga to CSAH 23                               |
| CP 80-03-09   | Aggregate crushing and stockpile  |
| CP 80-04-09   | Annual pavement marking   |

Commissioner Bounds questioned whether the bids could be opened at 8:30 a.m. prior to a regular Board Meeting instead of a special meeting.

Commissioner Waldahl responded that bids were opened during a Board Meeting.

Motion carried.

Commissioner Miller stated that he had received a phone call from a resident in Thomastown Township who questioned why the snowplow was running up and down CSAH 26 the day before.

Mr. Adolphson responded that it probably was to take advantage of the warm weather and clear the pavement of as much ice and snow buildup as possible. He added that this was a major state aid route with a fair amount of traffic and felt Mr. Ulring would agree that it would be a benefit to get the ice and snow off the road for public safety.

Tom Speed, Jail Administrator, came to the Board to remind them of the resignation of Chad Hultgren; the position was advertised according to the Union Contract and the County's Personnel Policy. He reported that the new employee to fill the vacated position would be Jennifer Palm who would be starting as of February 1, 2009. Mr. Speed also advised the Board that the Department had previously lost Butch Sundy and now Jennifer Palm would be moving from permanent part-time. He added that there currently were three open slots and he would like to move two more staff from casual to permanent part-time in the next week.

Motion by Bounds, seconded by Miller, to approve of the hiring of Jennifer Palm as full-time Jailer/Dispatcher as of February 1, 2009, at Grade 51, Step 2, \$13.91/hr., motion carried.

Chairman Schmerhorn closed the Public Fee Hearing at 10:45 a.m.

Motion by Waldahl, seconded by Bounds, to approve the Rule 25 Procedures for Chemical Dependency Assessment Fee change in the amount of \$125 effective February 1, 2009, as requested by Wadena County Social Services Department, motion carried.

Commissioners Reports:

Commissioner Waldahl	GeoCom Board Meeting National Joint Powers Alliance; NJPA was a lending business that participating School District's had used.
Commissioner Bounds	Planning Commission Meeting-absent due to attendance of another Meeting. AMC Newly Elected Officials Conference; found the meeting to be interesting and informative; emphasis on Board responsibility – previous statement made that Commissioner responsibilities were just policy making and budgeting, which was incorrect; was much more than that;

emphasis on Closed Board sessions and importance of knowing order to follow to avoid problems; communication with Department Heads.

Commissioner Miller            GeoCom Board Meeting  
 Old Wadena Society Meeting; main concern was the un-allotment of their \$2,500 allocation from the County to \$2,000. He advised them that the Board may possibly eliminate even further. Their concern was being able to conduct the Rendezvous.  
 AMC Newly Elected Officials Conference – need for County Commissioners to get to know their Department Heads and subordinates; stated benefit of walking around the Courthouse and visiting with people.

Commissioner Stearns        None

Commissioner Schermerhorn None

Commissioner Bounds        AMC Newly Elected Officials Conference – added it was emphasized to look at the total view.

Motion by Waldahl, seconded by Bounds, to charge off the following County checks that had not been cashed as of January 22, 2009;

<u>Name</u>	<u>Warrant</u>	<u>Department</u>	<u>Amount</u>
Tammy & David Nevala	#80605	Social Services	\$117.00
Heidi Happel	#25445	Public Health	.25
Heidi Happel	#25568	Public Health	.25
Kathy Angus	#9691	Public Health	2.53
Kelsey Sandberg	#50374	Social Services	10.00
Diana Conser	#49380	Social Services	4.40
Total			\$134.43

Motion carried.

Chairman Schermerhorn called for discussion pertaining to the Agenda item of “Commissioners Working Session”.

Commissioner Bounds stated that he thought the Commissioners should set goals for the coming year. He added that he had a couple of goals; the first was the financial situation of the County; several things coming up that have to be address and to come up with a dollar figure through Department Heads who are the key in making the County work; the second was that he and Commissioner Miller had a tour of the Jail and were amazed at the conditions of the jail complex. He added that the Commissioners discussed with Sheriff Mike Carr several ideas that could be done without hardly any cost and requested the Sheriff put together a handout of possible improvements that he would bring to the Board. Commissioner Bounds pointed out that

Sheriff Carr and Deana Skov, Zoning/Parks Director, had put the information together; these were reachable goals with hardly any cost. He stated that Sheriff Carr's information addressed the whole part of the proposal with Zoning being the last part; it also addressed the Law Library. Commissioner Bounds pointed out that one office would have to move out to the Highway Dept first and then it would all change pretty easy; he thought the better space to put the new offices at the Highway Department would be in the sign room; employees in the Highway Department had a lot of time in the winter time to do the project so the only cost out there would be the building of two walls. He added that Sheriff Carr had talked to the Judge about moving the Law Library and the Judge's chambers around as he had a letter indicating that this should have been addressed before. Commissioner Bounds stated that then the Sheriff would take over the Probation Office and put a window in the hallway so the public would have access to the front office; this would really open up the Sheriff's Department; open up the sally port that had to be closed up for space problems; it addressed so many issues for hardly any money.

Commissioner Waldahl stated that he had the same goals as Commissioner Bounds. He pointed out that there were plans to move the Law Library for some time and he agreed with the need. Commissioner Waldahl stated that he believed there to be document stating that if remodeling was done in the Emergency Management area without notifying the Federal Government, it would have to be paid back. He added that whatever we do can do here; not have to buy any buildings; use what we have with the least amount of money. Commissioner Waldahl stated that his second goal was to know how much money we have to have as we know we have to cut; pointing out that Kathy Langer, Community Corrections Director, was trying to save both Todd and Wadena County money without hurting Corrections. He added that his third goal was the funding of the 800 MHz which would take effective on January 1, 2013; Wadena County had committed a \$10,000 match for the \$43,000 grant which had been set aside by the State for Wadena County to buy equipment.

The Board held further discussion on the 800 MHz system.

Commissioner Stearns pointed out that Sheriff Carr had informed him that the Sheriffs Association was trying to pass a law to access E-911 funds for radio purchases.

Commissioner Miller related to the visit with Sheriff Carr and Deana Skov, Zoning/Parks Director. He pointed out that things have been discussed but no action had been taken to date.

Mike Gibson, HR Consultant, stated that in all fairness to the previous Board and the current Board, the Architect met with all Department Heads individually about three years ago asking them what they needed and then tried to fit it into the current buildings owned by the County. He added that again in about May 2008 the Commissioners held a Special Meeting with all Department Heads and each got up and talked about what they needed; the desires expressed were consistent from the first and last meetings. Mr. Gibson pointed out that they talked about the very things that were being talked about currently. He added that one of the things the Board did to move this process along was to develop the position he was currently in to help them with developing a Master Plan; discussion was that a lot work had been done, what makes sense; not to spend money now that would have to be spent again in the future; have a long range plan; let's

make sure we know where we are going. Mr. Gibson reviewed the problems and solutions with the Courthouse HVAC. He pointed out that if a Master Plan were developed the Board would know where they want to go. Mr. Gibson stated that the Commissioners were on the right track; you need to listen to people; but to say this had not been done was not fair to the previous Board members or the existing ones. He added that what slowed it down was when considerable attention had to be paid to South Country Health Alliance (SCHA). Mr. Gibson pointed out that the Board was definitely on course and that there was a need to review the files to get up to speed on what had been done.

Commissioner Waldahl gave an example of his suggestion to provide more space in the Sheriff's Department which resulted in the proposal not meeting State Building Codes, as pointed out by an architect. He added that that was when he agreed that an architect was needed as no at the County knows the State Building Code as an architect did.

Commissioner Bounds stated that nothing Sheriff Carr presented to him required an architect.

Mr. Gibson stated that he had made copies of the history of the development of a Master Plan that he felt the Commissioners would find helpful.

Commissioner Bounds stated that most of the things previously proposed involved large dollars.

Mr. Gibson responded that it did not involve a lot of dollars. He reiterated that a Master Plan would avoid spending a lot of dollars now and how to avoid setting the County up to have to re-spend dollars.

Commissioner Miller questioned how long could this be delayed.

Mr. Gibson responded that it should not be delayed to long. He added that part of the process was to invite the press in and the necessity to educate the public to the needs in the jail.

Commissioner Miller stated that he did not want to spend good money now that would be wasted two, three or five years down the road.

Commissioner Bounds stated that Sheriff Carr pointed out that he would be happy five years or longer until the financial conditions of the county improve and it may be 10 years before the county gets back on track financially and then you look at more of long term; right now long term was so far out it was not reachable due to financial conditions.

Commissioner Miller stated that the economic problems were not just in Wadena County or the State of Minnesota, not just the United States; it involved the whole world that could not be resolved in a five year period. He added that many of the little things could be done along the way that would not be wasted money, that will get us 10 to 15 years down the road and still not violate the Fire Marshall and all the other peoples concerns.

Commissioner Waldahl recommended that the Board look at space the County currently had, where staff could be moved at possibly no cost at present; then add a wall or door if the funds are available.

Commissioner Bounds stated that there were funds and labor as the Highway Engineer had budgeted for remodeling of an office and employees that could do the work. He added that remodeling of the Court area was not his first priority.

Chairman Schermerhorn stated that the Board appeared to all be on the same page, what he was hearing was the frustration of the Sheriff on the action part and that this had been discussed but it seemed that nothing had been done. He added that the Board needed to look forward and work together to develop a timeline.

Commissioner Stearns commented that to say the Board had not been doing anything was 100% incorrect and pointed out the following; walked into True County Assessing, had to hire Assessors and exchange the location of the Assessor's Office and Extension Offices; at the request of the Sheriff the Board approved the remodeling of the Sally Port for record storage, relocated the Courthouse record storage and built an STS locker room; instead of contracting for a half time Assistant County Attorney, hired a full-time Assistant County Attorney for about the same dollars and then added offices which totaling eliminated the record storage in the Courthouse; had STS build record storage in the Wensman Building and added heat and air conditioning; Social Services added two offices in a storage room; air quality in the Health Department with mold and put on a new roof for \$50,000, which eliminated the air quality problem; Highway Department had a diesel fuel fume problem and put in two new furnaces; air handling system in the Highway garage at a cost of \$5,000 which was building code approved; remodeled offices at the Highway Department; Wensman Building now houses Maintenance and records storage and have another empty space for the possibility of a meeting room for use so the Courthouse could be locked down at night and secured; estimated \$250,000 to \$300,00 to change the air handling system in the Courthouse and then tabled due to the possibility of changing spaces several years later; installed windows in the Extension Office, Auditor's Office, and Court, which captured the hallway space and thereby saved space and money. Commissioner Stearns added that the Board had set up a building fund and set aside money for several years. He pointed out that the Board did not want to bond or borrow for anything; we have to have an architect to clear things and the fees are very reasonable. Commissioner Stearns added that people had been moved around and it was time to move people around again based upon the needs. He pointed out that it would take some money to change the Sheriff's Department as it related to improvements to the booking area, which would be a specialty area.

Commissioner Bounds responded that he felt it would not take more than \$5,000.

Chairman Schermerhorn stated that information had been presented indicating that things have been accomplished and we can say we all want the same thing and must agree as a Board and move forward; the Board needs to set timelines and accomplish things together with the Sheriff's Department being the first thing.

Commissioner Miller stated that he had used the wrong word by stating “nothing”. He added that by going back to the escalating price of the Justice Center; by the time it was over it was 16.5 million dollars for the jail and judiciary system. Commissioner Miller pointed out that Sheriff Carr had put together some things that could be done in the booking area to make it more secure at a minimal cost and recommended spending a little to buy some time.

Commissioner Stearns stated that the Board had an architect draw plans to remodel the downstairs of the Courthouse for the Sheriff’s Department and Jail which triggered a lot of additional expenses.

Commissioner Bounds stated that he was amazed at the talent of the Department Heads as two Department Heads had come up with this proposal.

Commissioners Waldahl reiterated that this had been talked about before.

Chairman Schermerhorn reinstated that he felt all of the Board members wanted the same thing; we need to set a time line and move forward and not look back.

Commissioner Bounds recommended keeping this subject on the agenda for the next Board Meeting; it would not take long to set up who would be doing what.

Ms. Porter questioned whether the first step would be to move Extension to Highway and wondered if Mr. Uring was on Board.

Commissioner Bounds responded that he was. He reiterated that he felt it was best to locate the office in the sign room following his discussion with the Assistant Highway Engineer.

Mr. Gibson stated that Mr. Uring felt he could get along without the space.

Commissioner Waldahl questioned whether the Board’s consensus was to move the Extension Office to the Highway Department.

Commissioner Stearns responded that he was not in favor.

Mr. Gibson reported that he had discussed the possible relocated of the Extension Office to the Highway Department with the Extension Office Manager; she was in support but would rather stay at their current location.

Commissioner Stearns stated that he felt an architect would have to be brought on board if the Sheriff’s Department booking area was going to be involved.

Commissioner Bounds pointed out that the Board needed a plan first.

Commissioner Waldahl responded that he did not think an architect would have to be brought in if no walls were being changed.

Chairman Schermerhorn stated that the Board needed a chance to look at the plan and discuss it at next meeting or whatever the Board wanted.

Board recommendation was to add "Commissioners Working Session" on the February 19, 2009 Board agenda following the February 4, 2009 Department Head Meeting, where they would review and provide their input to the Board.

The Board recessed at 11:58 a.m.

The Board reconvened at 12:10 p.m.

Also present were Deana Skov, Zoning/Parks Director and Sole Henriksen, Recorder.

Mr. Gibson provided an update on the Union Contract negotiations stating that he had received the Draft of the Teamsters General Unit and Essential Unit Contracts which he would review and confirm that the language was what was proposed. He added that if the Contracts were in order, he would provide a copy to all Board Members and it could be discussed at the February 3, 2009 Board Meeting.

Mr. Gibson stated that 49'ers Union Contract for the Highway Department had seemed to be solid but then some questions came up regarding Social Service still having the Merit System. He stated that he had informed them that this would continue until they unionize or some type of a civil service structure would be set up. Mr. Gibson added that he had pointed out to them that the payroll system in the entire County was similar to what the Merit System was and that the County did pay dues to the Merit System which involved Federal funds.

Mr. Gibson informed the Board that by the end of that day he would have completed his Contract with the County. He reminded the Board that he had been asked to research whether Wadena County had a need for a Human Resource position, County Coordinator position or a combination of the two positions or any changes in staffing at all. Mr. Gibson added that at the Board Meeting he had advised the Board that in his opinion Wadena County did have a need for someone in human resource as well as a Coordinator with a global view. Mr. Gibson pointed out that it was difficult to put a cost savings to the position over the previous year as it was unknown how many times an attorney might have been needed. He reviewed the Contract list and gave examples of each; assisted in negotiations and advised an attorney was not needed in negotiations but should be retained; asked to consult with Department Heads and/or County Board on hiring, conflict resolutions, disciplinary action as requested -he reported that on his first day he had both Department Heads and employees coming in on issues that had been brewing for some time and all grievances had been settled without ramifications at the County's expense; review health insurance policies, Personnel Policy, all County policies-he recommended employees be educated on the Public Employees Insurance Plan as it would be a cost savings to the County and employees; seek out economics improvements in the current operation of the County-some went smoothly and some the Board would need to make decisions on in areas that he had noted; assist the Board in developing a Master Plan, which had already been discussed. Mr. Gibson stated that he would like to thank the Board for this opportunity and would follow up on the Union

Contracts and finalize the Highway Contract, if the Board wishes.

Chairman Schermerhorn questioned whether Mr. Gibson felt he needed more time and money to complete work that was in progress.

Mr. Gibson stated that there was currently Committee work going on but the Board would need to decide whether it was thought to have value. He pointed out that staff had come to him with concerns and suggestions, which they are comfortable in doing, and that there were some staff totally uncomfortable with him as he had to be the messenger.

Commissioner Miller questioned who the Board member was that was to assist in union negotiations.

Mr. Gibson pointed out that it was decided by the Board for the 2008 negotiations that he would do them with direction from the Board.

Further discussion was held regarding the reasons why Mr. Gibson was designated to negotiate the union contracts.

Ms. West relayed information from County Attorney Kyra Ladd regarding the finalization of the union contracts. She stated that Ms. Ladd had indicated that she most certainly could review the Contracts but with not being involved in the negotiations she would not be aware of whether the Contracts reflected what was negotiated.

Mr. Gibson stated that he was willing to complete the negotiations with the 49'ers unless something unusual came up, at which time he would discuss the situation with the Board. He added that he would also complete the review of the Teamsters Contracts. Mr. Gibson stated that if he could ever be of service in the future to feel free to contact him.

Commissioner Stearns reintegrated that one of the reasons why this Contract was done was to see whether Wadena County needed a human resource person, Coordinator or Administrator. He added that he felt this needed to be discussed, but on another day. Commissioner Stearns stated that he felt the Board had seen the value of a human resource person.

Commissioner Miller stated that during the course of the campaign his opponent stated, and previous Commissioner Mary Harrison agreed, that as far as this position was concerned it was something the county could not afford now but may be something that could be utilized down the road. He pointed out that what he was reading behind the lines was that we could not afford to save money when we didn't have any, but when we had it would could afford to spend it.

Mr. Gibson stated that he felt by not having someone in this position was a disservice to the tax payer and agreed with Commissioner Miller that he did not feel the County could afford to be without someone, especially in times such as the County was seeing now.

Chairman Schermerhorn questioned whether this was Mr. Gibson's final update or whether he needed additional time to complete the union contracts.

Mr. Gibson replied that he would report on the finalization of the union contracts. He added that one of the problems was that the general public had not been educated on this position nor have the opportunity to understand what had been going on. He stated that he would not accept the position but would assist in helping find that person.

Commissioner Waldahl stated that he had voted against the position but over the last year he was on the verge of agreeing that the County needed someone in here because of the dollars that are saved. He pointed out that Commissioners had their own jobs and duties and that they may miss somethings, but his biggest concern at this time was whether the County could afford it.

Chairman Schermerhorn stated that he would like to thank Mr. Gibson for everything he had done for the County and had been and still was in favor of position. He further clarified that Mr. Gibson would return to the Board.

Mr. Gibson replied that he would return to the Board's February 3, 2009.

Commissioner Miller stated that the concern was never about Mr. Gibson, but if he had to decide that day to hire someone in this capacity for this position, his constituents would not be happy. He added that he would not deny that there was the other side also.

Chairman Schermerhorn added that in his area half of the concern was about the person and they were not looking at the position.

The Board recessed at 12:45 p.m.

The Board reconvened at 1:15 p.m.

Also present were Glen Motzko, Park Board Members and citizens.

Deana Skov, Zoning/Parks Director, came before the Board regarding the Parks position. She stated that following a closed session of the Board on January 6, 2009, a motion was made and unanimously approved to eliminate the Parks Maintenance Operator position and to put it out on an RFP for 800 hrs. for the work previously done by this position. Ms. Skov stated that she first want to take responsibility for not bringing this to the full Board sooner but she was unaware that a decision was going to be made at the January 6<sup>th</sup> Meeting or she would have been in attendance. She stated that she had been informed prior that that the Board had decided that this was what they wanted to do, but she was not prepared at that time to present an argument as she thought she would have an opportunity at a later meeting to present their case. Ms. Skov stated that she wanted to begin with a statement made by former Commissioner Mary Harrison stating "sometime Commissioners are at the mercy of the information provided to them" and that she felt, in this instance this happened. She added that perhaps the whole picture was not presented to them, which she would provide in an effort for them to reconsider their decision made on

January 6<sup>th</sup> and reinstate our Parks Maintenance person, Glen Motzko. Ms. Skov stated that Glen Motzko was a contracted employee from 1998 to 2005 when he became a full-time seasonal employee; that she was aware that an unemployment issue and refusal to take temporary part-time work at the transfer station was the initial discussion of all of this. She added that she was not aware of how the situation got to the point of discontinuing the position. Ms. Skov stated that one of the biggest questions was who provided the information to make this decision based on whether there were actual dollars figures attached to that and were other options explored. She questioned whether all were made aware that, relating to the unemployment issue, Mr. Motzko stated that if he was not suppose to collect unemployment he would not; he would waive the unemployment. Ms. Skov questioned whether all were aware that Mr. Motzko questioned whether his wages could be pro-rated so that he would receive a pay check in the winter time which would be based on the hours he worked in the summer. She added that she was not an attorney or a business agent, but she knew agreements were made every day legally within the law to resolve issues; after certain discussions some conclusions could have been come to without discontinuing the position. Ms. Skov questioned whether the Board was aware that since Mr. Motzko's involvement with the Parks camping fees increased steadily since 1998 up to last year when they were almost at \$15,000; previously they averaged around \$6,400. She reviewed handouts outlining camping fee receipts pointing out that it could be seen how they rose and mushroom since that time. Ms. Skov added that at one of the last County Board meetings and at one of the Department Head Meetings they had been assured everything would be done within the Board's power to reduce spending and make budget cuts without eliminating positions and without laying people off; she knew some things had been done but what things had been done to reduce the budget and spending for 2009 that we are already at the point of eliminating positions; especially when it was someone who had made our Parks what they were.

Chairman Schermerhorn questioned whether Ms. Skov whether Mr. Motzko did the same job prior to becoming an employee.

Ms. Skov responded that he did do the same job and she would be getting to that. She stated that since involved with the Parks since 1998, not on an RFP, he was a contract for \$7 per hr. She stated that we got lucky when Mr. Motzko found us; he took the job personally, took ownership of our Parks, he built our Parks into what they are, which was a good part of the reason why people come to our Parks.

Ms. Skov reviewed the Parks budget pointing out that they did raise the camping fees the previous year from \$8 per site to \$10 per site. She reviewed the budget handout stating that the Parks budget came in at or below budget ever single year; 2008 budgeted and approved was \$35,768 and it came in at 80% of the budget last year. Ms. Skov stated that if you subtract the expenses from the revenues it leaves about a \$13,700 general revenue expense and if this was divide by the number of parcels in the County of 10,000, which was the number used by the previous Assessor, it cost \$1.37 per parcel to continue to maintain and operate our Parks in the condition and security that we have today with our current Parks Maintenance person; you can not hardly buy a loaf of bread for that.

Ms. West pointed out that the Parks budget did not reflect the unemployment expense that was paid out of a different department in the general fund.

Ms. Skov responded that she realized this and would be getting to that. She stated that she had prepared a list of pros and cons and the positive effects from the Boards stand point on what they may have been provided for information to make this decision. Ms. Skov pointed out the reduction in hours from 40 hrs. per week to 28.5 hrs. per week; she based figures on Mr. Motzko's wage which was \$12.69 per hr., and from the Boards standpoint the reduction in hours would mean about a \$4,100 reduction; definite position for the County as it would also eliminate the PERA, Social Security, Medicare, vacation and sick leave which would total around \$7,600. She stated that this would also eliminate any possible unemployment claim which was approximately \$4,500 in 2008 and \$5,000 for 2009 as his wage increased. She stated that the cons would be the reduction in hours from 40 hrs. per week to 28.5 hrs. per week and the results of that, which was included in the packet; see reduction in the quality and quantity of the work that was done; see reduction in camping fees collected due to a contracted person. Ms. Skov added that she knew that Mr. Motzko was a contract person but again we got lucky when he found us; were contractor's going to walk into the camp sites and ask people for camping fees; can't see that happening and believe the County would see a reduction in fees if Mr. Motzko was removed from this position; security would become an issue due to the lack of time and a lack of desire. She pointed out that she had included a copy of Mr. Motzko's job description in the packet. Ms. Skov stated that she did not want to take anything away from the Sheriff's Department, as they do a wonderful job driving into the parks, but if there were issues and Mr. Motzko called they were right there. She added that she had spoke with Sheriff Carr who stated that he could see an increase in calls from the parks for things that probably Mr. Motzko would have handled without the Sheriff's Department becoming involved which did not come without a price to the County. Ms. Skov stated that revenue could be lost from the out fitters and other small businesses if we go back to 800 hrs., as the County may possibly spend more to contract as the services that Mr. Motzko provides for the County a contractor may not do or does not know how to do. She questioned whether anyone knew how long it took to flush and sanitize a well and pointed out that it took three to fours hours; now we are receiving that service for \$50.67 and that while the well was being flushed Mr. Motzko was mowing the grass, cleaning the outhouses, picking up garbage, doing everything he needed to do within that park. She recommended that the Board contact Johnson's Well Drilling to see how much it cost to sanitize a well as the cost would be \$500. Ms. Skov questioned whether the contract was going to have the carpentry skills to put a roof on the outhouse, install the doors and new outhouses that still needed to be built. She added that there were no guarantees on who you get as a Contractor; you can risk the unknown and contract for 800 hrs. or stick with what was tried and true for \$1.37 per parcel. Ms. Skov pointed out that people continue to come back to our Parks and that they also bring people with them; not just from Wadena County but outside of our County, outside of our State, outside of our nation. She stated that there were people in attendance that were proponents of this and Jerry Mevison also sent letter to the Chairman that he could read if he so chose. Ms. Skov stated that every department and employee needed to be generous in the offering that they can make without jeopardizing the services that that department provides and that she was this seriously jeopardizing the services that her department provided. She stated that she was recommending that the Board reconsider their decision and rescind their motion and reinstate

Glen Motzko to his position as our Parks Maintenance Operator at the status he was at and prior to the motion of January 6<sup>th</sup>.

One gentleman in attendance stated that the economic geography of the Crow Wing River was the biggest thing Wadena County had; there were people from South Dakota, North Dakota, Montana; Mr. Motzko was the jewel of the campground operation, without him it was going to start going down hill.

The Park's Board Chairman stated that he would like to reinforce what was just stated; pointing out that he had been on the Board for about 30 years, so had seen a lot of improvements in the Parks and the ones we have now were one of the best.

Commissioner Miller stated that he had received a letter from Tom Crawford, Board Member and former Chair of Old Wadena Society. He pointed out that he was on the Parks Committee and on the Old Wadena Committee. He stated that the letter was addressed to Commissioner Miller and the Wadena County Board, which he read; "Those of us associated with the Old Wadena Society and Old Wadena Rendezvous could not say enough about Glen's devotion to the County's Park system and willingness to help out. Seeing him many times on Saturday and Sunday afternoons picking up garbage, etc. at old Wadena during our Rendezvous and just checking to see that all was going smoothly. Personal experience of seeing him and working with him at Old Wadena Park mowing grass, erecting signs and working to keep the Park in good shape. I suspect those Commissioners with a few years at the Board table know how valuable he was to the County and hope to be able to impress that upon Mr. Miller and Mr. Bounds as well. He understood there was an unemployment issue during the winter, apparently there was not enough work for him in the winter, and now due to the general economic picture, hiring him full time was rather prohibitive. He sincerely urged that if the Board was unable to keep him as an employee that they would give him full consideration as an independent contractor."

Commissioner Miller stated that obviously the issue was the unemployment and at no time from anyone on this Board had he heard any criticism of Mr. Motzko's job performance. He stated that he did not know Mr. Motzko or of his job performance; he could only go by what he had been told.

Malinda Dexter, SWCD Director, stated that the SWCD had worked with Mr. Motzko on different projects; erosion control and pathways down to the river; he had done an excellent job working with SWCD during their Conservation Days in September as he came early and stopped by several times each day to see if they need anything. Ms. Dexter stated that the SWCD fully supported Mr. Motzko as he did a good job.

A Woman from the audience stated that the previously, almost every year, the Parks Board had someone new who was were stealing from the campground funds and one didn't get the work done as they were not very responsible people.

Dorothy Kennelly stated that if they were counting on the Sheriff Department to be in the campgrounds they could not have a deputy out unless there was a call already there. Mr. Motzko was able to handle a lot of the situations as they arose.

Mary Harrison, former County Commissioner, stated that had worked with Mr. Motzko on almost every project that had gone in the Parks and he was invaluable. She added that she did understand the problem with unemployment but if that could be handled we need to keep him at all costs.

President of Old Wadena Society stated that Mr. Motzko always takes ownership of the Parks; he was considered the County's resource in the County Parks and would hate to disturb that situation.

Commissioner Bounds stated that he was new on the Board and the last meeting was the first meeting he had so he did not know what the closed sessions were about. He stated that if he would have been presented the handout and Ms. Skov's presentation that day he would have had a totally different picture; what he was presented was nothing like this and was sure he would not have voted how he had voted as he was not presented the whole story about Mr. Motzko. Commissioner Bounds pointed out that he was aware of the issue with unemployment and something about another issue but no way did he have this type of information; he probably would have if he had been on the board before, but he had no idea what went on behind closed doors. He stated that he would not have voted the way he had voted because this was presented, in his opinion, the way it should have been presented when the Board was making the decision.

Ms. Kennelly questioned who had presented the other information that was not totally correct.

Mr. Gibson stated that he had brought a number of issues to the Board in a closed meeting for the purpose of not embarrassing anyone. He pointed out that the whole issue arose when seeing the unemployment request; a governmental unit cannot purchase unemployment insurance, instead they pay the entire amount. Mr. Gibson stated that part of his assignment was to look for areas where the county might have a savings; why pay unemployment; taxpayers prefer not to pay someone not to work. He added that the issue was whether the board was aware that they were paying out this unemployment, which they were not, and provided them with options; provide other duties. Mr. Gibson stated that it seemed to be perfect timing as a temporary part-time position opened up at Solid Waste, which he visit with Mr. Motzko about. He pointed out that everything he had heard about Mr. Motzko that day was exactly what he had heard and his personal impression was that he was extremely honorable, extremely straight forward and that the last thing the County would want to do was lose that person. Mr. Gibson stated that the he Board requested that Commissioner Waldahl and he visit with Ms. Skov and Mr. Motzko to inform them that it was possible that the Board may make some changes and budget cuts. He pointed out that the Board directive several months in a row was that Department Heads needed to look at their budgets. Mr. Gibson stated that due to an issue Mr. Motzko had he could not take the Solid Waste position that was offered; Commissioner Waldahl and he visited with Ms. Skov and Mr. Motzko the beginning of the month and then the Board met and discussed the need to try to keep Mr. Motzko. He added that if the duties were put out on a Request for Proposal the

could not guarantee this contract to someone, which they informed Mr. Motzko of; on the other hand Mr. Motzko needed to be alert that everyone wanted him and the County was not obligated to take the lowest bidder with the history that Mr. Motzko had. Mr. Gibson added that Ms. Skov felt very strongly as she did not want to lose this employee and he recommended she assist Mr. Motzko in putting together a Request For Proposal so he did not miss anything; to make every effort to see that Mr. Motzko had a strong opportunity. He stated that the matter of explaining to the taxpayers in the community that there was one person getting unemployment and what kind of precedence did that set; the very reason the Board did not want this public as he was a dignified individual.

Ms. Skov stated that he was willing to forgo the unemployment so that would take care of that issue.

Mr. Gibson and Ms. West responded that they did not recall Mr. Motzko stating this.

Ms. West stated that she was not aware of this being a choice that could be made.

Commissioner Waldahl stated that he had mentioned to Mr. Motzko about forgoing the unemployment but then he had questioned him as to the possibility of spreading the payment of his wage out, as which time he had asked the same question of the Auditor and legally this could not be done.

Ms. Skov stated that Mr. Motzko had stated that he would wave the unemployment but what we were told was that we were doing this wrong all along he should not be drawing unemployment so that should take unemployment out of the picture. She reiterated; if we are doing something wrong then stop doing it.

Ms. West responded that the previous agreement was not really a contract as he was receiving PERA, unemployment and workers comp coverage.

Ms. Skov stated –as a contract.

Ms. West responded that that was the part that was wrong; it had to be a true contract or an employee.

Ms. Skov stated that she had been misled as she was informed as a seasonal full-time employee he should not be drawing unemployment.

Mr. Gibson stated that the thing that was wrong was that you have a private contractor drawing unemployment and paying into PERA; it was this flag that set this off; it was structured wrong and the County could have had some real problems.

Chairman Schermerhorn pointed out that the Board was 25 minutes behind on the agenda and questioned if there was a consensus to revisit the matter.

Commissioner Bounds stated that he would like to see the Board make a motion to say that they will revisit this matter; he was not aware of the saving that this person did for this County as the County Parks were the backbone of the County. He also questioned whether the Board was going to address the motion made during the January 6, 2009 Board Meeting to make this a contractual position.

Commissioner Stearns stated that he felt the motion should stay as was as a formal termination of the position had been sent to Mr. Motzko and he was probably now collecting unemployment which would run through this year. He pointed out that this did not mean that the Board could not reconsider reappointing it in the future. Commissioner Stearns added that he did not know about the unemployment in the winter and the question would be whether it was cheaper to contract or not to contract, which had to be considered.

Motion by Bounds, seconded by Miller, to schedule the Parks Board position discussion at the February 3, 2009 Board Meeting and work with Ms. Skov about unemployment,

Ms. Skov questioned whether the Board wanted several of the Commissioners on a Committee to discuss this.

Commissioner Bounds supported the suggestion of the formation of a Committee.

Commissioner Stearns stated that there were two Commissioners on the Parks Board Committee and recommended that the Parks Board convene with the two Commissioners and report back to the Board.

Commissioners Bounds and Miller were in agreement to include “and to reconvene the Park Board to discuss the issue and report back to the County Board”,

Motion carried.

The Board recessed at 2:00 p.m.

The Board reconvened at 2:04 p.m.

Present were: Chairman Schermerhorn, Commissioners Waldahl, Bounds, Miller, and Stearns, HR Consultant Mike Gibson and Auditor/Treasurer Char West.

Chairman Schermerhorn closed the Adjourned Board Meeting at 2:05 p.m. for the purpose of discussing union negotiations and a personnel issue.

Chairman Schermerhorn opened the Adjourned Board Meeting at 2:25 p.m.

Commissioner Waldahl reviewed the West Central Juvenile Center deficit reduction plan, which he had previously brought before the Board. He pointed out that the Center was looking at a

deficit that had reduced down to \$151,866 and that Wadena County's share was \$5,431. Commissioners Waldahl stated that this was something that had to be paid and the West Central Board had instructed the director that this was the only time counties were going to pay this and new contracts would be negotiated.

Motion by Bounds,

Discussion was held as to where the dollars were to be paid from and whether it would be a Social Services bill. Board direction was to have the Auditor/Treasurer contact the Social Services Director as to whether the bill, when received, should be paid through Social Services.

Motion died for lack of a second.

Motion by Stearns, seconded by Waldahl, to approve the LG 200 Application for Exempt Permit to Conduct Lawful Gambling submitted by the St. Joseph's Area Health Services to be held at the Blueberry Pines Golf Club, motion carried.

The Board reviewed a request from the Wadena County Ag Society for payment of their first half 2009 allocation.

Ms. West pointed out that this request and payment was previously paid in May or later.

The Board tabled action on the request until the two Commissioners appointed to the Ag Society Board could attend a Ag Society Meeting to further discuss the need for the funds at this time.

Motion by Stearns, seconded by Waldahl, to approve the second publication of the County Financial Statement for 2009 at 3.50 per SAU by the Wadena Pioneer Journal, motion carried

Chairman Schermerhorn appointed Commissioner Rodney Bounds and Commissioner Dave Schermerhorn to the 3-County Board of Health Executive Committee.

Chairman Schermerhorn appointed Commissioner Bill Stearns to the Collaborative Board representing the Social Services Board.

Judge Sally Robertson and Court Administrator Bev Mickelson came before the Board to discuss the current CHIPS payment plan. Also present was Social Services representative Jan Erkenbrach. Absent was County Attorney Kyra Ladd, due to a previous engagement.

Chairman Schermerhorn pointed out that without the County Attorney present the Board would not be taking action that day.

Judge Robertson requested time to inform them of her situation and then if they are unable to take action, that would be the Board's call. She stated that the current situation was kind of a crisis in that she held two CHIPS hearings that week where two parents were not represented.

Judge Robertson added that at this time she was violating their rights by holding a hearing without parents having attorneys; ultimately she will not be able to go ahead with the case without an attorney due to the federal laws and the timelines for hearings.

Ms. Mickelson stated that when the Board set the CHIPS fees the previous August for the attorneys; \$500 for qualifying CHIPS cases, qualifying permanency cases-\$1,000 in addition to the CHIPS; newly appointed at the time of filing -\$1,500; and qualifying termination of parental rights-\$3,000. She took that as a per case and when Mr. Taves submitted an invoice for a new case with three children his bill reflected \$500 per child or \$1,500. She stated that she had submitted it for payment to the County Auditor but the County Attorney's interpretation of the payment plan was on a per family basis. Ms. Mickelson requested clarification if the plan was based on a per case or per family.

Judge Robertson pointed out that Social Services was going to do their best to reduce the number of cases and try to work things out so the only cases that they file are the ones that are very difficult. She added that when Mr. Taves was notified that he would be paid \$500 instead of \$1,500 he declined the case as he could not do it for \$500. She had requested Ms. Erckenbrach to come and verify that Social Services was not filing just simple cases.

Ms. Erckenbrach pointed out that Social Services was making efforts to use other avenues to reduce the number of CHIPS cases.

Commissioner Stearns requested clarification on his understanding that the people that the Defenders are defending are the parents not the children.

Judge Robertson stated that this was true but that this was one family that each of the children would end up with a file quite large and reports would be different.

Commissioner Waldahl questioned what the other counties were doing with the same payment plan.

Ms. Mickelson pointed out that Mille Lacs County and Benton County had the same payment plan and she was unaware of how they were handling this situation. She stated that had also contacted Kennedy & Nervig, Ryan Ries and Sue Lind but none of them were willing to take the case.

Judge Robertson informed the Board that if she would not be able to find an attorney that would take this case she would have to appoint a Court appointed attorney at the County rate of \$75 per hour until the situation had a different resolution.

The Board thanked them for their information.

The Board tabled agenda item i.) Department Head Recommendations in Dealing with the 2008 CPA Un-allotment.

The Board tabled agenda item 1.) Use of “Other” as an agenda item on County Board Agenda.

Motion by Waldahl, seconded by Bounds, to approve payment of the Board of Commissioner bills in the amount of \$379,089.47, motion carried.

Motion by Miller, seconded by Stearns, to adjourn the Board of Commissioners meeting at 3:28 p.m., motion carried.

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Charleen West, Auditor/Treasurer

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Chairman Dave Schermerhorn