

WADENA COUNTY BOARD OF COMMISSIONERS ADJOURNED MEETING
APRIL 23, 2009/ 9:00 A.M.

The Wadena County Board of Commissioners Meeting was held on Thursday, April 23, 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 Lane Waldahl, Rodney Bounds, William Stearns, Ralph Miller, and Auditor/Treasurer Char West.

Motion by Bounds, seconded by Miller, to amend the day's Agenda to include; g.) Joint Powers Agreement – Perham Resource Recovery Facility, motion carried.

Motion by Waldahl, seconded by Bounds, to approve the Special Board Meeting Minutes of March 26, 2009 and Regular Board Meeting Minutes of April 7, 2009, as presented, motion carried.

Jim White, Wadena VFW Commander, came before the Board to provide an update on the ceremony to be held on May 16, 2009, Armed Forces Day, dedicating Wadena County CSAH 23 as a County Veterans Memorial Highway. He informed the Board that to date 17 signs had been sponsored. Mr. White reviewed the program and pointed out that he was working with Joel Ullring, Highway Engineer, and Jeff Aolphson, Assistant Highway Engineer, regarding the placement of the signs.

Sean Uselman, Building Services Director, informed the Board of several items being taken to the Verndale Auction; miscellaneous office furniture, old computers, chairs and a 2005 Ford Crown Victoria squad car.

The Board discussed the possibility of retaining the 2005 Crown Victoria and repairing it for County use or putting a limited bid on it. Further discussion was held on viewing the vehicle to see if it was cost effective to repair it and if not to place a minimum price. Commissioner Bounds and Commissioner Miller agreed to look at the vehicle following the day's Board Meeting.

Motion by Stearns, seconded by Miller, to place the 2005 Ford Crown Victoria squad car on the Verndale Auction contingent upon the Commissioners review determining whether the vehicle should be retained by the County or setting the lowest selling price for which it should be sold, motion carried.

Mr. Uselman informed the Board that the fuel oil in the Courthouse emergency generator fuel tank was approximately 11 years old and needed to be removed as it had been tested in 2005 with results indicating 20 times high in the bacterial count and 10 times high in the water count. He added that in talking with people from Caterpillar they recommended that the fuel be

changed every two years on a sitting emergency generator. Mr. Uselman distributed a proposal from Stigman Oil for the removal of the fuel oil which stated, "Stigman Oil would remove the fuel oil from the Wadena Counties Courthouse backup generator fuel tank at the rate of \$.85 under the current market price for fuel oil. The fuel oil would be disposed of at Wadena Asphalt. Normally someone would be charged for the removal and disposal of the 10 year old fuel, but Stigman, along with Wadena Asphalt, were able to dispose of the unusable fuel in an eco friendly basis while compensating Wadena County". Mr. Uselman added that if Stigman Oil pumped out the 2,600 gallons of bad fuel oil they would replace it with 1,100 gallons of new fuel which would be a swap for no additional cost.

Motion by Waldahl, seconded by Miller, to accept Stoneman Oil Company's proposal to remove the 2,600 gallons of old fuel oil from the Wadena County Courthouse Emergency Generator tank and replace it with 1,100 gallons of new fuel for replacement at no cost to Wadena County, motion carried unanimously.

Mr. Uselman presented the Board with a proposal from Mahin Walz Corp. for partition walls for the Courthouse Auditorium which was included in the Space Needs Project proposal. The proposal indicated two options as follows:

Split the room in half	\$12,183	The door would split and go half each way
Split half into two sections	\$7,150	Additional which would make three rooms

Board discussion was held as to the need for additional meeting space within the Courthouse.

Motion by Stearns, seconded by Waldahl, to accept the quote from Mahin Walz Corporation for the purchase of two partition walls for the Courthouse Auditorium for a total price of \$19,333.00, including freight and tax, to be paid for out of General Fund Department #114, motion carried.

Mr. Uselman informed the Board of the progress of the Extension Office Remodeling Project at the County Highway Department Building.

Board discussion was held as to whether the Extension Office desks would fit within the new Office space and the possibility of leaving the desks at the current Courthouse Office and purchasing new desks.

Mr. Uselman assured the Board that the current desks should fit in the new Office space at the Highway Department.

Commissioner Waldahl informed the Board and Mr. Uselman that MCIT had a Library of videos on CD available for safety trainings.

Angel Sonsalla, Assistant County Attorney, and Gina Dahms, Assistant Parks/Zoning Director, came before the Board to request Board consideration of adopting an Amended Enhanced 911 Ordinance.

Ms. Sonsalla pointed out that the regulations had not changed from the current policy but by

adopting it as an Ordinance it would be enforceable. She stated that an issue had come up because a resident in the County was upset about being assigned a different 911 address; the current Policy stated that if there were two or more residents on a road, it had to be given a name for the purpose of locating the residence in case of an emergency; a new house had been built on the road, so the other resident's number changed; he received a new number and a street address. Ms. Sonsalla pointed out that the resident requested he be shown statutory authority to change his address and name his private road.

Ms. Dahms stated that she had contacted Ottertail County who had an Ordinance similar to Wadena County's Policy. She distributed a copy of the Ottertail County Enhanced 911 Ordinance for review.

Ms. Sonsalla recommended the Board use the County Policy already in place and enact it into a County Ordinance. She pointed out that a Public Hearing was required prior to the adoption of the Ordinance.

Board discussion was held as to other residents concerns regarding the necessity to change their street names or house numbers.

Commissioner Bounds stated that when he had talked to the gentleman involved in this situation he had stated his concern over his private road becoming a public road due to it being given a street name. Commissioner Bounds that that he felt that when a street sign would be placed on the private road it would become a public road.

Ms. Sonsalla responded that by placing a street sign at the end of a private road it did not make the road a public road. She pointed out that residents could place "private drive" signs at the entrance of the road.

Ms. Dahms added that the County had several instances where two or more homes were located on a driveway and the driveway would then be given an address, which did not make it a public road.

Commissioner Waldahl pointed out several options that could avoid naming the gentleman's private driveway.

Further Board discussion was held regarding various options that could be used to avoid naming the persons private driveway.

Motion by Stearns, to table consideration of the adoption of an E-911 Ordinance until Ms. Dahms could provide arial photos to the Board as well as the Boards review or the Otter Tail County E-911 Ordinance,

Commissioner Bounds further commented that the person who had expressed his concern over the naming of his private driveway stated that it was his land and questioned how the County could change this without going through him. He pointed out that it was a field road.

Commissioner Miller stated that it would not be a private road when two people lived on it; it then becomes a public road.

Seconded by Miller, to table until the May 5, 2009, Board Meeting, motion carried.

Brad Swenson, Wadena City Administrator, came before the Board to request a Letter of Support of the Highway 10 – 4 Lane Project through the City of Wadena. He pointed out that the City of Wadena had been working on this project for many years and that in 2005 the City received \$1,040,000 from the federal government to conduct an Environmental Impact Study and at that time MNDot stated that the issue would probably not be considered again until 2027.

Mr. Swenson added that the City Council then contacted Congressman Oberstar, Chairman of the Federal Transportation Committee, requesting his assistance in getting the Project moved to an earlier date. Mr. Swenson stated that the application for Project funding had to be submitted by April 27, 2009, to request the Project be included in the Federal Transportation bill; the City was in the process of putting together that application; MNDot had committed to funding 20% of the project if Federal funds would fund 80%; the City of Wadena had committed \$2,000,000 to \$3,000,000 to go towards the Project mainly for infrastructure crossings, etc. He pointed out that a Letter of Support from Wadena County would be beneficial in the City's pursuit of having the Project done earlier as well as funding for the Project.

Chairman Schermerhorn questioned whether Highway 10 would go through or around the City.

Mr. Swenson responded that the City Council had gone on record as supporting the through town option. He stated that it would be located on the existing corridor and the new road would be between the existing road and the railroad; everything north of the existing road would stay in tact.

Commissioner Waldahl stated past discussion had been held regarding the safety issue and accidents located where the 4-lane Highway reduced down to two-lane. He pointed out that due to safety reasons he was in full support of the project.

Commissioner Miller questioned how long before there would be a Highway 71 Project. He stated that it was a mess now and would be worse with this kind of a proposal; this provided a bigger risk for accidents. Commissioner Miller stated that he had a difficult time supporting the Project based on the intersection of Highway 71 and Highway 10.

Mr. Swenson stated that discussion had been held regarding truck traffic being routed around the City and limiting access points on to Highway 10.

Commissioner Stearns stated that the purpose of the Letter of Support was relating to moving the project up from 2027 to 2015, which may advance improvements to Highway 71.

Commissioner Waldahl stated that he disagreed that there would be more accidents by changing Highway 10 to a 4-lane highway and recommended reviewing statistics before stating that the Project would cause more accidents.

Commissioner Bounds stated that he felt the draft plan probably addressed some of Commissioner Miller's concerns.

Mr. Swenson added that the plan had to be safe and the biggest concern would be emergency vehicle traffic.

Chairman Schermerhorn stated that he had a concern over the Letter stating "the area was struggling with low property values" but he was in support of the Project.

Motion by Stearns, seconded by Miller, to approve a Letter of Support, as requested by the Wadena City Council, for the Highway 10 Project being moved up from 2027 to 2015 to complete the 4-lane highway through the City of Wadena, motion carried.

Commissioner Miller stated that he seconded the motion with reservations, which he requested be reflected in the Board minutes.

The Board recessed at 10:15 a.m.

The Board reconvened at 10:30 a.m.

Ms. West presented the Board with an e-mail from the Social Services Director regarding the invoice from the West Central Regional Juvenile Center for the 2009 deficit payment in the amount of \$5,431.00 and whether it would be considered a Social Services payment. She read the e-mail which stated that Social Services had not paid such a payment in the past and it was felt that the agreement was through Wadena County not the Social Services Fund. Ms. West recommended payment of the invoice through the General Fund, at this time, as it was past due.

Commissioner Waldahl recommended that the invoice be paid and then bill Community Corrections or Social Services once it was decided who the proper payee should be.

Motion by Waldahl, seconded by Bounds, to approve the payment of \$5,431.00 to the West Central Regional Juvenile Center for the 2009 deficit payment from the General Fund, and bill the appropriate Fund at a later date, motion carried.

Tom Stronczer and Alan Wallner, Twin City Trail Riders, requested Board approval of a renewal of their Special Use Permit for their annual motorcycle event which involved the road ditches along CORD 18 and 25 by Huntersville. They pointed out that it was a non-competition Family Trail Ride that would be held September 26th and 27th.

Chairman Schermerhorn questioned whether it was the same route used by the River Valley Enduro Riders. He also questioned whether the event had been cleared with the Sheriff and County Engineer.

Mr. Wallner responded that it was the same route and the event had been cleared with the County Sheriff and County Engineer.

Motion by Miller, seconded by Waldahl, to approve the renewal of the Special Use Permit requested by the Twin City Trail Riders which would authorize their use of road ditches along CORD 18 and 25 by Huntersville on September 26 and 27, 2009, including weekend of July, August and September for preparation with clean-up in September following the event, motion carried.

Motion by Waldahl, seconded by Bounds, to approve the Twin Lake Lodge 3.2 Percent Malt Liquor License Application, submitted by Edward Moren, Menahga, motion carried.

Commissioner Miller informed the Board that the Wadena Ag Society was in need for their first half 2009 appropriation at this time instead of the May 1st date previously approved by the Board.

Motion by Miller, seconded by Stearns, to approve payment of the first half 2009 apportionment to the Wadena County Ag Society in the amount of \$7,500.00, as of April 23, 2009, motion carried.

Mike Carr, Sheriff, and Sean Uselman, Building Services Director, came to the Board to further discuss the Board's consideration of retaining the 2005 squad car instead of selling it at the Verndale Auction.

Sheriff Carr informed the Board that the engine was shot and that there were enough Assessor cars that could be used.

The Board agreed to still have Commissioner Bounds and Miller follow through with checking out the squad car.

Motion by Bounds, seconded by Waldahl, to approve the cash advance of \$250,000 from the Tax and Penalty Fund to the General Revenue Fund for cash flow purposes as of April 15, 2009, motion carried.

Commissioner Stearns requested that Mike Hannen, Ottertail County Solid Waste Director, be invited to the May 5, 2009 Board Meeting to explain Option 4 of the Perham Resource Recovery Facility Joint Powers Agreement, as a vote would need to be made by the Wadena County Commissioners.

The Board was in agreement to request Mr. Hannen's presence at the May 5, 2009 Board of Commissioners Meeting to explain the Perham Resource Recovery Facility Joint Powers Agreement.

Karen Nelson, Public Health Director, presented the Board with an agenda requesting Board action relating to a grant application.

Motion by Waldahl, seconded by Bounds, to authorize the Public Health Director to sign the Chemical Health Prevention grant with the Department of Human Services for \$547,392.00,

amending July 1, 2008 to June 30, 2009 and renewing for 2 years July 1, 2009 to June 30, 2011, motion carried.

Ms. Nelson informed the Board that an application had been submitted for a Food Code Regulatory Standards Grant effective July 31, 2009, to July 1, 2010 for up to \$2,500. She pointed out that the grant would help pay for costs of the Sanitarian to teach new requirements by the Federal Food Regulatory Code for food and beverage licensed establishments.

Ms. Nelson informed the Board that she had overseen the cleanup of a garbage house. She pointed out that the landlord would be responsible for the dumping fees and Sentenced to Serve was used to assist with the cleanup. Ms. Nelson stated that State law provided the Public Health Director, as a Health Officer, the authority and the responsibility to abate public health nuisances.

Chairman Schmerhorn read a Thank You letter to the Board from St. Ann's Catholic School for the recycled computers they received from the County.

Chairman Schmerhorn read a letter of commendation to the Board and Staff from the Department of Human Services for their financial reporting for the Calendar Year 2008.

Commissioner Waldahl informed the Board that he had participated in a 3-day Posse Clinic which included riders from all over Minnesota and two other states. He also stated that there was a 12 year old girl attending who had ridden her horse for about 800 miles in Minnesota in honor of Veterans, or anyone in the Military, and wanted to establish a place where Veterans could ride free of charge. Commissioner Waldahl pointed out that she was having a problem with the Governor and the State as they would not allow her to ride from the State Capitol to Plymouth and that she was requesting support by talking with local Legislators.

Commissioners Reports:

Commissioner Waldahl: Weed Control Meeting - MNDot was not spraying this year so the responsibility was left to the counties, cities and townships. Malinda Dexter, Soil and Water Conservation District (SWCD) Manager reported that the Highway Department had indicated that they did not have funds and would only be spot-spraying. Ms. Dexter had applied for a \$20,000 grant to help with the spraying; Emergency Management Services Meeting; CHAMPS Meeting; Regional Radio Board Meeting - had applied for another grant to help with expenses, he had been appointed to a Committee to hire a staff person to work with the Radio Board, the Radio Board was requesting sales tax exemption on purchases of equipment.

Commissioner Bounds: Wadena County Fair Board Meeting - everything looked to be on track, Raffle Tickets would be available to raise funds to support the Fair Board; Ottertail-Wadena Community Action Council Meeting.

Commissioner Bounds requested the subject of the closure of the Verndale Garage to placed on the May 5, 2009 Board agenda.

Commissioner Stearns requested that the Verndale Garage not be discussed at the May 5, 2009 Board Meeting as the Meeting may be extensive with the issue of the Perham Resource Recovery Facility Joint Powers Agreement being discussed.

Chairman Schermerhorn stated that after considering both requests, he would place the discussion of the Verndale Garage for the May 21, 2009.

Commissioner Miller: RC&D Meeting - still have issues with Smokey Timbers, \$200 dues payment from SWCS not yet paid; Old Wadena Society - Ruth Chatman, Old Wadena Society member, was honored; Building Services Committee Meeting; Public Health Video Conference; Extension Committee Meeting - found a representative in his District, Penny Nelson, Staples; Wadena County Ag Society Meeting; Ottertail-Wadena Community Action Council Meeting - housing sales not going well; Volunteer Drivers Meeting.

Ms. West stated that Commissioner Miller had informed her of the delinquency of the \$200 RC&D dues that had not been paid by SWCD pointing out the reason they had not paid the dues was due to the County not advancing their first half 2009 Appropriation.

Further discussion was held regarding SWCD past payment of the total \$400 RC&D dues, but now, due to budget constraints, would only be paying for half of the dues with the County paying the other half; SWCD need to discuss with the Board their decision not to continue with total payment of the dues.

Commissioner Schermerhorn: One Billion Tree Planting Event, Central Regional Juvenile Center - flooding; Perham Resource Recovery Center Meeting; reminded the Board of the Township Semi-Annual Meeting to be held on April 23rd and the 3-County Public Health Meeting on April 24th.

Commissioner Stearns: Weed Control Meeting; Perham Resource Recovery Center; SWCD; Water Plan Meeting - SWCD wanted to work with the Ag Society regarding building rain gardens to control flooding at the Fair Grounds; Deputy Sheriffs request that the SWAT vehicles be moved, at the request of the current owner of the building; to another County facility, which was done.

Commissioner Stearns stated that he would not be in attendance of the May 21st Board Meeting when the Verndale Shop was scheduled to be discussed and would be in agreement of holding the discussion during the May 5th Board Meeting.

Chairman Schermerhorn set the discussion of the Verndale Shop for the May 5, 2009 Board Meeting at 1:00 p.m.

Commissioner Miller commented that Commissioner Stearns was liaison to Solid Waste; Chris Harshaw, Solid Waste employee, was hired as a part-time employee but his responsibilities had

increased considerably. He questioned whether there had been any conversation regarding his wage compensation.

Commissioner Stearns responded that Mike Gibson, Human Resource Consultant, was currently heading the Department. He added that Mr. Harshaw was working full time and had been appointed temporary supervisor, however, he was still in his probation time.

Ms. West stated that discussion of a wage adjustment for Mr. Harshaw had been discussed and further discussion would be held during a Solid Waste Committee Meeting prior to the May 5th Board Meeting.

Motion by Stearns, seconded by Bounds, to approve payment of the Board of Commissioner bills in the amount of \$137,673.11, motion carried.

Chairman Schermerhorn adjourned the Board of Commissioners Meeting at 12:00 p.m.

Charleen West, Auditor/Treasurer

David Schermerhorn, Chairman