

**WADENA COUNTY BOARD OF COMMISSIONERS MEETING**  
**MAY 21, 2009 9:00 A.M.**

The Wadena County Board of Commissioners Meeting was held on Thursday, May 21, 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, Ralph Miller, Rodney Bounds, Auditor/Treasurer Char West; absent: William Stearns.

Motion by Bounds, seconded by Miller, to amend the day's Agenda to include 11:15 a.m. Mike Carr, Sheriff, and Bryan Savaloja, Deputy Sheriff, Safe & Sober Grant and Equipment Purchase, and exclude 11:30 a.m. Mike Carr, Sheriff and Jean Birch, Administrative Assistant, Personnel Clarification, motion carried.

Motion by Waldahl, seconded by Bounds, to approve the Board Meeting Minutes of May 5, 2009, as presented, motion carried.

Mike Gibson, Consultant, came before the Board to provide an update on the Solid Waste Department. He introduced Mike Pete, stating that the Interviewing Committee was recommending the appointment of Mr. Pete to the temporary full-time Transfer Station Operator position.

Motion by Waldahl, seconded by Bounds, to appoint Michael Pete to the temporary full-time Transfer Station Operator position at Grade 49, Step 1, \$10.98 per hr. with a start date of May 26, 2009, motion carried.

Mr. Gibson updated the Board on the safety issues at the Transfer Station, which had been sited by Minnesota Safety, Inc., the company the County had contracted with to provide safety training and review of County buildings. He reported that most of the issues had been resolved;

- The steel tip wall at the Transfer Station was ripped and had been repaired
- The overhead door needed attention and was being taken care of.
- Trucks and hooks were being researched. After receiving our specifications, firm quotes had been received from two different sources, Sterling and Freight Liner. Peterbuilt was checking on used units and would also provide a quote on a new Peterbuilt. Quotes should be available by the June 2, 2009 Board Meeting.
- Temporary part-time Transfer Station Recycling Operator position; the Interview Committee had a candidate who was giving the position consideration. He pointed out that a 27 hr. position may not be needed as in the past; it may be an 'as needed' position.

Mr. Gibson informed the Board that Chris Harshaw, temporary Transfer Station Supervisor, had done an excellent job but he may be leaving, which would be the County's loss. He added that he had received calls from three different business people complimenting the look of the

operation and service being provided. Mr. Gibson reminded the Board that Mr. Harshaw had originally been hired for the temporary part-time Transfer Station Operator position at \$10.15 per hr. but at the time of placing the previous Transfer Station Supervisor and Transfer Station Operator on leave, Mr. Harshaw had been appointed to the temporary full-time Transfer Station Operator position without an increase in pay. He pointed out that the Supervisor position would normally be paid \$13.24 per hr. Mr. Gibson recommended the Board consider the payment of a stipend to Mr. Harshaw and based on the hourly rate of pay of the Supervisor back to his start in the full-time position, it would calculated out to be \$701.43. He added that at this point the temporary Operator employee would be coming in at a wage higher than Mr. Harshaw who would be the Supervisor.

Commissioner Bounds questioned how much trouble the County could get in if an increase was given.

Mr. Gibson responded that Mr. Harshaw would not be receiving a step increase, in this situation his position had changed. He added that the position was not under the Union Contract.

Commissioner Miller commented regarding public perception, he stated that he had received good reports on the previous staff and felt that needed to be said.

Mr. Gibson stated he felt they were all pleased, however, the recent calls that came in indicated that people were amazed at the tremendous change in the current operation.

Commissioner Bounds stated that he had also heard favorable comments of the current operation.

Mr. Gibson stated that this will be a very expensive experience.

Commissioner Miller stated that since the General Fund was not what it should be, could the time Mr. Gibson worked with the Highway Department be charged to the Highway Department as well as his services to the Solid Waste Department.

Motion by Miller, second by Bounds, to charge the time spent in 2009 by Mike Gibson, Consultant, to the appropriate Funds where his time was used, motion carried.

Motion by Waldahl, seconded by Miller, to approve the payment to Chris Harshaw, Temporary Transfer Station Supervisor for his promotion from Grade 48, Step 1, \$10.15 per hr. to Grade 51, Step 1, at \$13.24/hr., retroactive back to the time of his promotion; March 26, 2009, motion carried.

Mr. Gibson reported that he and Chairman Schermerhor had met with two haulers in the northern part of the County to discuss a misunderstanding and it appeared everyone was doing what they were supposed to do.

Mr. Gibson reported that the County did have a contract with Jack's Family Recycling to haul out appliances and metals, which had ended December 2008; however they had continued their

services. He stated that at the time of the Contract the County was being paid by Jack's Family Recycling, but due to a change in the market, they had sent a bill for \$105 without calling the County to let them know they would be billing instead of paying. Mr. Gibson stated that another vendor had informed him that they would take the items and pay the County for them. He added that in view of this, he suggested the bill be paid, however, the County should receive quotes to see what others were willing to pay rather than the County paying out.

Commissioner Bounds questioned why Deana Skov, previous Solid Waste Director, was not involved more since she ran that Department before. He stated that she would be cheaper than Mr. Gibson.

Mr. Gibson and Ms. West responded that one of the reasons was due to the issue at the Transfer Station; law enforcement had requested that she not be involved, which was not a reflect on Ms. Skov. Mr. Gibson pointed out that Mike Hanan, Ottertail County Solid Waste Director, had been involved and very helpful.

Mr. Gibson questioned the Board as to whether they would like to discuss at this time the Highway Department meeting regarding the Verndale City snow plowing issue. He stated that there had been was some confusion regarding what roads Verndale City was to plow. Mr. Gibson added that several years ago Verndale had hired Duane Moench to plow all City streets but it was later discovered that he was plowing some County Roads; however, Mr. Moench clarified that he came from his home and plowed as he came in.

Chairman Schermerhorn said that Mr. Moench was under the assumption that anything within the City limits was his to plow as no one had told him this nor was he told to the contrary.

Mr. Gibson stated that there had been a lack of communication, Joel Ullring, Highway Engineer, did not know that these roads were being plowed until last year, so he immediately notified an employee of Verndale that if the City was going to plow the County roads then they should be reimbursed according to the statutory method.

Commissioner Bounds stated that he understood Verndale City had tried to get paid, but they were told by the Highway Department Head that they would not get paid.

Mr. Gibson stated that there had been a lot of confusion regarding this situation and that Mr. Ullring had followed the statute. He pointed out that the Committee had requested Mr. Ullring to attend a City Council Meeting to clear up the misunderstanding.

Rin Porter, Verndale Sun, stated that every year the Verndale City Council would call for bids for the plowing of City streets but no distinction was made between City or County roads.

The Board recessed at 9:55 a.m.

The Board reconvened at 10:05 a.m.

Char West, Auditor/Treasurer and Missy Lund, Tax Specialist, came before the Board regarding the proposed sale of a 10 acre County gravel pit located in Leaf River Township. They presented the Board with a Resolution outlining the sale process and minimum bid.

Ms. West reminded the Board that initially this property was scheduled to be sold in conjunction with the Tax Forfeited Land Sale. She pointed out that, due to current issues regarding the property, it was being recommended to the Board to sell the property at this time as the Tax Forfeited Land Sale would be held later on in the year due to the length of time it took to meet all of the required statutory guidelines relating to a Tax Forfeited Land Sale.

Ms. Lund informed the Board that the County Assessor had recently viewed the property and informed them that the current estimated market value of the land would be \$10,000 pointing out that the Board could decide the sale price of the land. She added that the proposed process was to receive sealed bids by 9:00 a.m. on June 18, 2009, to be opened at 9:15 a.m. during the June 18<sup>th</sup> Board of Commissioners Meeting, bidders present could then increase their bid with the property being sold to the highest bidder.

Board discussion was held regarding the sale price that should be placed on the property.

Motion by Miller, seconded by Bounds, to approve the Land Sale Resolution as follows;

RESOLUTION  
WADENA COUNTY BOARD RESOLUTION NO  
The sale of parcel # 05.006.1020

WHEREAS The County Board of Commissioners of the County of Wadena, State of Minnesota, desired to offer for sale parcel #05.006.1020. Described as: 10.00 AC – East 40 Rods of the South 40 Rods of Gov. Lot 1 Sec 6 Twp 135 Rng 35.

WHEREAS, Said parcels of land will be sold by closed bid starting: Thursday May 21, 2009, and be accepted until 9:00 a.m. Thursday June 18, 2009. Any interested parties with a qualifying bid may be present during the opening and increase their bid at that time. The bids will be opened at 9:15 June 18, 2009 during the Wadena County Board meeting.

NOW, THEREFORE, BE IT RESOLVED that the Wadena County Board of Commissioners hereby set the minimum bid for the above property as \$2,000.00.

BE IT FURTHER RESOLVED, that the terms of sale are as follows:

- \*The property is sold for cash only, no payment plans. Full payment is due on the date of sale.
- \*A charge of \$46.00 will be made to record the Deed.
- \*State Deed Tax on the amount of purchase will be collected. (.33% x purchase price)
- \*An Administration fee of \$75.00 will be collected.

The question was on the adoption of the resolution, and there were 4 YEAS and 0 NAYS as follows:

COUNTY of Wadena BOARD OF COUNTY COMMISSIOSNERS	YEA	NAY	OTHER
Dave Schermerhorn	x		
Lane Waldahl	x		
Rodney Bounds	x		
Ralph Miller	x		
William Stearns			Absent

ATTEST: \_\_\_\_\_ Date: \_\_\_\_\_  
 Charleen West,  
 Auditor/Treasurer of Wadena County

Joel Ulring, Highway Engineer, came to the Board requesting Board approval of a Resolution acknowledging receipt of Local Road Improvement Program Funds (LRIP). Mr. Ulring advised that approximately \$86,000 in funds was received from the State’s LRIP Program for the CSAH 30 Project.

**RESOLUTION**

Commissioner Bounds offered the following resolution and moved for its adoption:

- WHEREAS: The County of Wadena has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Local Road Improvement Project No. SAP 80-630-14; and
- WHEREAS: The Commissioner of Transportation has given notice that funding for this local road improvement project is available; and
- WHEREAS: The amount of the Grant has been determined to be \$ 84,388.00 by reason of the lowest responsible bid;

NOW THEREFORE BE IT RESOLVED: That the County of Wadena does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, subdivision 5, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the road project, but not required.

Commissioner Miller seconded the motion and the same carried.

Adopted at Wadena, Minnesota.

ATTEST: \_\_\_\_\_  
 Charleen West, Auditor–Treasurer  
 Wadena County, Minnesota

\_\_\_\_\_ David Schermerhorn, Chairman

Mr. Ulring, recommended Thursday, June 4, 2009, 9:00 a.m. as the day and time for the Annual Road Tour, starting at the Highway Department Office.

Chairman Schermerhorn set a Special Board of Commissioners Meeting for June 4, 2009 at 9:00 a.m. for the Annual Road Tour; starting at the Wadena County Highway Department Office.

Mr. Ulring informed the Board that the Safe Routes to School Program application had not been funded but would be resubmitted the following year.

Mr. Ulring reported that the Highway Safety Improvement Program application had been funded which would provide 6" wide pavement markings on the County State Aid Highway paved road system at a cost of \$94,100. He stated that the work was scheduled for 2010.

Mr. Ulring updated the Board on the progress of the Extension Office remodeling located in the Highway Department Building. He stated that the contractor had finished the work on time; the flooring and communications work would be completed the following week; the move had been scheduled for Thursday and Friday, May 28<sup>th</sup> and 29<sup>th</sup>. Mr. Ulring conveyed his appreciation to all involved.

Donna Anderson, Nutrition Education Assistant (NEA), gave a presentation to the Board regarding the Farm to School Program and Junior Master Gardeners.

Char West, Auditor/Treasurer, Tammy Lupkes, Deputy Auditor/Treasurer, and Sole Henriksen, Recorder, came to the Board regarding internet access of the Tax Billing Data software.

Ms. West stated that Ms. Lupkes and she had discussed with Kevin Stensrude, MIS Director, the possibility of adding internet access of the Tax Billing Data to the County website for several years. She pointed out that her office received numerous phone calls and walk ins requesting information from the County's Tax System and that requests for information were also received by the Recorder's Office and the Assessor's Office.

Ms. Lupkes informed the Board that at present the GIS Map System was on the County's website but it was not very user friendly. She pointed out that the internet access of Tax Billing Data program would allow access to tax information, i.e. delinquent, tax statements, etc. Ms. Henriksen stated that this software program would benefit the County's land records and would be an eligible expense of the Recorder's Compliance Fund. She pointed out that they were proposing that the Compliance Fund dollars be used to pay for the one time software installation charge of \$1,250.00 as well as the \$150.00 monthly maintenance expense for the first year.

Motion by Waldahl, seconded by Bounds, to accept the quote from Computer Professions for Internet Access of the Tax Billing Data Software; \$1,250.00 for the software and installation, to be purchased through the Recorder's Compliance Fund, and the \$150 monthly maintenance fee, to be paid for through the Recorder's Compliance Fund for the first year, motion carried.

Ms. West informed the Board that Craig Nathan, Rural MN CEP, Inc., had contacted her regarding the renewal of the Brainerd WorkForce Center Lease Agreement that would end as of December 31, 2009. She stated that Mr. Nathan requested that lease negotiations start soon and informed her that he would be available to provide information regarding their programs for the June 18, 2009, Board Meeting.

The Board recommended Craig Nathan, Rural MN CEP, Inc. attend the June 18, 2009 Board Meeting.

Dave Anderson, Veteran's Service Officer, came to the Board to present the Wadena County Veterans Service Statistics. He informed the Board that the 2008 Veteran population in Wadena County was 1,228, which was a decrease of 35 from 2007; 641 Veterans use the service, increase over 2007 - 626; \$7,047,635.18 of federal and state dollars received in Wadena County for Veterans Benefits, increase over 2007 - \$6,893,178.90; \$5,739.12 received per Veteran, increase over 2007 - \$5,457.78. Mr. Anderson pointed out that grant funds he had received had been used for the purchase of a computer, monitor and printer. He also thanked the Board for his new office.

The Board thanked Mr. Anderson for his report and his good work.

Mike Carr, Sheriff, and Bryan Savaloja, Deputy Sheriff, came to the Board to request approval of a Resolution for a Safe & Sober Grant Application and equipment purchase. Sheriff Carr informed the Board that Deputy Savaloja had previously received a \$2,400 grant which had been used to purchase a digital camera.

Deputy Savaloja informed the Board that this year's Safe & Sober Grant was for funding through the entire year for Safe & Sober events starting in October 2009 through September 2010. He added that the Application was for approximately \$13,000 which would be split between the Sheriff's Department and the Police Departments in the cities of Wadena and Menahga.

Motion by Waldahl, seconded by Miller, to adopt the following Resolution;

#### RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that the Wadena County Sheriff's Office enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled SAFE & SOBER COMMUNITIES during the period from October 1, 2009 through September 30, 2010. The Sheriff of Wadena County is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Wadena County Sheriff's Office and to be the fiscal agent and administer the grant.

I certify that the above resolution was adopted by the Wadena County Board of Commissioners on May 21, 2009.

---

Charleen West, Auditor/Treasurer

---

David Schermerhorn, Chair

5/21/09-pg. 7

Chairman Schermerhorn questioned whether the grant funds were only for over-time hours.

Deputy Savaloja responded that this was correct.

Motion carried.

Sheriff Carr informed the Board that Drug Forfeiture funds were monies seized through a traffic stop where drugs were involved or if a vehicle was used in the commission of a crime, the properties were forfeited and then sold; the money was then allocated for use as the Sheriff saw fit. He stated that he was considering the purchase of another digital camera for a squad car and questioned whether Board approval was needed to proceed with this.

Ms. West responded that a Board motion was probably not required; however, it was a good idea to inform the Board in light of the County trying to control expenditures.

Sheriff Carr stated that the Department would be receiving a refurbished camera with a two-year warranty for \$3,275, which was approximately \$1,000 less than a new one. He informed the Board that in the next 3 to 4 years the forfeiture money would go towards changing out the old VHS to digital recordings. Sheriff Carr stated that the old VHS would probably go to the standby squad. He added that he would keep the Board posted on his actions.

Ms. West presented the Board with four Applications for Abatement forms. She stated that County Assessor Lee Brekke was not available to present these Applications for Board approval but would like to inform the Board that he was in approval of the Applications as submitted. Ms. West read the Applications to the Board; Ottertail-Wadena Community Action - #22.600.0060 – property should be exempt per statute 256E.31; recommendation to reclassify the property as exempt.

Board discussion was held as to whether the property was a house in Wadena City that Community Action had not been unable to sell. They questioned whether the house should be considered exempt.

Ms. West pointed out that the Assessor was recommending the property be exempt under statute 256E.31.

Ms. Porter, Verndale Sun, informed the Board that Community Action was a tax exempt organization so the property would be tax exempt until sold.

Ms. West read the other Application for Abatement; Nick Polman- #01.024.3020 – old house that was torn down was not taken off the Assessment rolls; recommendation to adjust the Assessor's Estimated Market Value to reflect the removal of the old house; Wadena Development Authority - #22.018.1015 – property should be part commercial and part exempt; recommendation that the exempt portion be reclassified and taxes reimbursed; Wadena Development Authority - #22.007.4240 – property should be exempt; recommendation that property be reclassified to exempt and taxes reimbursed.

Chairman Schermerhorn clarified that the County Assessor had approved the Applications for Abatement and questioned Ms. West as to whether she was in approval of the Applications.

Ms. West responded that she was also in approval of the four Applications for Abatement.

Commissioner Miller stated that Ottertail Wadena Community Action Council came up with WesMis RC&D with their Smokey Timbers and were in the process of transferring classifications. He questioned what the connection was between the two.

Chairman Schermerhorn responded that Smokey Timbers took responsibility for the property until the people could get their 501C3; it was just an intermediate entity in between so the property would remain tax exempt.

Further Board discussion was held regarding tax exemption of certain organizations and the request for property tax exemption by Ottertail Wadena Community Action.

Commissioner Miller stated that he wanted a legal opinion.

Commissioner Waldahl responded that the Assessor had listed the property exempt under MN Statute 256E.31.

Commissioner Bounds stated that there were so many grey areas and relayed information regarding a church parsonage being placed on the tax roll by the Assessor due to there not being a minister living in the parsonage.

Ms. West questioned whether the Board wanted to table action on the Application for Abatement for the Ottertail Wadena Community Action parcel #22.600.0060 until they received answers to their questions from the Assessor.

Commissioner Bounds stated that he would also like a legal opinion as Community Action was building the homes for profit.

Board recommendation was to table action on the Application for Abatement for the Ottertail Wadena Community Action parcel #22.600.0060 and obtain a legal opinion from the County Attorney.

Motion by Waldahl, seconded by Bounds, to approve the Applications for Abatement for Nick Polman #01.024.3020; Wadena Development Authority #22.018.1015 and Wadena Development Authority #22.007.4240, as recommended by the County Assessor, motion carried.

Ms. West presented the Board with a renewal agreement with Widseth, Smith, Nolting for 2009 Groundwater Sampling, Reporting and Annual Survey for the Wadena County Demolition Landfill for a total cost of \$7,963.00.

Chairman Schermerhorn clarified with Ms. West that this company had been used consistently and the County had been satisfied with their work.

Ms. West responded that he was correct and that the company had also been used by the Highway Department.

Commissioner Bounds questioned whether other quotes should be obtained. He suggested the Agreement be approved for 2009 and then obtain quotes for 2010.

Motion by Bounds, seconded by Miller, to approve the Agreement between Widseth, Smith, Nolting and Wadena County for 2009 Groundwater Sampling, Reporting and Annual Survey at the Wadena County Demolition Landfill for a cost of \$7,963.00, motion carried.

Quotes will be obtained for 2010 Groundwater Sampling, Reporting and Annual Survey.

Motion by Waldahl, seconded by Miller, to approve the cash advance of \$500,000 from the Tax & Penalty Fund to the General Revenue Fund for cash flow purposes as of May 12, 2009, motion carried.

Commissioner Schermerhorn read a letter he had received from Otter Tail County Commissioners regarding the interaction between Ottertail and Wadena Counties and the Solid Waste Management Meeting and advised that the meeting was positive; that in view of the difficult times for counties, it was good to cooperate.

The Board recommended that a letter of thank you for their cooperation, assistance and presentation by Mike Hanen, Otter Tail County Solid Waste Director, be sent to Ottertail County Commissioners.

Ms. West distributed a Public Health agenda stating that Karen Nelson, Public Health Director, was not available to come before the Board but was requesting Board action for a temporary decrease in employment of Public Health support staff.

Motion by Waldahl, seconded by Miller, to approve a temporary decrease in employment of Sue Pauly, Support Staff, Public Health Department, from 100% to 80% from June 1, 2009 through August 31, 2009, to resume her regular 100% employment September 1, 2009, motion carried.

The Board set Tuesday July 7, 2009 and Friday, July 24, 2009 as future Board of Commissioner Meeting dates.

The Board discussed the upcoming Board of Equalization Meeting that was scheduled to be held on Monday June 15<sup>th</sup> at 12:30 p.m. The Board pointed out that the Equalization notices stated the meeting would be held at 9:00 a.m.; after further clarification from the Assessor's Office it was noted that individual letters had been sent to those in attendance of the township or city Equalization Meetings stating the correct time of the County Board of Equalization Meeting.

Motion by Waldahl, seconded by Bounds, to approve payment of the Board of Commissioner bills in the amount of \$118,509.22, motion carried.

Commissioners Reports:

Commissioner Miller: Attended the WesMin RC&D Meeting; Old Wadena Society Meeting; Otter Tail Wadena Community Action Council Meeting - they advised they had sufficient funds.

Commissioner Bounds: Attended the Otter Tail Wadena Community Action Meeting - want to donate \$25,000 to start up Local Food Certified Shared Kitchen for creating jobs in Wadena, a stimulus economy progress program; Wadena Ag Society Meeting - was encouraged by Colin Peterson to apply for Federal Stimulus dollars that were available.

Commissioner Waldahl: Attended the Wadena County Transit Meeting; Bell Hill Recovery Center Meeting - generator was in, electrical was done, the houses across the road had all been completed by Sentenced To Serve; CHAMPS Meeting. Commissioner Waldahl also informed the Board of Census Meetings coming up.

Commissioner Miller and Chairman Schermerhorn commented on the Veteran's Memorial Highway Dedication; Mr. Peltoniemi attended the dedication, as well at local news media and Channel 22 of Brainerd was there.

Chairman Schermerhorn adjourned the May 21, 2009 Board of Commissioners Meeting at 12:40 p.m.

---

Charleen West, Auditor/Treasurer

---

David Schermerhorn, Chairman