

**WADENA COUNTY BOARD OF COMMISSIONERS MEETING**  
**SEPTEMBER 1, 2009 5:45 P.M.**

The Wadena County Board of Commissioners Meeting was held on Tuesday, September 1, 2009, at the Wadena County Courthouse in the Commissioners Room at 415 Jefferson St. S., Wadena Minnesota. The meeting was called to order at 5:45 p.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, Social Services Director Paul Sailer, Highway Engineer Joel Uring and Auditor/Treasurer Char West.

Chairman Schermerhorn closed the Regular Board Meeting at 5:48 p.m. for the purpose of strategizing for the 2010 Wage/Benefit Negotiations.

Chairman Schermerhorn reopened the Regular Board Meeting at 6:25 p.m.

The Board recessed at 6:26 p.m.

The Board reconvened at 6:33 p.m.

Motion by Bounds, seconded by Stearns, to authorize Auditor/Treasurer Char West, Manager of the General Fund; County Engineer Joel Uring, Manager of the Highway Fund; and County Human Services Director Paul Sailer, Manager of the Social Services Fund, to continue discussions with the County's five employee units, motion carried.

Motion by Miller, seconded by Waldahl, to amend the day's Agenda to include: 6:15 p.m. Karen Nelson, School Contracts Disaster Facility Use, g.) Table Recommended Board Action – Dept #112 Roll-Over, h.) Replenish Courthouse Postage Meter for \$5,000, i.) Health Insurance Update, j.) TNT, Levy Certification and Special Levy Update, k.) Early Retirement Incentive Program Legal Services Proposal, l.) Law Library Invoice – Request for Payment, m.) MCCC Invoice – Request for Payment, motion carried.

The Board table action on Board Meeting Minutes of August 20, 2009.

Karen, Nelson, Public Health Director, requested Board approval of contracts with the schools for use of their facilities for possible mass emergency public health services.

Motion by Waldahl, seconded by Bounds, to authorize the Public Health Director to sign contracts with the following school districts for use of the school facility for mass emergency public health services effective 9-1-09: Wadena Deer Creek, Sebeka, Menahga, Verndale, Staples Technical College and Wadena Technical College.

Ms. Nelson stated that there was no exchange of money and that it was just an Agreement to use their facilities.

Commissioner Stearns questioned whether the County Attorney had reviewed the Agreement.

Ms. Nelson responded that the County Attorney had not reviewed the Agreement but that it did include a 90 day back-out clause because if they could not use the facility it would take that long to locate another place large enough.

Chairman Schermerhorn questioned how long the arrangement would last.

Ms. Nelson responded that it was open ended.

Motion carried.

Ms. Nelson requested Board approval to add one more employee safety training session for Individual and Family Safety Preparedness regarding pandemic flu response.

Motion by Stearns, seconded by Waldahl, to approve the addition of one additional Employee Safety Training Session for Individual and Family Safety Preparedness, Orientation to MN Responds and H1N1 Prevention for employee safety, for the H1N1 Flu season and for preparedness for employees to be used, if needed, in the pandemic flu response, motion carried.

Ms. Nelson requested Board consideration to authorize the use of future earned sick leave and vacation time if County employees had influenza like illness and had used all of their sick leave and vacation, in order to help assure that employees did not come to work ill.

Chairman Schermerhorn questioned whether there would be monitors so this would not be abused.

The Board tabled action until the September 17, 2009 Board of Commissioners Meeting.

Ms. West presented the Board with a Resolution and Addendum to Agreement from Computer Professionals Unlimited, Inc. who provided the County's property tax, assessment and receipts software. She informed the Board that the Addendum reflected a freeze in the 2009 maintenance fees for the years of 2010 and 2011 in exchange for an extension of the current Agreement through the years of 2014 and 2015. Ms. West pointed out that this Addendum would save the County approximately \$15,000 over the next two years and that she was recommending approval of the Agreement.

Motion by Waldahl, seconded by Stearns, to approve the Computer Professionals Unlimited, Inc. Resolution;

WADENA COUNTY BOARD OF COMMISSIONERS

WHEREAS, the County Board previously entered into an agreement (“Agreement”) dated June 5, 2007, with Computer Professionals Unlimited, Inc. (“CPUI”) to provide computer programming and technical assistance to the County; and

WHEREAS, under the terms of that Agreement and the “Attachment B” thereto, the monthly rate charged on a flat-fee schedule for said services increases 4% annually during the term of the Agreement, which runs through March 31, 2013; and

WHEREAS, CPUI recognizes that due to a recessionary economy, local units of government such as this County are experiencing severe financial and budgetary stress; and

WHEREAS, CPUI desires to extend the term of the Agreement; and

WHEREAS, the agreement will be easier to administer if it is shifted to a calendar-year basis; and

WHEREAS, the following modifications to the Agreement are in the best interests of the County and its residents;

NOW, THEREFORE, BE IT RESOLVED, that the County shall enter into an Addendum to the Agreement whereby a) the term of the Agreement shall be extended through December 31, 2015; b) the monthly flat-rate fee schedule attached to that Agreement is modified to provide that the fees under the schedule attached to the Agreement as Attachment B in effect commencing April 1, 2009, shall remain in effect for calendar years 2010 and 2011, with 4% annual upward adjustments recommencing January 1, 2012, and occurring each year of the agreement thereafter.

Dated this 1<sup>st</sup> day of September, 2009.

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Board Chairman

Motion carried.

The Board tabled action on the Kitchigami Regional Library Joint Powers Agreement until the September 17, 2009 Board Meeting.

The Board tabled action on the NJPA 2009 Elections until the September 17, 2009 Board Meeting.

Motion by Stearns, seconded by Bounds, to approve the FY10 Minnesota Trails Assistance Program, Snowmobile Maintenance Grant Agreement for Wadena County in the amount of \$69,321.60 for the Trail Breakers Snowmobile Club, motion carried.

Motion by Stearns, seconded by Miller, to approve to replenish postage for the Courthouse Postage Machine in the amount of \$5,000, motion carried.

The Board tabled the Health Insurance Committee Update.

Ms. West presented the Board with a handout of the Payable 2010 Overall Levy Limitation Notice certified from the Department of Revenue; Special Levy criteria and Truth In Taxation information. She point out that there were some legislative changes pertaining to Truth In Taxation; the previous year the County met the criteria to not be required to hold a Truth In Taxation Hearing but that this year every entity would be required to hold a meeting time that would be set aside just to talk about the County Budget and Levy. Ms. West added that the notice publication was not required, which was very expensive, but mailed notices were still required to be sent. She pointed out that this information may be useful to the Board during their Budget and Levy process.

Motion by Bounds, seconded by Stearns, to approve the proposal of approximately \$600 to \$1,200 submitted by Frank Madden & Associates for consultation, advice and preparation of documents for an Early Retirement Incentive Plan for Wadena County, motion carried.

Motion by Waldahl, seconded by Miller, to approve payment of the invoice from Matthew Bender & Co., Inc. in the amount of \$185.70 for publications for the Law Library, motion carried.

Motion by Stearns, seconded by Miller, to approve payment of the quarterly invoice in the amount of \$6,591.52 from MN Counties Computer Cooperative (MCCC) for their software support and maintenance services, motion carried.

Chairman Schermerhorn explained the criteria for the County Highway Shop Facility/Verndale Highway Garage agenda discussion. He pointed out that those in favor of the current closing of the Verndale Shop would speak first, stand up and give their name and address and limit their comments to about 3 minutes; those against the closing of the Verndale Shop would then have the same opportunity with the same rules.

Joel Ulring, Highway Engineer, requested Board action on the final approval of the SAP 80-630-14 Construction Project Certificate of Performance.

Motion by Stearns, seconded by Waldahl, to approve the Certificate of Performance for the SAP 80-630-14 Construction Project, motion carried.

Mr. Ulring informed the Board that he had received word from the State that the CSAH 2 Bridge Stimulus Project had been funded for construction. Mr. Ulring anticipated a bid opening this fall and construction the following summer.

Mr. Ulring informed the Board of the City of Verndale Maintenance Agreement, which

was similar to the Maintenance Agreement previously approved for the City of Menahga and the City of Wadena, who had an Agreement for many years. He pointed out that the Verndale Agreement was relating to several County roads within the City which consisted of contracting with the City for snow removal and street sweeping of the County roads for 1.8 miles through town for a total cost to the County of approximately \$2,880. Mr. Ulring reported that the City's Street Committee and the City Council were in favor of the Agreement however the Mayor had some questions. He stated that the Agreement was within State Statute, he felt it was a fair Agreement and brought it to the Board for their discussion. Mr. Ulring pointed out that the purpose of these Agreements was to better define responsibilities.

Also present was Verndale Mayor Ardith Carr, Verndale resident Bob Schultz, Verndale resident Don Wittiger, Staples Mayor Chris Etzler, and Highway Department employees Ken Moyer, Joe Pierce, Terry Milbradt and Vern Kemper.

Mr. Schultz stated his concern as the County would have to go over a road that had already been plowed.

Mr. Ulring responded that the City's contractor was currently going over roads that had been plowed.

Mayor Carr stated that the Council had met to develop the City's 2010 budget and that it would cost the City \$12,707.50 to do County roads, which did not include Moench's cost. She Carr stated that, as a Council, they could not afford this expense to plow County roads for \$2,800 as equipment had to be hired.

Commissioner Stearns stated that it was his understanding that the City would have the cost of dump trucks, skid loaders, and loaders anyway as the County did not remove the snow.

Mayor Carr responded that only one-third of the cost, or \$4,235, was for snow plowing, but they had it put down as loaders, dump trucks, etc. She added that this was a Council decision, the proposal had not brought to the Council and it had not been voted on.

Mr. Ulring apologized as he was told by the Street Committee that they had brought it to the Council. Mr. Ulring stated that he had met with the Verndale Street Superintendent who calculation the City expense to plow the County roads which was less than what the County was proposing to reimburse them.

Mayor Carr stated that she had also calculated the per mile cost for plowing County roads which reflected a higher cost; the City's total budget for roads was \$32,000. She pointed out that it was the consensus of the City Council that they would not maintain the County roads.

Commissioner Stearns questioned whether the County plowed the County road past the school and if so who hauled the snow away.

Mayor Carr responded that they still had to contract to plow their own roads so the Contractor would remove the snow as was done for several years.

Mr. Pierce advised that he used to plow Main Street and that the snow was pushed into the middle of the street and they never crossed a road.

Mr. Moyer stated that the School was a real big issue for him last year; he went through with his plow with the wings up tight as the road had gotten so narrow; this was a danger to the School kids when the road did not get plowed like it should be as the kids stood in traffic, which was very dangerous.

Chairman Schermerhorn questioned who the City contracted with to plow snow.

Mayor Carr responded that Moench was the contractor but she was not sure who plowed past the school.

Mr. Wittiger responded that he lived by the school and that both Moench and the County were plowing past the school.

Commissioner Waldahl pointed out that the City Council had stated they would not accept the Agreement so he felt this was a done deal.

Mr. Ulring pointed out that all he was attempting to do was compensate the City for the work they were currently provided. He agreed that if the City was not going to approve the Agreement it was a done deal.

Commissioner Bounds reviewed how the County had previously plowed the County roads within Verndale pointing out that he felt it was a great job as it was plowed early.

Mr. Ulring pointed out that he had only relocated the equipment but had not directed any change in plowing procedures.

Further discussion was held as to the current plowing procedures within Verndale that had been changed.

Mr. Ulring read and reviewed information relating to the Highway Department Operations; road miles within the County; ages of the shop buildings in the various cities; utility costs to maintain the buildings. He pointed out that even if the County did not fill the employee vacancy, the County was still responsible for maintaining County roads; he suggested the Board consider contracting out the maintenance on the low volume gravel roads. Mr. Ulring stated that the County could possibly take bids for a 5-year term,

which Becker County was currently doing, as it was his intent to serve residents of the County as efficiently as possible. He pointed that the estimated savings to the County for a 5-Year Maintenance Contract over the 5 years would be \$371,000 or \$74,200 annually. Mr. Ullring stated that he was in the position of making recommendation to the Board and educating them as to where he felt savings could be made while still providing services, however, it would be up to the Board to make the decision; the Board made a decision one year ago to agree with his recommendation to close the Verndale Shop.

Commissioner Stearns clarified with Mr. Ullring that he had just indicated that the County would not replace the employee but he had previously informed the Board that if snow was plowed, as in the past, the employee would need to be replaced.

Mr. Ullring responded that this was correct; if the County did not contract out the maintenance it would need to replace the employee.

Commissioner Bounds stated that he thought the issue on the agenda was on the Verndale Garage; the report by Mr. Ullring was not on the agenda and this was not an appropriate time to talk about all he reported; perhaps just a handout given to the Board would have been more appropriate.

Mr. Ullring responded that he felt all of the information was pertinent to the discussion. He referred to a map reflecting the following years' blading routes as well as the mileage the County would be contracting out for Verndale/Aldrich roads.

Commissioner Miller stated that he had been involved in this topic for nearly two years and it had been suggested that he was responsible for people in Staples and Verndale. He stated that it appeared that some of the advantage for the people in Staples had been at the expense of the people of Verndale. Commissioner Miller added that he believed if the Verndale Shop facility was utilized and with proper scheduling, the people of Staples could receive as good or better service with the truck or plow in Verndale as they were receiving at this time.

Mr. Moyer commented that contracting roads out versus replacing one employee put the Department back the way it was before. He added that by the time he got to County Road 30 at Staples they were done and then he plowed their streets full again.

Mr. Wittiger stated his concerned for public safety adding that during the last big snowfall the Verndale School was not plowed out until 10:00 a.m.

Commissioner Waldahl requested clarification as to whether Moench had been hired to plow the Verndale streets the previous year.

Mr. Ullring pointed out that this was some of the confusion, which was why he had started preparing these Agreements with the municipalities as it was not clear who had responsibility.

Commissioner Waldahl pointed out that if the City hired Moench to plow the roads then it was Moench's responsibility

Mr. Ulring stated that he had found out after the fact that Moench was plowing; he then contacted the City to inform them that through State Statute the County could compensate the City for the expense.

Chris Etzler, Mayor of Staples, stated that Staples had seen a benefit to plowing County Road 30 earlier, as their biggest concern had been the College and the amount of traffic to that location. He added that he hoped the decision would not be made on who was benefiting but made in the best interest of Wadena County.

Mr. Schultz stated that it did not make sense to move to Staples because it would be difficult for employee to get there if there was a bad blizzard.

Mayor Carr stated that this issue should not have become Staples vs Verndale. She added that as a taxpayer and not as the Mayor of Verndale; the Verndale Shop was already paid for and more centrally located; it was a tight year and why not use what the County had for at least another year.

Mr. Pierce stated that, as a Wing River Township Board Member, if it was expensive for the County how expensive would it be for Verndale. He added that all that was needed to make the Verndale Shop efficient was a place to get salt and sand so the snow plow driver did not have to run back to Wadena.

Commissioner Waldahl pointed out that the idea of a Central Highway Shop was a dead issue. He questioned Mr. Ulring regarding the figure of 1.8 miles in Verndale at \$1,600 per mile for a total of \$2,880 but he had later made a statement that it cost the County \$3,780 per mile; why would Verndale accept us paying them \$1,600 per mile.

Mr. Ulring responded that the \$3,780 included overhead for all of the County Shops; \$1,600 was just for maintenance expense.

Commissioner Waldahl stated that in previous years he had never heard any complaints as employees were at the Shop at 2 a.m. or 3 a.m. He added that there was a group in Verndale that wanted to keep the County Garage in Verndale and those in Verndale that do not care where it was located; Staples had people on both sides; part were happy and part were upset. Commissioner Waldahl pointed out that it was a Commissioner's job to represent the entire County, not just the area each of us represent and due to the economy a decision had to be made to save dollars for the entire County. He further stated that he needed concrete evidence to make a decision.

Commissioner Bounds stated that he had talked to the two employees in the Verndale Shop and considering all the figures he came up with, there would be a \$6,999.95 annual savings by being in the Verndale Shop.

Commissioner Miller stated that, at a previous meeting, representatives from the City of Staples were in attendance stating that they did not care where the equipment was located. He pointed out that he did not care either, as long as it could be done cost effectively; scheduling was very important. Commissioner Miller stated that, on the subject of County Road turn backs, it would be very difficult for the communities now being serviced by the County to take on these kinds of responsibilities; Mr. Ullring stated earlier a figure of \$1,000 to \$2,000 savings and Commissioner Bounds stated \$7,000.

Commissioner Stearns commented regarding County Road turn backs, roads that were less than 50 cars per day were necessary to turn back; Wadena County was eighth on the list if the number of County road miles were compared to other Minnesota counties; counties receive state funds to maintain CSAH roads but not the County roads. He added that the County Levy to taxpayers had increased \$800,000 just for the Road and Bridge Fund; five garages for a county the size of Wadena seemed like too many; Otter Tail County just closed the Perham garage; the State was requiring cut backs.

Commissioner Waldahl stated that the Board could consider not housing equipment at the Staples and Verndale locations and just work out of the Wadena shop.

Commissioner Stearns stated that another consideration would be to contract with the cities of Staples and Verndale for road maintenance.

Commissioner Bounds commented regarding Commissioner Stearns statement; he did not see the rational of cutting a garage and then driving vehicles miles away.

Motion by Miller, seconded by Bounds, to reopen the Verndale Shop and cease the contract for the rented facilities at the Staples Shop;

Mr. Ullring stated that he would like to address several comments; Commissioner Miller had made a comment about Mr. Ullring not knowing equipment which was not true; it was also stated that he did not challenge Commissioner Bounds numbers which was not correct as three to four weeks earlier he had requested information from Commissioner Bounds, which he failed to receive. He stated that he felt disappointed that people had not come in to talk to him about this issue.

Commissioner Waldahl stated that the Board had made the decision to move the housing of the snowplow truck to Staples with the information that the Board had which they thought was a good decision. He pointed out that most of the complaints he had received was not that it was in Staples or that it left Verndale, but that it was in Todd County. Commissioner Waldahl added that he agreed with Mr. Ullring in that he wished he could have seen Commissioner Bounds' figures as there was a large difference in the dollar savings.

Commissioners Waldahl, Bounds, Miller, and Schermerhorn voting aye; Commissioner Stearns voting nay, motion carried.

The Board recessed at 8:45 p.m.

The Board reconvened at 8:56 p.m.

Commissioner Waldahl questioned whether a County vehicle could be used by the accountant at the Transfer Station thus eliminating the mileage expense of the employee's personal vehicle.

Commissioner Stearns stated that he would bring the matter up at the Solid Waste Committee Meeting.

Motion by Waldahl, seconded by Miller, to approve payment of the Board of Commissioners Bills in the amount of \$36,651.38, motion carried.

Commissioner Reports:

Commissioner Stearns: Perham Resource Recovery Facility was going very well, working on the third draft of a Multi-County Agreement and would present a full report during the September 17, 2009 Board Meeting, Wing River Township recycling container had been pulled out due to the amount of garbage left in it.

Commissioner Miller: Wadena Ag Society Meeting - regarding the manure behind the Fair Grounds, someone wanted it and he advised them to remove it.

Commissioner Stearns pointed out that the Highway Engineer had agreed to use the Highway Trucks to haul it out to the Transfer Station.

Commissioner Miller responded that he felt it was first come, first serve just to get it cleaned up; Law Library Meeting - the By Laws stated that the Committee would consist of one Judge, one Attorney and one County Commissioner so both he and Commissioner Waldahl could not be on the Committee. He stated that it was his feeling that Commissioner Waldahl belonged there more than he and that it was in the best interest of the Law Library to have Commissioner Waldahl serve; Old Wadena Society.

Commissioner Bound: Ottertail Wadena Community Action Council - sold house in Wadena; Wadena Ag Society - struggling to pay their bills.

Commissioner Waldahl: NJPA Conference in St. Louis.

Commissioner Miller: 800 MHZ and State Tower by Staples – did not want to use condemnation.

Chairman Schermerhorn commented once the manure was cleaned up at the Fair Grounds a deposit should be charged that could be used to cleaned up or otherwise they receive their deposit back.

Commissioner Stearns: Soil & Water Conservation District - Sportsman Show was going down hill, it had been suggested they combine this with the Fair, Commissioners Miller and Bounds talked to a SWCD employee about conducting additional Feedlot inspections; SWCD would have to increase the amount of funds from the County if inspections were more frequent so at budget time the County would have to decide whether to pay more.

The Board of Commissioners Meeting adjourned at 9:29 p.m.

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Charleen West, Auditor/Treasurer

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David Schermerhorn, Chairman