

**WADENA COUNTY BOARD OF COMMISSIONERS MEETING**  
**SEPTEMBER 7, 2010, 9:00 A.M.**

The Wadena County Board of Commissioners Meeting was held on Tuesday, September 7, 2010, 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 Vice Chairman Rodney Bounds and the pledge of allegiance to the flag was said.

Present: Commissioners Lane Waldahl, Dave Schermerhorn, Ralph Miller, and Auditor/Treasurer Char West. Absent: Chairman William Stearns.

**Agenda:** Motion by Waldahl, seconded by Schermerhorn, to amend the day's Agenda to include d.) Request for FMLA and e.) Initiative Foundation Pledge, motion carried unanimously.

**Approval of Minutes:** Motion by Miller, seconded by Schermerhorn, to approve the Board Meeting Minutes of August 19, 2010, and August 24, 2010, motion carried.

**Initiative Foundation:** Kathy Gaalswyck, Initiative Foundation President, came before the Board to thank them for the County's participation in the Initiative Foundation and requested they be included in the 2011 budget. She pointed out that every dollar was matched dollar for dollar from the McKnight Foundation; a total of 2.8 million had been invested in Wadena County, not including the tornado activity; a grant in the amount of \$1,250 had been awarded to Sebeka, Menahga and Nimrod to assist in paying for the writing of a Small Cities grant to access state dollars from the Central Minnesota Housing Partnership. Ms. Gaalswyck reviewed other projects and programs supported by the Initiative Foundation. She reviewed Wadena disaster relief efforts by the Initiative Foundation; set up a Relief Fund with approximately \$81,000 in donations; working with the Long Term Committee and the Wadena 2.0 Committee; the "Tree Fund" in partnership with the Soil & Water Conservation District; housed a Business Loan Fund totaling \$150,000.00 available for business affected by the tornado; Early Childhood Coalition was considering other family needs that may be a result of the tornado; business loans, grants, and a variety of Leadership Development programs.

Discussion was held regarding handout information listing Initiative Foundation funding for projects that included more than one county and how Initiative Foundation funding information was provided to governmental entities.

**Initiative Foundation Pledge:** Motion by Schermerhorn, seconded by Waldahl, to approve the payment of \$1,600.00 to the Initiative Foundation for their first and second half 2010 pledge, motion carried.

**Planning/Zoning Department and GIS Department:** Deana Skov, Planning/Zoning Director and Gina Dahms, GIS Director, came to the Board to request 2010 budget amendments to their respective budgets.

Ms. Skov explained that the 2010 budget amendments would more accurately reflect their situation; when planning the Zoning/Parks budget for 2010 in 2009 she included a 50% part-time Administrative Assistant due to ½ of her wages being paid by the Solid Waste Fund, which was no longer occurring; she felt this was the only way to keep her budget as low as possible and see if she could make it work. She added that the Board then suggested that 50% of the wages for the GIS position come from the Highway Department so the Zoning Department hired someone full-time for the Administrative Assistant position. Ms. Skov pointed out that this action did not reflect a 50% savings, however, they did receive a \$50,000 grant through the Board of Soil & Water Resources to work on a septic inventory and planned to use \$25,000 in 2010 towards the Administrative Assistant wage, as she would be working on the septic project, and in 2011 transfer the remaining \$25,000 to use for those wages. She informed the Board that there was a 29% or \$31,411 decrease in what Zoning and Planning was requesting from the General Revenue Fund for 2010 compared to what was previously approved.

Ms. Dahms reviewed with the Board her GIS Department 2010 amended budget recommendations which reflected a budget increase of \$29,334.16 for wages and benefits.

Motion by Waldahl, seconded by Schermerhorn, to approve the 2010 budget amendments for the GIS Department reflecting a total increase of \$29,334.16 and for the Zoning/Parks Department reflecting a total decrease of \$31,411.00, as presented, motion carried.

**Emergency Management Department:** Scott McKellep, Emergency Management Director, requested Board approval for several renovations of the Courthouse Auditorium/Emergency Operations Center. He advised that the new divider walls were very beneficial to the EOC during the disaster. Mr. McKellep pointed out that there was a need to install outlets in the ceiling in the EOC which would eliminate extension cords and cost approximately \$1,400 with an addition \$100 to \$200 to purchase surge protectors. He pointed out that the Building Maintenance Director had indicated that the expenses could come from the Building Fund #114.

It was pointed out that only building improvements could be paid for with Building Fund dollars.

Motion by Waldahl, seconded by Miller, to approve the purchase and installation of electrical outlets in the ceiling of the Courthouse Auditorium/EOC, not to exceed \$1,400.00, to be paid for from the Building Fund #114, and to purchase surge protects with other available funds, motion carried.

**Zoning/Parks Department:** Ms. Skov returned to the Board for approval of a Low-Income Septic System Grant. She advised the Board that the cost for the system would be approximately \$5,400 leaving a remaining balance of a little over \$6,000, which would be enough for one more septic system.

Motion by Waldahl, seconded by Schermerhorn, to approve the application for a Low-Income Septic Grant in Section 10 of Lyons Township for an estimated cost of \$5,400.00, motion carried.

**Solid Waste Department:** Mike Hanan, Solid Waste Director, came to the Board requesting approval of a Resolution relating to the Perham Resource Recovery Facility (PRRF). He reminded the Board that the Facility had applied for a Capital Assistance Grant from the State for the expansion. Mr. Hanan pointed out that this consisted of two grants which were rolled together by the submission of an amended Capital Assistance Proposal application to combine the two grants. He informed the Board that the MCPA needed a Resolution from each participating county advising that they supported the process of applying for the Capital Assistance Grant seeking the State Funding for the expansion project. Mr. Hanan reviewed the contents of the Resolution with the Board and asked for its approval.

### **RESOLUTION**

Perham Resource Recovery Facility  
Wadena County Resolution No. 2010

Commissioner Schermerhorn offered the following and moved adoption:

**WHEREAS**, the Counties of Otter Tail, Todd, and Wadena have participated in the Perham Resource Recovery Facility (PRRF), previously the Quadrant Incinerator since September of 1986 by supplying Municipal Solid Waste (MSW) for processing and energy recovery; and

**WHEREAS**, since March of 2001, the Counties of Otter Tail, Todd, and Wadena along with the City of Perham participated in a major facility modification and upgrade after ownership was transferred from the Quadrant Corporation to the City of Perham; and

**WHEREAS**, contracts signed in March of 2001 which are valid through April of 2022 and commit the Counties of Otter Tail, Todd, and Wadena, along with the City of Perham to joint operations through waste supply guarantees and debt repayment guarantees; and

**WHEREAS**, beginning in 2006 with the closure of the Fergus Falls Resource Recovery Facility, the Counties of Otter Tail, Todd, and Wadena along with the City of Perham and the counties that previously delivered MSW to the Fergus Falls Resource Recovery Facility began to seriously evaluate the potential for expanded processing capacity at the PRRF; and

**WHEREAS**, on May 4, 2010, after many months of discussions, the Counties of Becker, Otter Tail, Todd, and Wadena signed Joint Powers Agreements formalizing the formation of the Prairie Lakes Municipal Solid Waste Authority (PLMSWA); and

**WHEREAS**, the intentions of the parties to the PLMSWA is to enhance the current operations of the PRRF and to improve the future operations by the addition of a Materials Recovery Facility and addition to the processing and energy generating capacity of the PRRF.

**BE IT NOW THEREFORE RESOLVED**, that the Wadena County Board of Commissioners pledges its support for the City of Perham's Capital Assistance Program (CAP) application for expansion and improvement of the PRRF; and

**BE IT FURTHER RESOLVED**, that as a member of the PLMSWA, the Wadena County Board of Commissioners pledges its support for the City of Perham's Capital Assistance Program application for expansion and improvements of the PRRF.

Commissioner Waldahl seconded the motion, and upon being put to a vote, was carried unanimously.

Adopted at Wadena, Minnesota, this 7<sup>th</sup> day of September 2010.

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Rodney Bounds-Vice Chairman  
Wadena County Board

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Charleen West, Wadena County Auditor/Treasurer

Mr. Hanan presented the Board with two Resolution options. He explained that the Department of Revenue (DOR) required that the Board approve a market price for the Wadena County area based on a 9.75% sales tax on residential solid waste and a 17% sales tax for solid waste services on businesses; at this time the State had a concern that the counties would subsidize their tipping fees and then the State would not be receiving their share of the tax. Mr. Hanan pointed out that the DOR decided each county should establish the market price for their area; the Resolution must be submitted to the DOR by October 1, 2010.

Mr. Hanan reviewed the first Resolution option pointing out that the DOR had never provided a worksheet prior; the Statute stated that the County Board was required to determine the lowest price alternative available for disposal; the fee charged by Wadena County at this time would be the taxable Tipping Fee of \$60.00 per ton which indicated a \$12.00 subsidy or a cost of \$72.00. He added that for the market price the lowest cost alternative available must be determined; he reviewed the calculation of the option reflecting a market price of \$73.50 which would result in the County paying sales tax on the difference between \$60.00, that the hauler was charged, and \$73.50 per ton.

Mr. Hanan reviewed the second Resolution option which reflected calculation based on the load under contract and the contract price per load of \$63.89 per ton; sales tax would be paid on the difference between \$63.89 per ton and \$60.00 per ton. He pointed out that the purpose in explaining this was that the County Board had to declare the lowest price alternative; his recommendation was to submit to the State the \$63.89 per ton as Wadena County's lowest alternative. Mr. Hanan advised that he had called the State to verify this information was correct.

**Wadena County Resolution**  
Market Price for the Solid Waste Management Tax

Commissioner Schermerhorn offered the following and moved adoption:

**WHEREAS**, the solid waste management tax requires political subdivisions to identify by resolution a market price if the political subdivision: Subsidizes the cost of service at a facility.

**WHEREAS**, the political subdivision will be liable for the solid waste management tax based only on the market price amount identified through this resolution.

**WHEREAS**, the market price is identified in state statutes as the “lowest price available in the area.”

**WHEREAS**, Wadena County has performed research to identify the lowest price available in the area;

**THEREFORE**, the County of Wadena declares a market price of \$63.89 per ton for a facility, based on a contract combined tipping fee and transportation amount of \$63.89 per ton at the Dakota Landfill.

Commissioner Miller seconded the motion, and upon being put to a vote, was carried.

Approved by the Wadena County Board of Commissioners on this 7th day of September, 2010.

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Rodney Bounds, Board Vice-Chairman

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Charleen West, Auditor/Treasurer

Vice-Chairman Bounds questioned where the Debris Management Site demolition would be hauled.

Mr. Hanan responded that it was undetermined as it was submitted as a Request for Proposal. He pointed out that when the MPCA went through Wadena County’s remaining permitting capacity of the five year permit, which would expire in 2012, there was approximately 90,000 yards of remaining capacity. He added that he had estimated what was at the site and compacted in place, which was approximately 50,000 yards.

Board discussion was held regarding concern over filling up Wadena County’s landfill and various alternative site options for the debris at the Debris Management Site, such as the Bluegrass County gravel pit.

Mr. Hanan agreed that a Permit by Rule could be applied for as an alternate site and advised that when the RFP’s would be opened that afternoon and he would have a better idea for where contractors were planning to haul the demo debris. He added that the MPCA had the authority to issue a Permit by Rule for up to 15,000 cubic yards and they may have emergency authority for larger facilities. Mr. Hanan pointed out that it would take the MPCA only a few weeks to issue a Permit by Rule and that the debris would have to be moved out by November 30, 2010.

The Board recessed at 10:00 a.m.

The Board reconvened at 10:14 a.m.

**Grant Resolution for Fair Grounds:** Kari Tomperi, Wadena Soil & Water Conservation District, informed the Board that BWSR Clean Water Assistance Grant funds could be used for the development of rain gardens at the Fairgrounds to help control the water problems. She pointed out that the proposal must have plans for long-term maintenance and inspection as well as a 25% local match that could include in-kind. Ms. Tomperi reviewed three proposals; first proposal – to develop rain gardens at the Wadena County Fairgrounds; second proposal - long term County and City project that would also include tree planting and partnering with the Trees for Wadena for trees at the Fair Grounds, Tapley Park and the tornado area; third proposal - partnership with the City of Wadena as Phase II to install more trees, rain barrels and rain gardens within the City of Wadena, starting with the Fair Grounds.

Discussion was held regarding the work of the MN Design Team as well as contacts available to the SWCD as it related to long term planning at the Fairgrounds and within the City of Wadena.

Ms. Tomperi advised that the grant application was due September 15<sup>th</sup> and requested a commitment from the County for the application as well as a long term agreement for maintenance.

Discussion was held regarding the Fairgrounds water drainage plan that had already been developed.

Ryan Odden, Highway Engineer, commented that smaller gardens could also be incorporated with major drainage being done the following spring.

Motion by Waldahl, seconded by Schermerhorn, to approve the submission of a BWSR Clean Water Assistance grant application for the Wadena County Fairgrounds through the Wadena Soil & Water Conservation District and to work in partnership with other entities on the maintenance of the rain gardens,

Mr. Odden suggested the Board hold off on some of the main drainage so that it could be counted towards in-kind; if it was completed before the grant was approved it could not count as in-kind.

Ms. Tomperi suggested the Board consider including a minimum cash match of \$7,500.

Discussion was held regarding the amount of in-kind contribution that would be included in the application.

Motion carried.

**Highway Department:** Mr. Odden reminded the Board that they had previously taken action on a Resolution approving the low bid for the use of Bridge Bonds for State Aid Project 80-98-15 and 80-598-16. He advised that after this approval the State informed them that a separate resolution was required for each Bridge as well as the receipt of an additional \$3,266.60 in

bonding funds. Mr. Odden recommended the Board rescind the previous Bonding Resolution approved during the August 19, 2010 Board Meeting and to approve the two new Resolutions.

Motion by Waldahl, seconded by Miller, to rescind the August 19, 2010 motion “Motion by Bounds, seconded by Waldahl, to approve the Resolution For Agreement to State Transportation Fund (Bridge Bonds) Grant Terms and Conditions for construction of Bridge No.80J12 on SAP 80-598-15 and Bridge No. 80J17 on SAP 80-598-16”, motion carried.

**Resolution  
For Agreement to State Transportation Fund (Bridge Bonds)  
Grant Terms and Conditions**

**WHEREAS**, Wadena County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No.80J12 on SAP 080-598-015; and

**WHEREAS**, the Commissioner of Transportation has given notice that funding for this bridge is available; and

**WHEREAS**, the amount of the grant for SAP 80-598-15 has been determined to be \$ 127,906.00 by reason of the lowest responsible bid;

**NOW THEREFORE**, be it resolved that Wadena County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, and all rules related to such legislation, 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 bridge but not required for construction.

Commissioner Schermerhorn motioned and Commissioner Waldahl seconded the motion for adoption of the Resolution and it was declared adopted upon the following vote:

Ayes      4    
Nays      0  

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Charleen West, Auditor/Treasurer

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Rodney Bounds, Vice-Chairman

**Resolution  
For Agreement to State Transportation Fund (Bridge Bonds)  
Grant Terms and Conditions**

**WHEREAS**, Wadena County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No.80J17 on SAP 080-598-016; and

**WHEREAS**, the Commissioner of Transportation has given notice that funding for this bridge is available; and

**WHEREAS**, the amount of the grant for SAP 80-598-16 has been determined to be \$ 117,840.00 by reason of the lowest responsible bid;

**NOW THEREFORE**, be it resolved that Wadena County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, and all rules related to such legislation, 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 bridge but not required for construction.

Commissioner Schermerhorn motioned and Commissioner Waldahl seconded the motion for adoption of the Resolution and it was declared adopted upon the following vote:

Ayes	<u>4</u>
Nays	<u>0</u>

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Charleen West, Auditor/Treasurer

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Rodney Bounds, Vice-Chairman

Mr. Odden informed the Board that current project SP 80-602-08 Bridge Project was opened to traffic on September 3, 2010.

Discussion was held regarding a Shell River Township road project and concerns received by Commissioner Schermerhorn.

**Reschedule of 12/20/10 Board Meeting:** Tabled

**Request for FMLA:** Motion by Miller, seconded by Waldahl, to approve FMLA medical leave for Rhonda Dittberner, MIS Department, to begin August 30, 2010 for up to 12 weeks, motion carried.

**Commissioners Reports:**

Commissioner Schermerhorn and Commissioner Miller: Staples Joint Judicial Ditches #8 and #5 Meeting - City would take over jurisdiction of the ditches until it was approved and accepted by Wadena County, any financial responsibilities would be covered by the City of Staples.

Commissioner Bounds: Meeting relating to Veteran's request to locate a retired helicopter on the Courthouse lawn by the Veteran's Memorial Park which would be located at Sunnybrook Park.

Commissioner Waldahl: NJPA Meeting - started new building project; Veteran's Memorial Park Meeting.; Todd Wadena Community Corrections Meeting; Wadena 2.0 Committee Meeting; 4-H Building Meeting - some mold problems, met 4-H Coordinator, Building Services Director and

Emergency Management Director - FEMA mitigation funds would pay 75% for a bigger, safer building that would be available for all people.

Further discussion was held relating to possibilities available for a bigger, safer Fairgrounds Building.

Discussion was held regarding the South County Health Alliance Joint Powers Board meeting that was scheduled for September 9, 2010; Commissioner Schermerhorn would attend.

Motion by Schermerhorn, seconded by Miller, to authorize payment of the Board of Commissioner bills in the amount of \$150,109.93, motion carried.

Motion by Waldahl, seconded by Miller, to adjourn the Board of Commissioners Meeting at 11:20 a.m.

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Charleen West, Auditor/Treasurer

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Rodney Bounds, Vice-Chairman