

PROCEEDINGS OF THE COUNTY BOARD

State of Minnesota }
County of Kanabec }
Office of the County Coordinator

January 18, 2006

The Kanabec County Board of Commissioners met at 9:00am on Wednesday, January 18, 2006 pursuant to adjournment with the following Board Members present: Stan Cooper, Jerry Nelson, Kathi Ellis, Dennis McNally and Les Nielsen.

The Chairperson led the assembly in the Pledge of Allegiance.

Action #1 - It was moved by Jerry Nelson, seconded by Dennis McNally, and carried unanimously to approve the agenda with the addition of union negotiation update.

Action #2 – It was moved by Kathi Ellis, seconded by Jerry Nelson, and carried unanimously to approve the January 3, 2006 minutes of the Kanabec County Board of Commissioners as corrected:

- a. Action #45 – Show Commissioner Ellis as the alternate
- b. Action #47 – Show Commissioner Nelson as making the motion
- c. Action #70 – Add Minnesota Counties Insurance Trust Claim of \$171,478.00

Action #3 - It was moved by Jerry Nelson, seconded by Dennis McNally, and carried unanimously to recess the board meeting at 9:05am to a time immediately following the Human Service Board.

The Kanabec County **Human Service Board** met at **9:05am** on Wednesday, January 18, 2006 pursuant to adjournment with the following Board Members present: Kathi Ellis, Les Nielsen, Stan Cooper, Jerry Nelson, and Dennis McNally. Phil Peterson, Family Service Agency Director, presented the Human Services agenda. Items discussed included the budget, staffing, finances, and other agency business.

Action #HS4 - It was moved by Stan Cooper, seconded by Kathi Ellis, and carried unanimously to approve the agenda of the Human Service Board with the addition of Financial Worker discussion.

Action #HS5 – It was moved by Kathi Ellis, seconded by Stan Cooper, and carried unanimously to approve the following resolution:

Resolution #HS5 – 01/18/06
ORDER OF THE BOARD

WHEREAS the Family Service Agency Director has requested approval to create and fill a new Social Worker position, and

BE IT RESOLVED that the County Board authorizes Family Service Agency Director Phil Peterson and the County Personnel Director to hire a Social Worker to fill the new position at Step A, Range 10 of the pay plan which is \$16.77 per hour or the rate set by rule for internal promotion, and

BE IT FURTHER RESOLVED that the hours of work for this position be limited to those budgeted.

Action #HS6 – It was moved by Jerry Nelson, seconded by Kathi Ellis, and carried unanimously to approve the following resolution:

Resolution #HS6 – 01/18/06
ORDER OF THE BOARD

WHEREAS the Family Service Agency Director has requested approval to create and fill a new Case Aide position, and

BE IT RESOLVED that the County Board authorizes Family Service Agency Director Phil Peterson and the County Personnel Director to hire a Case Aide to fill the new position at Step A, Range 6 of the pay plan which is \$13.28 per hour or the rate set by rule for internal promotion, and

BE IT FURTHER RESOLVED that the hours of work for this position be limited to those budgeted.

Action #HS7 – It was moved by Kathi Ellis, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

Resolution #HS7 – 01/18/06
ORDER OF THE BOARD

WHEREAS Family Service Aide/HHA Betty Pfiffner has worked for the Public Health Service under contract to the Family Service Agency, and

WHEREAS the Public Health Service Director and the Family Service Agency Director have agreed to transfer the position to the Family Service Agency for greater efficiency;

BE IT RESOLVED to transfer Family Service Aide/HHA Betty Pfiffner to the Family Service Agency effective January 21, 2006.

Action #HS8 – It was moved by Jerry Nelson, seconded by Stan Cooper, and carried unanimously to approve an agreement with Chisago County for services under a County ISP grant for calendar year 2006.

Action #HS8 – It was moved by Dennis McNally, seconded by Jerry Nelson, and carried unanimously to a Child Support Agreement for 2006 and authorize Family Service Agency Director Phil Peterson to sign the agreement.

Action #HS9 – It was moved by Kathi Ellis, seconded by Jerry Nelson, and carried unanimously to authorize the expenditure of \$700.00 for Minnesota Social Service Association (MSSA) membership in 2006.

Action #HS10 – It was moved by Dennis McNally, seconded by Kathi Ellis, and carried unanimously to approve the following resolution:

Resolution #HS10 – 01/18/06

WHEREAS the Family Service Agency Director did advertise for sale a 1996 Chevrolet Blazer acquired as part of an estate, and

WHEREAS no bids were received within the allotted time, and

WHEREAS two offers were received after the allotted time;

BE IT RESOLVED to authorize the Family Service Agency Director to accept one of the two offers made after the advertised time period, and

BE IT FURTHER RESOLVED that if neither offer is still valid, the Director may readvertise.

Action #HS11 – It was moved by Stan Cooper, seconded by Dennis McNally, and carried unanimously to approve payment of 139 claims totaling \$254,757.14 on Welfare Funds.

Action #HS12 - It was moved by Kathi Ellis, seconded by Jerry Nelson, and carried unanimously to adjourn the Human Service Board at 9:56am to meet again on Wednesday, February 15, 2006 at 9:05am.

The meeting of the Kanabec County Board of Commissioners resumed.

Commissioners gave reports of the activities of the Boards and Committees in which they participate.

Action #13 – It was moved by Dennis McNally, seconded by Jerry Nelson, and carried unanimously to recess the board meeting at 10:10am to a time immediately following the Public Health Board.

The Kanabec County **Public Health Board** met at **10:08am** on Wednesday, January 18, 2006 pursuant to adjournment with the following Board Members present: Kathi Ellis, Les Nielsen, Stan Cooper, Jerry Nelson, and Dennis McNally. Wendy Thompson, Public Health Director, presented the Health Board agenda. Items discussed included agency finances, contracts, staffing and other agency business.

Action #PH14 - It was moved by Stan Cooper, seconded by Jerry Nelson, and carried unanimously to approve the Public Health Board Agenda with the addition of Blue Cross/Blue Shield settlement.

Action #PH15 – It was moved by Dennis McNally, seconded by Stan Cooper, and carried unanimously to approve the following resolution:

Resolution #PH15 – 01/18/06

WHEREAS the board did, by Resolution PH13-12/14/06, authorize the refill of a vacant nurse position, and

WHEREAS an nurse experienced in county-based public health has applied for the position, and

WHEREAS the authorized entry-level wage is insufficient to attract a person at that level of experience;

BE IT RESOLVED to authorize the offer of the nurse position to Rushess Husom at Step C, Range 11 of the pay plan plus a \$2.00 market adjustment which combined is \$21.10 per hour.

Action #PH16 - It was moved by Dennis McNally, seconded by Jerry Nelson, and carried unanimously to adjourn the Public Health Board at 11:00am to meet again in regular session on Wednesday, February 15, 2006 at 10:05am.

The meeting of the Kanabec County Board of Commissioners resumed.

Commissioners resumed giving reports of the activities of the Boards and Committees in which they participate.

11:07am - The Chairperson then called for public comment. Those who responded included:

Bob Swetz	- Asked about Blue Cross/Blue Shield settlement - Asked why county paid sales tax
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11:13am - The Chairperson closed public comment.

Action #17 – It was moved by Jerry Nelson, seconded by Dennis McNally, and carried unanimously to approve the following resolution:

WHEREAS the board did set aside \$8,682.00 for a multi-function copier by Resolution **15** 12/21/05, and

Resolution #17 – 01/18/06

WHEREAS quotes for copiers were received as follows:

Marco Business Products (Sharp ARM355) = \$9,468.92
Metro Sales (Rico 3030 S/P) = \$8,615.85

WHEREAS the County Coordinator and Information Systems Director recommend the Metro Sales proposal;

BE IT RESOLVED to approve the staff recommendation and accept the low quote of \$8,615.85 from Metro Sales and authorize payment of \$8,615.85.

11:25am – The board took a 10-minute break.

11:35am – Russell Brooks, Director of the Minnesota Alliance for Safe Highways, met with the County Board to discuss matters concerning proposed weight limit increases on trucks. The board took the matter under advisement.

11:51am – East Central Solid Waste Director Gene Kramer met with the County Board to discuss matters concerning an amendment to the East Central Solid Waste Commission Joint Powers Agreement.

Action #18 – It was moved by Dennis McNally, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

Resolution #18 – 01/18/06

WHEREAS the Kanabec County Board of Commissioners did approve an amendment to the East Central Solid Waste Commission Joint Powers Agreement by Board Action #25 on October 19, 2005, and

WHEREAS the amendment passed was identical to that passed by the other East Central Solid Waste Commission Joint Powers Counties except for one word whose meaning appeared to be ambiguous at the time, and

WHEREAS the ambiguity has been cleared up and the board wishes to make the amendment approved by Kanabec County identical to that approved by the other member counties;

BE IT RESOLVED to approve the following:

**SECOND AMENDMENT TO
EAST CENTRAL SOLID WASTE COMMISSION
JOINT POWERS AGREEMENT**

This agreement is made by and between the Counties of Chisago, Isanti, Kanabec, Mille Lacs, and Pine (collectively, the “Counties” and each individually, a “County”), pursuant to Minn. Stat. § 471.59.

WHEREAS, the Counties entered into a Joint Powers Agreement in March of 1988 establishing the East Central Solid Waste Commission (“Commission”).

WHEREAS, the Joint Powers Agreement provided for termination on January 1, 2008.

WHEREAS, the Counties agreed to amend the Joint Powers Agreement (“First Amendment”) on August 24, 2004 deleting the termination date.

WHEREAS, financial contributions have been made to the Commission by each of the counties throughout the period of the Commission’s existence.

WHEREAS, the Commission has kept records on contributions from each of the Counties.

WHEREAS, the Joint Powers Agreement required Counties to make contributions or loans to the Commission. Many of the contributions have been in the form of payments of all or a portion of the Commission bond payments.

WHEREAS, the parties have always understood that once the bond payments or debt of the Commission was satisfied, that those loans or contributions made by the Counties would be repaid with interest.

WHEREAS, each of the Counties represent that they have been duly authorized to enter into this Second Amendment to the Joint Powers Agreement by their respective Board of County Commissioners.

NOW, THEREFORE, the parties agree as follows:

1. The second sentence of the section of the Joint Powers Agreement concerning Duration is amended to read as follows:

The Commission hereby created shall remain in existence so long as two or more Counties remain as parties to this Agreement, or, if not earlier dissolved, until July 1, 2026.

2. The section of the Joint Powers Agreement entitled Withdrawal is amended to read as follows:

Any County may withdraw from participation in the Commission upon the following conditions” 1) six months written notice in the form of a resolution from the County Board; 2) payment to the Commission of all costs the Commission incurs in the withdrawal process, including, but not limited to, the appraisal or evaluation costs, accounting costs, consultant costs, and legal fees; 3) payment of the withdrawing County’s Proportional Share of all debts and liabilities of the Commission. These costs must be paid by the withdrawing County before it may receive any distribution from the Commission. The remaining Counties shall make reasonable efforts to mitigate the damages which may be incurred as a result of the withdrawal of any County.

The Commission shall conduct an accounting to determine the assets and liabilities of the Commission. The accounting shall assume the assets are valued as if a liquidation were to occur. The withdrawing County Calculated Distribution shall be its Proportional Share of the valued assets, minus any debts or liabilities (excluding the Proportional Share of the withdrawing County’s liabilities) as set forth in the terms of repayment.

Terms of repayment: The Commission shall make semi-annual payments (by June 30th and December 31st of each year) to the withdrawing County in the amount of the calculated distribution amortized, over 15 years. No payments will be made to a withdrawing County prior to the retirement of the current bonds on June 30, 2007. However, any withdrawal commenced within five years of the effective date of this amendment shall receive only 90% of the Calculated Distribution. The semi-annual payments to the withdrawing County or Counties provided herein shall not exceed 50% of the Commission’s surplus cash at year end of the prior year (i.e. payments in 2007 will be based on surplus cash at the end of 2006) as determined by the Commission. It is understood that the Commission will fund each year the accounts that require funds for known or anticipated projects and other

budgeted set-aside accounts. Any payments missed as a result of this requirement shall extend the period of repayment.

No Release, discharge: A withdrawing County is not released from any liability for removal, remediation, or clean-up of hazardous materials on any portion of the Commission property where operations occurred when the withdrawing County was a member, or for damage caused by a release of hazardous or dangerous materials from any portion of the Commission property where operations occurred when the withdrawing County was a member. If the Commission assumed liability for such matters when the withdrawing County was a member, then the withdrawing County is also not released from that liability.

3. Unless otherwise provided by the Joint Powers Agreement, the Commission may adopt a process for repaying the actual financial contributions made by the member Counties. Such payments may be made after all bonds issued by the Commission are no longer outstanding and have been paid in full. The repayment of such contributions will be calculated in the sole discretion of the Commission after reviewing the surplus cash available at year end. A County which has withdrawn is not entitled to receive any such repayments and by withdrawing knowingly waives any such repayments.
4. Paragraph 1 of the First Amendment to the Joint Powers Agreement is hereby deleted.
5. Any future bonding by the Commission must be approved by Boards of all member Counties.
6. The Commission assumes all responsibility for payment from available funds of the Calculated Distribution to a withdrawing County or the repayment of prior financial contributions by member Counties and the member Counties shall not be required to contribute or appropriate funds to make such payments.
7. The remainder of the Joint Powers Agreement, as modified by the First Amendment to the Joint Powers Agreement, shall remain in full force and effect, except where the provisions are inconsistent with this Second Amendment.

12:08pm – Property Tax Specialist Karen McClellan met with the County Board to discuss matters concerning the AS-400 computer system.

Action #19 – It was moved by Dennis McNally, seconded by Stan Cooper, and carried unanimously to approve the following resolution:

Resolution #19 – 01/18/06

WHEREAS the AS-400 budget includes an upgrade to the county electronic imaging system, and

WHEREAS this upgrade would permit electronic storage of records in a format that complies with data storage laws without having to print out the documents, and

BE IT RESOLVED to authorize the purchase of ERMXtender software from Information Systems Corporation at a cost of \$11,199 plus tax.

Action #20 – It was moved by Kathi Ellis, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

Resolution #20 – 01/18/06

BE IT RESOLVED to close at the meeting at 12:15pm pursuant to Minnesota Statute §13D.03 to consider strategy for labor negotiations, including negotiation strategies or developments and discussion and review of labor negotiation proposals, conducted pursuant to sections §179A.01 to §179A.25.

Those present during the closed portion of the meeting include Commissioners Dennis McNally, Jerry Nelson, Les Nielsen, Kathi Ellis and Stan Cooper. Also present was County Coordinator Alan B. Peterson.

Action #21 – It was moved by Dennis McNally, seconded by Kathi Ellis, and carried unanimously to reopen the meeting at 12:20pm.

12:21pm – Bob Mayo met with the County Board to discuss matters concerning Ordinance #5. The board took the matter under advisement.

1:00pm – Auditor/Treasurer Denise Cooper met with the County Board to discuss matters concerning fees, elections and grants.

Action #22 – It was moved by Jerry Nelson, seconded by Stan Cooper, and carried unanimously to approve the following resolution:

Resolution #22 – 01/18/06

WHEREAS the Kanabec County Board of Commissioners has approved a Grant-in-aid agreement (snowmobile trails) for a \$20,188.00 grant of the Snake River Trail, and

WHEREAS the State has offered an amendment to this agreement providing an

additional \$4,037.60 in grant funds;

BE IT RESOLVED to approve Amendment #1 to the Grant-in-aid agreement between the State Department of Natural Resources, Division of Trails and Waterways, and Kanabec County to increase the Snake River Trail grant from \$20,188.00 to \$24,225.60.

Action #23 – Kathi Ellis introduced the following resolution and moved its adoption:

Resolution #23 – 01/18/06

WHEREAS the Auditor/Treasurer has charged the Knife Lake Improvement District (KLID) a fee of \$3.00 per parcel for collecting assessments, and

WHEREAS the KLID has requested a reduction to \$1.00 per parcel, and

WHEREAS recent changes in the tax software has reduced the amount of labor involved in the collection process;

BE IT RESOLVED to reduce the cost per parcel to the KLID to \$1.00 for the years 2006, 2007 and 2008.

Action #24 – It was moved by Jerry Nelson, seconded by Stan Cooper, and carried unanimously to postpone consideration of Resolution 23-1/18/06 until 10:00am at the regular board meeting on February 8, 2006.

Action #25 – It was moved by Jerry Nelson, seconded by Stan Cooper, and carried unanimously to approve the following resolution:

Resolution #25 – 01/18/06

WHEREAS the County Auditor/Treasurer, in cooperation with other local units of government in Kanabec County, has prepared a Kanabec County Election Equipment Plan, and

WHEREAS a public hearing was held on Wednesday, January 11, 2006 pursuant to public notice for the purpose of soliciting input on the Kanabec County Election Equipment Plan, and

WHEREAS Kanabec County is required by the Minnesota Secretary of State to adopt such a plan, and

WHEREAS it is the intent of the Kanabec County Board of Commissioners to apply for a \$60,000.00 Optical Scan Voting Equipment Grant and \$141,187.93 Assistive Voting Systems Grant to help fund the Kanabec County Election Equipment Plan;

BE IT RESOLVED to approve the Kanabec County Election Equipment Plan as presented.

Action #26 – It was moved by Kathi Ellis, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

Resolution #26 – 01/18/06

WHEREAS Kanabec County and other units of government in the county are required by the Minnesota Secretary of State to have Optical Scan Voting Equipment, and

WHEREAS under Minnesota Laws 2005, Chapter 162, Section 34, Subdivision 2, counties may apply for funds for Optical Scan Voting Equipment, and

WHEREAS Kanabec County is eligible for a \$60,000 grant under this law;

BE IT RESOLVED to approve an “Optical Scan Voting Equipment Grant Application & Agreement.”

Action #27 – It was moved by Dennis McNally, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

Resolution #27 – 01/18/06

WHEREAS Kanabec County and other units of government in the county have are required by the Minnesota Secretary of State to have electronic voting systems equipped for individuals with disabilities, and

WHEREAS under Minnesota Laws 2005, Chapter 162, Section 34, Subdivision 1, counties may apply for funds for Assistive Voting Systems, and

WHEREAS Kanabec County is eligible for a \$141,187.93 grant under this law;

BE IT RESOLVED to approve an “Assistive Voting Systems Grant Application & Agreement.”

1:35pm – Mike Kostic with McBees met with the County Board to discuss matters concerning charitable gambling. No action was taken at this time.

Action #28 - It was moved by Dennis McNally, seconded by Kathi Ellis, and carried unanimously to adjourn at 2:05pm to meet in regular session on Wednesday, January 25, 2006 at 6:30pm.

Signed _____
Chairperson of the Kanabec County Board of Commissioners,
Kanabec County, Minnesota

Attest: _____
Alan B. Peterson, Kanabec County Coordinator