

# PROCEEDINGS OF THE COUNTY BOARD

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

**January 21, 2004**

The Kanabec County Board of Commissioners met at 9:00am on Wednesday, January 21, 2004 pursuant to adjournment with the following Board Members present: Stan Cooper, Jerry Nelson, Kathi Ellis, Les Nielsen, and Dennis McNally.

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 as amended.

Action #2 - It was moved by Dennis McNally, seconded by Les Nielsen, 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 21, 2004 pursuant to public notice with the following Board Members present: Kathi Ellis, Stan Cooper, Jerry Nelson, Les Nielsen, 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 #3 - It was moved by Les Nielsen, seconded by Jerry Nelson, and carried unanimously to approve the Human Service Board agenda as presented.

Action #4 - It was moved by Les Nielsen, seconded by Stan Cooper, and carried unanimously to authorize Family Service Agency Director Phil Peterson to sign a Professional Services Agreement between the Minnesota Counties Insurance Trust and Kanabec County for administration of claims for injury protection for participants in a community work experience program.

Action #5 - It was moved by Dennis McNally, seconded by Les Nielsen, and carried unanimously to approve payment of 128 claims totaling \$237,913.00 on the Welfare Fund.

Action #6 - It was moved by Stan Cooper, seconded by Jerry Nelson, and carried unanimously to adjourn the Human Service Board at 9:25am to meet again in regular session on Wednesday, February 18, 2004 at 9:05am.

The meeting of the Kanabec County Board of Commissioners resumed.

**9:25am** - County Attorney Joe Loren met with the County Board to discuss matters concerning building issues.

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Action #7 - It was moved by Les Nielsen, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

### *Resolution 7 - 01/21/04*

**WHEREAS** certain issues with the courthouse building remain unresolved since construction concluded, and

**WHEREAS** the County Attorney recommends turning these issues over to a legal firm specializing in such matters;

**BE IT RESOLVED** to turn the remaining building issues over to the firm of Ratwik, Roszak and Maloney for further action.

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Action #8 - Jerry Nelson introduced the following resolution and moved its adoption:

### *Resolution 8 – 01/21/04*

**BE IT RESOLVED** to rescind Kanabec County Board of Commissioners Resolution **22** - 01/06/04.

The motion for the adoption of the foregoing Resolution was duly seconded by Les Nielsen and upon a vote being taken thereon, the following voted:

**IN FAVOR THEREOF:** Jerry Nelson, Les Nielsen, Kathi Ellis

**OPPOSED:** Dennis McNally

**ABSTAIN:** Stan Cooper

whereupon the resolution was declared duly passed and adopted.

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Action #9 - Les Nielsen introduced the following resolution and moved its adoption:

### *Resolution 9 – 01/21/04*

**WHEREAS** the Kanabec County Board of Commissioners has considered the matter of the wage and budget for year 2004 for the County Attorney, and

**WHEREAS** the County Board has reviewed the Job Description of the County Attorney, and

**WHEREAS** the board has reviewed the experience, qualifications and performance of the County Attorney;

**BE IT RESOLVED** to set the Y2004 annual wage of County Attorney Joe Loren at \$68,748 in accordance with the county pay plan, and

**BE IT FURTHER RESOLVED** to set the Y2004 Attorney's Budgets at:

Expenditures	\$343,080
Revenue	\$34,960
Net Budget	\$308,120

The motion for the adoption of the foregoing Resolution was duly seconded by Stan Cooper and upon a vote being taken thereon, the following voted:

**IN FAVOR THEREOF:** Jerry Nelson, Les Nielsen, Kathi Ellis, Stan Cooper

**OPPOSED:** Dennis McNally

**ABSTAIN:** None

whereupon the resolution was declared duly passed and adopted.

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Action #10 - Stan Cooper introduced the following resolution and moved its adoption:

### ***Resolution 10 – 01/21/04***

**WHEREAS** the Kanabec County Board of Commissioners has considered the matter of the wage and budget for year 2004 for the County Recorder, and

**WHEREAS** the County Board has reviewed the Job Description of the County Recorder, and

**WHEREAS** the board has reviewed the experience, qualifications and performance of the County Recorder;

**BE IT RESOLVED** to set the Y2004 annual wage of County Recorder Rhonda Olson at \$40,017 in accordance with the county pay plan, and

**BE IT FURTHER RESOLVED** to set the Y2004 Recorder's Budget at:

Expenditures	\$117,929
Revenue	\$107,100
Net Budget	\$10,829

The motion for the adoption of the foregoing Resolution was duly seconded by Jerry Nelson and upon a vote being taken thereon, the following voted:

**IN FAVOR THEREOF:** Jerry Nelson, Les Nielsen, Kathi Ellis, Stan Cooper  
**OPPOSED:** Dennis McNally  
**ABSTAIN:** None

whereupon the resolution was declared duly passed and adopted.

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Action #11 - Jerry Nelson introduced the following resolution and moved its adoption:

### ***Resolution 11 – 01/21/04***

**WHEREAS** the Kanabec County Board of Commissioners has considered the matter of the wage and budget for year 2004 for the County Auditor/Treasurer, and

**WHEREAS** the County Board has reviewed the Job Description of the County Auditor/Treasurer, and

**WHEREAS** the board has reviewed the experience, qualifications and performance of the County Auditor/Treasurer;

**BE IT RESOLVED** to set the Y2004 annual wage of Auditor/Treasurer Denise Cooper at \$47,922 in accordance with the county pay plan, and

**BE IT FURTHER RESOLVED** to set the Y2004 Auditor/Treasurer Budget at:

Expenditures	\$329,480
Revenue	\$19,000
Net Budget	\$310,480

The motion for the adoption of the foregoing Resolution was duly seconded by Les Nielsen and upon a vote being taken thereon, the following voted:

**IN FAVOR THEREOF:** Jerry Nelson, Les Nielsen, Kathi Ellis  
**OPPOSED:** Dennis McNally  
**ABSTAIN:** Stan Cooper

whereupon the resolution was declared duly passed and adopted.

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Action #12 - Les Nielsen introduced the following resolution and moved its adoption:

## *Resolution 12 – 01/21/04*

**WHEREAS** the Kanabec County Board of Commissioners has considered the matter of the wage and budget for year 2004 for the County Sheriff, and

**WHEREAS** the County Board has reviewed the Job Description of the County Sheriff, and

**WHEREAS** the board has reviewed the experience, qualifications and performance of the County Sheriff;

**BE IT RESOLVED** to set the Y2004 annual wage of County Sheriff Steve Schulz at \$63,349 in accordance with the county pay plan, and

**BE IT FURTHER RESOLVED** to set the Y2004 Sheriff's Budget at:

The motion for the adoption of the foregoing Resolution was duly seconded by Jerry Nelson and upon a vote being taken thereon, the following voted:

Expenditures	\$1,989,161
Revenue	\$243,063
Net Budget	\$1,746,098

**IN FAVOR THEREOF:** Jerry Nelson, Les Nielsen, Kathi Ellis, Stan Cooper

**OPPOSED:** Dennis McNally

**ABSTAIN:** None

whereupon the resolution was declared duly passed and adopted.

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Action #13 – It was moved by Jerry Nelson, seconded by Stan Cooper, and carried unanimously to approve the following resolution:

## *Resolution 13 – 01/21/04*

**WHEREAS** Kanabec County has been offered a grant from the State of Minnesota for purposes of snowmobile law enforcement;

**BE IT RESOLVED** to accept a Snowmobile Grant in the amount of \$3,866.43, and

**BE IT FURTHER RESOLVED** to authorize and direct the Chairperson to sign the grant agreement.

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Action #14 - It was moved by Stan Cooper, seconded by Dennis McNally, and carried unanimously to approve the following resolution:

### ***Resolution 14 - 01/21/04***

**WHEREAS**, an Emergency Interim Ordinance by the Kanabec County Board of Commissioners, Resolution 1, 1/22/03, has been adopted prohibiting on an interim basis, the siting, maintaining and operating of adult orientated businesses, and

**WHEREAS**, progress is being made toward the implementation of a permanent ordinance regarding this;

**NOW, THEREFORE, BE IT RESOLVED**, the Emergency Interim Ordinance of 1/22/03 prohibiting the siting, maintaining, and operating of adult orientated businesses within Kanabec County is hereby renewed for another year from and after 1/22/04 or until the adoption and implementation of the permanent ordinance, whichever occurs first.

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Action #15 - It was moved by Les Nielsen, seconded by Jerry Nelson, and carried unanimously to approve the January 6, 2004 minutes of the Kanabec County Board of Commissioners as corrected: - In Resolution 23, correct the second on the resolution from Stan Cooper to

Dennis McNally

- On Action #34, show the second as Les Nielsen and the vote as:

IN FAVOR THEREOF: Jerry Nelson, Les Nielsen, Stan Cooper

OPPOSED: None

ABSTAIN: Kathi Ellis, Dennis McNally

- In Action #37, clarify 'claims' to read "claims for premiums"

- Action #39, in the motion after the word 'ordains' add "the following ordinance effective upon publication."

- Action #39, Section 4.1, 3: delete the phrase beginning in the second sentence "of an adult business"

- Action #39, Section 4.4, 2: clarify language to verify a permit is not transferable

Each commissioner gave a report of the activities of the Boards and Committees in which they participate.

Action #16 - It was moved by Dennis McNally, seconded by Les Nielsen, and carried unanimously to recess the board meeting at 10:08am to a time immediately following the Public Health Board.

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The Kanabec County **Public Health Board** met at **10:08am** on Wednesday, January 21, 2004 pursuant to public notice with the following Board Members present: Kathi Ellis, Stan Cooper, Jerry Nelson, Les Nielsen, 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 #17 - It was moved by Stan Cooper, seconded by Jerry Nelson, and carried unanimously to approve the Public Health Board Agenda as amended.

10:15am - Commissioner Nielsen left the meeting.

Action #18 - It was moved by Dennis McNally, seconded by Jerry Nelson, and carried unanimously to adjourn the Public Health Board at 10:40am to meet again in regular session on Wednesday, February 18, 2004 at 10:05am.

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

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

### *Resolution 19 - 01/21/04*

**WHEREAS** the Kanabec County Board of Commissioners has been presented with a labor agreement for approval, and

**WHEREAS** the employer negotiating team does recommend approval of this contract;

**BE IT RESOLVED** to approve an agreement between Kanabec County and Law Enforcement Labor Services, Inc for the time period January 1, 2004 through December 31, 2005, and

**BE IT FURTHER RESOLVED** to authorize and direct the Chairperson to sign the agreement.

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Action #20 - It was moved by Dennis McNally, seconded by Stan Cooper, and carried unanimously to approve the following resolution:

### *Resolution 20 - 01/21/04*

**BE IT RESOLVED** to appoint Bonnie Dallman to the Position D on the Board of Adjustment (alternate) for the unfilled balance of a three-year term commencing immediately and expiring January 3, 2006.

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Action #21 - It was moved by Jerry Nelson, seconded by Dennis McNally, and carried unanimously to approve the following resolution:

***Resolution 21 - 01/21/04***

**BE IT RESOLVED** to appoint Gene Banks to the Kanabec/Pine Community Health Service Board for the unfilled balance of a term of a three-year term commencing immediately and expiring January 3, 2005.

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**11:15am** - Environmental Services Director Teresa Bearce met with the County Board to discuss matters concerning her office.

Action #22 - It was moved by Jerry Nelson, seconded by Stan Cooper, and carried unanimously to approve payment of a claim of \$50.00 to Midwest Analytical for Well-Baby testing claims to be paid on Water Plan Funds.

Action #23 - It was moved by Jerry Nelson, seconded by Dennis McNally, and carried unanimously to authorize Environmental Services Director Bearce to rent a booth at the Home Show at a cost of up to \$330.00.

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Action #24 - It was moved by Stan Cooper, seconded by Dennis McNally, and carried unanimously to approve the following resolution:

***Resolution 24 - 01/21/04***

**WHEREAS** Kanabec County is required to update its Solid Waste Management Plan by the end of 2004, and

**WHEREAS** Kanabec County has the opportunity to participate in a regional plan development through the East Central Solid Waste Commission;

**BE IT RESOLVED** that Kanabec County will participate in the regional plan development coordinated by the East Central Solid Waste Commission at a cost of up to \$10,000.00 from solid waste surcharge funds, and

**BE IT RESOLVED** that this approval is contingent upon written confirmation from the state that this is a permissible expenditure from surcharge funds.

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**11:45am** - The Chairperson then called for public comment. Those who responded included:

Bob Swetz	-If the ATV Ordinance passes, can the public still ride on township roads and ditches?
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	- What is being done with the courthouse roof?
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The Chairperson closed public comment at noon.

Action #25 - It was moved by Dennis McNally, seconded by Jerry Nelson, and carried unanimously to adjourn at 12:02pm to meet in regular session on Wednesday, January 28, 2004 at 6:30pm.

*Signed* \_\_\_\_\_  
Chairperson of the Kanabec County Board of Commissioners,  
Kanabec County, Minnesota

*Attest:* \_\_\_\_\_  
Kanabec County Coordinator