

PROCEEDINGS OF THE COUNTY BOARD

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

July 14, 2004

The Kanabec County Board of Commissioners met at 9:00am on Wednesday, July 14, 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 Dennis McNally, seconded by Les Nielsen, and carried unanimously to approve the agenda as amended.

Action #2 - It was moved by Jerry Nelson, seconded by Les Nielsen, and carried unanimously to approve the June 23, 2004 minutes of the Kanabec County Board of Commissioners as corrected:

- a. Action #11, add the word 'to' after the word 'Mora.'
- b. Action #16, correct the spelling of the word 'motion.'

9:05am - Environmental Services Director Teresa Bearce met with the County Board to discuss matters concerning her office.

Action #3 - It was moved by Les Nielsen, seconded by Stan Cooper, and carried unanimously to approve the following resolution:

Resolution 3 - 07/14/04 **ORDER OF THE BOARD**

WHEREAS there is a vacancy in the position of Environmental Services Clerical Worker, and

WHEREAS the board desires to refill this vacant position;

BE IT RESOLVED that the County Board authorizes Environmental Services Director Teresa Bearce and the County Personnel Director to hire a Full-Time 37.5 hour per week Clerical Worker to refill the vacant position at Step A, Range G3 of the pay plan which is \$10.80 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 #4 - It was moved by Les Nielsen, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

Resolution 4 - 07/14/04
ORDER OF THE BOARD

WHEREAS the board has evaluated the past year's job performance of Environmental Services Director Teresa Bearce;

BE IT RESOLVED that the board finds her performance to be satisfactory, and

BE IT FURTHER RESOLVED to authorize the request to advance in pay from -16A at \$22.00 per hour to G16A at \$23.03 per hour effective at the beginning of the pay period including August 15, 2004.

Action #5 - It was moved by Jerry Nelson, seconded by Les Nielsen, and carried unanimously to approve a **Consent Agenda** including all of the following actions:

Resolution 5a – 07/14/04

WHEREAS the board has been presented with claims for recycling efforts to be paid from SCORE Funds, and

WHEREAS these claims have been reviewed, tabulated and approved by the Kanabec County Solid Waste Officer, and

WHEREAS SCORE Funds appear adequate for the purpose;

BE IT RESOLVED to approve payment of the following April, 2004 claims on SCORE Funds:

<u>Quality Disposal</u>	<u>\$2,024.90</u>
<u>Knife Lake Sanitation</u>	<u>\$1,757.60</u>
TOTAL	\$4,182.50

9:30am - Kelly Osterdyk and Ralph Wahlstrom with Kanabec Soil & Water Conservation District met with the County Board to present an annual report of activities.

9:55am - County Sheriff Steve Schulz and Investigator Brian Smith met with the County Board to discuss matters concerning the Sheriff's Office.

Action #6 - It was moved by Stan Cooper, seconded by Dennis McNally, and carried unanimously to authorize the purchase of a keyboard controller for the courthouse monitoring system at a cost of \$1,155 from the jail budget.

Action #7 - It was moved by Jerry Nelson, seconded by Dennis McNally, and carried unanimously to authorize the purchase of three high risk entry vests at a cost of \$1,195 each using a donation from the Pokegema Lake Association.

Action #8 - It was moved by Dennis McNally, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

Resolution 8 – 07/14/04
ORDER OF THE BOARD

WHEREAS there is a vacancy in the position of Deputy Sheriff, and

WHEREAS the board desires to refill this vacant position;

BE IT RESOLVED that the County Board authorizes County Sheriff Steve Schulz and the County Personnel Director to hire a Deputy Sheriff to refill the vacant position at \$14.82 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, and

BE IT FURTHER RESOLVED that the County Sheriff and Personnel Director are authorized to use the Deputy Sheriff applicant list produced by Board Resolution 16-04/21/04.

10:16am - County Engineer Greg Nikodym met with the County Board to discuss matters concerning the Highway Department.

Action #9 - It was moved by Les Nielsen, seconded by Stan Cooper, and carried unanimously to approve payment of a \$294,397.80 claim to Bauerly Bros, Inc as partial payment for work on SP 33-608-13: the reconstruction of County Road 8 from CSAH 19 to CSAH 3.

Action #10 - It was moved by Dennis McNally, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

Resolution 10 – 07/14/04

WHEREAS the county board has been presented with a request to pay a Right-of-Way claim on SP 33-604-15, the reconstruction of County State Aid Highway 4 from T.H. #47 east 2 miles to CSAH 12;

BE IT RESOLVED to pay the following Right-of-Way claim: Leland & Barbara Scheller, \$11,273.55.

Action #11 - It was moved by Les Nielsen, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

Resolution 11 – 07/14/04
Resolution Revoking County State Aid Highway Designation

WHEREAS, it appears to the County Board of the County of Kanabec that the road hereinafter described should be revoked as a County Sate Aid Highway under the provisions of Minnesota Laws;

NOW, THEREFORE, BE IT RESOLVED: By the County Board of the County of Kanabec that the road described as follows, to wit:

Beginning at a point on CSAH No. 4 as hereinbefore described, said point being approximately at the southeast corner of Section 19, Township 38, North, Range 25 West, thence along the established centerline of the public road described as follows: from said point of beginning extending northerly along or near the east line of Section 19, 18, 7, and 6, Township 38 North, Range 25 West, to a point on Trunk Highway No 23, said point being approximately 300 feet north of the northeast corner of Section 7, Township 38 North, Range 25 West, and there terminating – length being approximate 3.09 miles be and hereby is, revoked as a County State Aid Highway of said County subject to the approval of the Commissioner of the Minnesota Department of Transportation.

and,

BE IT FURTHER RESOLVED: That the County Engineer is authorized and directed to forward two (2) certified copies of this resolution to the Commissioner of the Minnesota Department of Transportation for his consideration and approval, and

BE IT FURTHER RESOLVED: That upon approval of the Commissioner of the Minnesota Department of Transportation that the designation of said road, that same be constructed, improved and maintained as a County Road of the County of Kanabec, to be numbered and known as County Road No 9.

Action #12 - It was moved by Dennis McNally, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

Resolution 12 – 07/14/04
Resolution Establishing County State Aid Highways

WHEREAS, it appears to the County Board of the County of Kanabec that the road hereinafter described should be designated County State Aid Highway under the provisions of Minnesota law;

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Kanabec that the road described as follows, to-wit:

Beginning at a point on Trunk Highway No. 65, approximately 950 feet north of the northwest corner of Section 30, Township 38 North, Range 23 West, thence extending northerly along or near the west line of Sections 19 and 18, Township 38 North, Range 23 West, to a point on Trunk Highway No. 70 at or near the northwest corner of Section 18, Township 38 North, Range 23 West, and there terminating - length being approximately 1.83 miles.

Be, and hereby established, located, and designated a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

and,

BE IT FURTHER RESOLVED, that the County Engineer is hereby authorized to forward two (2) certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a County State Aid Highway of the County of Kanabec to be numbered and know as County State Aid Highway No. 11.

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

Resolution 13 – 07/14/04

Resolution Establishing County State Aid Highways

WHEREAS, it appears to the County Board of the County of Kanabec that the road hereinafter described should be designated County State Aid Highway under the provisions of Minnesota law;

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Kanabec that the road described as follows, to-wit:

Beginning at a point on County State Aid Highway No. 17, at or near the northwest corner of Section 13, Township 39 North, Range 24 West, thence extending easterly along or near the north line of Section 13, Township 39, North, Range 24 West, to a point on County State Aid Highway No. 11, at or near the northeast corner of Section 13, Township 39 North, Range 24 West and there terminating. Length being approximately 0.98 miles

Be, and hereby established, located, and designated a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

and,

BE IT FURTHER RESOLVED, that the County Engineer is hereby authorized to forward two (2) certified copies of this resolution to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a County State Aid Highway of the County of Kanabec to be numbered and know as County State Aid Highway No. 1.

Action #14 - Jerry Nelson introduced the following resolution and moved its adoption:

Resolution 14 – 07/14/04
ORDER OF THE BOARD

WHEREAS there is a vacancy in the position of CADD Technician, and

WHEREAS the board desires to refill this vacant position;

BE IT RESOLVED that the County Board authorizes County Engineer Greg Nikodym and the County Personnel Director to hire a CADD Technician to refill the vacant position at Step A, Range G11 of the pay plan which is \$16.79 per hour (2002-2003 labor agreement) 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.

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, Stan Cooper
OPPOSED: Dennis McNally
ABSTAIN: None

whereupon the resolution was declared duly passed and adopted.

Action #15 - It was moved by Jerry Nelson, seconded by Dennis McNally, and carried unanimously to approve the recommendation of the County Engineer and accept the quote of \$1.16 per gallon for diesel fuel from Federated Coop.

Action #16 - It was moved by Dennis McNally, seconded by Les Nielsen, and carried unanimously to approve a contract with Visser Scraper Service for grading on SAP 33-624-03, the construction of CSAH #24 from the intersection of 310th Avenue & Mahogany Street to TH 65.

Action #17 - It was moved by Jerry Nelson, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

Resolution 17 - 07/14/04

WHEREAS the Kanabec County Highway Department proposes to reconstruct and improve a portion of County State Aid Highway No.4, located between TH No. 47 and CSAH No. 12; known as State Project No. 33-604-15; and

WHEREAS the improvement consists of reconstruction and resurfacing of said roadway as herein determined necessary to provide for the safety of the traveling public, and

WHEREAS permanent highway easements over certain lands are required to provide for said construction as set forth in the plans for said project, which identify the parcels by number, description, and owners, and

WHEREAS Kanabec County has authority to acquire right-of-way for said eminent domain pursuant to Minnesota Statutes Section 163.02, Subd. 2, and

WHEREAS Kanabec County has the right to acquire the right-of-way prior to the filing of an award by the Court appointed commissioners, pursuant to Minnesota Statutes Section 117.011 and 117.042, and

WHEREAS Kanabec County has approved appraisals of the properties to be taken;

NOW THEREFORE BE IT RESOLVED, that the Kanabec County Board of Commissioners hereby authorizes the acquisition of said land by eminent domain and to take title and possession of that land prior to the filing of an award by the court appointed commissioners, pursuant to Minnesota Statutes §163.02, Subd. 2, §117.011 and §117.042, and

BE IT FURTHER RESOLVED that the Kanabec County Attorney is requested to file the necessary Petition therefore, and to prosecute such action to a successful conclusion or until it is abandoned, dismissed, or terminated by the County or the Court, and

BE IT FURTHER RESOLVED that in the furtherance of the implementation of the Quick Take provision of the Minnesota Statutes, the County Auditor is hereby

authorized and directed to deposit with the Court Administrator the sum of money equaling the approved appraisal of the properties to be taken, represented by the following table:

PARCEL	OWNERS	AWARD
8	David and Suzanne Bruggman, husband and wife Conseco Finance Loan Co	\$1,385.80

Action #18 - Les Nielsen introduced the following resolution and moved its adoption:

Resolution 18 – 07/14/04

WHEREAS the County Engineer has requested approval to replace a motor grader in 2004 that had been scheduled for 2005 due to mechanical failure of an existing unit;

BE IT RESOLVED to authorize County Engineer Greg Nikodym to purchase a new 770BH John Deere motor grader off state contract at a net cost of \$151,975.50 with the cost accruing in the 2005 Road & Bridge budget.

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: Dennis McNally, Jerry Nelson, Les Nielsen, Kathi Ellis
OPPOSED: Stan Cooper
ABSTAIN: None

whereupon the resolution was declared duly passed and adopted.

10:39am - Kathy A. Lewis--an Attorney with the DNR--and Dennis Martin--Manager of the Mineral Potential Section of the DNR--met with the County Board to discuss matters concerning a sale of non-ferrous minerals exploration and mining leases. Also present was Robert Johnson with Kennecott Exploration Company. No action was taken at this time.

11:30am - The Chairperson then called for public comment. Those who responded included:

Dave Halverson	Comments on proposed Host Fee Agreement and decision making process within the ECSWC.
Bob Swetz	It took the county two hours to identify an airplane doing an Arial survey.

Action #19 - It was moved by Les Nielsen, seconded by Stan Cooper, and carried unanimously to approve the following paid claims:

Anderson, Eileen	18.75
Ann Lake Twp	106.32
Ann Lake Twp	19,718.88
Aquila	1,940.80
Arthur Twp	128.12
Arthur Twp	75,496.01
Bostrom, Randall	40.00
Braham Public Schools	31,681.78
Brown Law Office	980.52
Brunswick Twp	27.85
Brunswick Twp	25,873.52
Carten PH. D, Roger	450.00
City of Braham	118.01
City of Grasston	59.34
City of Grasston	7,935.49
City of Mora	3,069.97
City of Mora	234,234.43
City of Ogilvie-Clerk	33.67
City of Ogilvie-Clerk	28,992.99
City of Quamba	95.88
City of Quamba	7,304.51
Comfort Twp	35.48
Comfort Twp	28,861.74
Comm of Finance-Treas Div	200.35
East Cent Reg Dev Comm	7,839.95
East Central Public Schools	13,883.84
ERA Laboratories	1,240.00
Erickson, Daniel	100.00
Ford Twp	13,856.75
Fortis Benefits	2,212.98
Grass Lake Twp	9.20
Grass Lake Twp	35,937.93
Greater MN Credit Union	348.00
Griffith, Patricia	1,282.18
Grote, Don	53.50
Harms, Nick	100.00
Haybrook Twp	20.44
Haybrook Twp	6,995.41

Hillman Twp	7.93
Hillman Twp	19,965.05
Hinckley News	10.00
Hinckley-Finlayson Schools	5,417.07
Isle Public Schools	15,634.53
Kanabec Co	304,496.35
Kanabec Co Auditor	340.00
Kanabec Co Nursing Service	52,497.74
Kanabec Publications	6.75
Kanabec Twp	89.26
Kanabec Twp	25,517.22
Knife Lake Twp	17.77
Knife Lake Twp	30,414.22
Kroschel Twp	4.27
Kroschel Twp	18,096.43
Milaca Public Schools	2,360.65
MN Board of Aelsglagid	120.00
MN Dept of Finance	31,379.85
MN Dept of Finance	196.10
MN Mutal Life Insurance	290.40
MN State Auditor	369.00
Mora Municipal Utilities	6,900.96
Mora Public Schools	35.00
Mora Public Schools	278,128.00
Nebenfuhr, Nancy	20.00
Nielsen, Les	4.50
Ogilvie Public Schools	35.00
Ogilvie Public Schools	149,610.43
Peace Twp	99.48
Peace Twp	33,185.58
Pine City Public Schools	115.04
Pine Co Health & Human Services	73,622.99
Pine County Auditor	40.00
Pomroy Twp	11.55
Pomroy Twp	28,865.25
Refuge, The	278.25
Rysdam, Ryan	31.76
Rysdam, Ryan	31.76
Salmonson, David	100.00
Secord, Roger	350.00
Secretary of State	10.00

Southfork Twp	39.35
Southfork Twp	30,219.17
Spear & Swanson Law Office	37.50
St Cloud Hospital	431.10
Stucky, Clint	100.00
Supreme Court Finance	310.00
Treasurer, Kanabec Co	56,721.60
Treasurer, State of MN	207.00
Treasurer, State of MN	3,091.08
US Link	538.78
Wachsmuth, Grayling	728.48
Wendroth, Christian	49.12
Whited Twp	21.48
Whited Twp	13,500.69
Window	92.75
Total	<u>1,736,078.83</u>

Snake River Watershed	
ERA Laboratories	<u>1,309.00</u>
Total	<u>1,309.00</u>

Action #20 - It was moved by Dennis McNally, seconded by Les Nielsen, and carried unanimously to approve payment of the following claims on the funds indicated:

Revenue Fund

Ace Hardware	35.32
Ace Hardware	6.59
Ace Hardware	40.91
Airgas North Central	94.60
Aitkin Medical	293.64
Allina Medical Clinic	104.50
Amem	100.00
American Academy of Experts	24.95
Americinn of Detroit Lakes	120.46
Americinn of St Peter	61.21
AmeriPride	254.14
AmeriPride	54.26

Ammerman, Kari	658.13
Anderson, Karen	152.25
Arbo, Marvin	340.00
Armstrong, Becci	45.01
Arrowhead Resort	368.78
Arrowhead Resort	111.26
Ashworth Audio	20.00
Batteries Plus	104.79
Bear Graphics	137.07
Biever, Laurie	198.38
Blue Earth County	23.43
Bob Barker Co	192.00
Boston Medical	202.80
Braham Motor Service	752.38
Braham Motor Service	121.67
Briggs	366.35
Cassman, Deb	99.76
Caswell Cycle	9.53
Central Hearing & Air Conditioning	1,060.61
Coborns	27.76
Coborns	488.06
Coborns Pharmacy	568.16
Colburn, Judy	148.25
Consolidated Telecommunications	4.85
Cooper, Denise	120.82
Dalco	169.90
Deluxe Business Forms	37.84
DLR Group	390.00
Drug Detection Devices	155.70
East Central Energy	39.34
East Central Exterminating	85.20
East Central Regional Juvenile	5,525.00
East Central Regional Library	56,030.00
EBSC	300.00
ECM Publishers	158.00
ECM Publishers	53.00
Ecowater Systems	74.66
EG Rud & Sons	5,700.00
Election Systems & Software	1,470.00
Elfstrum, Brenda	242.63
Elsevier	93.62

Employers Association	795.00
Employers Association	145.00
Erbstoesser, Arnie	472.16
ETR Association	178.20
Fair Hills, Inc	40.00
Fairview Northland Regional Hospital	638.12
Fast Serv Medical	1,895.00
Fat Daddy's Auto Parts	11.78
Fat Daddy's Auto Parts	86.36
Friday, Jenny	89.25
Gabrielson, Pat	192.38
GHA Technologies	16,445.75
Glen's Tire	384.14
Global Equipment	233.01
Grainger	96.20
Grand View Lodge	396.00
Granite City Mailing Equip	50.06
Granite Electronics	38.02
Grant, Don	635.05
Gunderson Motors	274.65
Handyman's Inc	160.50
Hannu, JoAnn	186.00
Harff, Shirley	367.78
Hasler Inc	562.32
Holiday Credit	1.91
Indianhead Specialty Co	32.38
Indianhead Specialty Co	20.98
Inter-Tel Technologies	657.57
Isle Automotive	35.00
Ivans	32.18
Jocelyn Thomson-Thelen	195.00
Johnson, Dawn	176.25
Johnson, Jeanette	309.75
Johnson-Stassen, Deb	132.38
Kanabec Co Ag Association	3,000.00
Kanabec Co Ag Association	90.00
Kanabec Co Hwy Dept	28.72
Kanabec Co Hwy Dept	349.93
Kanabec Co Public Health	377.75
Kanabec Co Public Health	2,658.78
Kanabec Co SWCD	12,400.00

Kanabec History Center	2,000.00
Kanabec Hospital	110.00
Kanabec Hospital	4,325.70
Kanabec Publications	926.62
Kanabec Publications	31.00
Kanabec Publications	19.10
Kanabec Publications	109.22
Kanabec Publications	78.02
Kanabec Publications	174.67
Kanabec Publications	158.69
Kanabec Publications	105.44
Keefe Supply Co	153.96
KEEPRS	205.40
Kleven, Bud	4.68
Krueger, Louisa	30.76
Larson, Mark	138.70
Laska, Millie	905.63
Lexis Nexis	995.93
Lexis Nexis	121.59
MACAI	160.00
Magaard, Deb	164.25
Marco	299.62
Martin, Bill	8.44
Mattson Electric	97.60
Maul, Barb	111.01
McClellan, Karen	24.99
MN Bureau of Criminal Apprehension	172.00
MN CLE	47.08
MN Dept of Admin	600.00
MN Dept of Public Safety	270.00
MN Hospice Organization	8.00
MN Monitoring	276.00
Moore Medical Corp	100.02
Mora Unclaimed Freight	10.63
Moralink.com	15.00
National Bushing	127.48
Nelson, Rosemary	144.08
Nelson, Rosemary	39.87
Norby's Cleaning	2,250.00
North Memorial Health Care	125.21
Northern Door & Hardware	11.00

Northland Chemical	166.28
Northland Fire Protection	500.00
Northpost	582.00
Novus Windshield Repair	50.00
Nutrition Consultants	60.00
Nyman, Sherri	99.00
Oak Gallery	13.32
Oak Gallery	10.33
Oak Gallery	11.60
Office Depot	163.75
Office Depot	541.87
Office Depot	108.93
Office Depot	41.77
Office Depot	78.23
Office Depot	37.02
Office Depot	96.76
Office Depot	197.49
Office Depot	236.24
Office Depot	84.84
Office Depot	4.77
Office Depot	985.34
Ogilvie Museum	400.00
O'Reilly, Molly	138.75
Oslin Lumber	137.80
Pamida	13.48
Pamida	106.49
Parallel Technologies	634.47
Parker, Corinne	900.00
Pautsch, Kim	44.40
Penton Technology	19.95
Peterson, Walter	98.26
Pfiffner, Betty	729.38
Phelan, Francis	3,375.00
Photo Express Plus	4.19
Pine Lake Communication	1,566.00
Ponto, Jodi	3.75
Printing Services	304.83
Quality Disposal	378.76
Quill Corp	114.48
Raiche, Nancy	142.14
Ratwik, Roszak & Maloney	29.00

Ratwik, Roszak & Maloney	174.00
Ratwik, Roszak & Maloney	1,523.34
Reliance Telephone	100.00
Ringler, Jennie	191.63
RS Eden	252.53
Rural Cellular	52.59
Rural Cellular	36.73
Rural Cellular	269.61
Rural Cellular	73.21
Rural Cellular	41.62
Rural Cellular	36.73
Rural Cellular	18.53
Rutger's Bay Lake Lodge	476.07
S&T Office Products	111.54
S&T Office Products	238.89
S&T Office Products	67.96
Sandberg, Bev	150.00
Sandstone Distributing	12.00
Sandstone Distributing	12.78
SBC Paging	161.14
Schroeder, Janelle	48.75
Scofield, Rebecca	139.13
Secure Benefits	144.00
Sedlacek, Lowell	24.58
Senior Federation	333.00
Sherburne Co A/T	260.00
Sheriff, Mille Lacs Co	22,950.00
Sheriff, Sherburne Co	3,520.00
Sjodin, Roberta	69.75
Snake River Watershed	24,072.00
Snowflake Distributing	377.00
Special Operations	1,100.00
Sporttime	493.90
St Cloud Hospital	840.44
State of MN	27.94
State of MN	79.90
Stericycle	75.75
Streicher's	2,252.32
Stringer Business Systems	81.64
Stringer Business Systems	14.15
Sundsvold, Kathy	80.40

Swanson, Lori	175.50
The Cleaning Agent	234.30
The Office Shop	259.24
The Smile Center	36.35
Timm, Rena	45.01
T-Mobile	66.68
True Value Hardware	71.38
Trupe, Mecheal	15.60
U of MN	80.00
UHL Co	732.00
US Bank	137,311.25
Vaughan, Geneve	153.23
Viking Office	449.76
Vogel, Darla	133.50
Voight, Jackie	64.50
Watson Co	632.84
Watson Co	670.15
Wells Fargo	15,935.89
Wells Fargo	85,437.50
Wells Fargo	375.00
West Group	1,861.67
West Group	1,903.49
Zaudtke Electric	55.00
Zaudtke Electric	168.50
Total	<u><u>459,630.83</u></u>

Road & Bridge Fund

<u>Vendor</u>	<u>Amount</u>
Ace Hardware	152.57
Allina Medical Clinic	30.00
Ameripride	595.22
Boyer Ford Trucks	1,120.35
Braham Motor Service, Inc.	762.62
Braun Intertech Corporation	750.00
Chamberlain Oil Company, Inc. *	1,083.28
Commissioner of Transportation	1,351.11
Copy Equipment, Inc.	391.12
Crysteel	254.20
D.J.'s Municipal Supply, Inc.	1,028.77
Dultmeier Sales	51.03
Glen's Tire	1,243.07

GoodPointe Technology	3,201.92
Gopher State One-Call	17.25
Husky Spring	834.55
Kanabec Publications	232.88
Mattson Electric	1,096.31
Med Compass	568.00
National Bushing & Parts Co.	1,356.17
Office Depot	26.99
Onamia NAPA Auto Parts	790.58
Oxygen Service Co., Inc.	64.80
Power Plan	1,092.54
Quality Disposal Systems, Inc.	128.25
Reed Business Information	158.53
Richards, Lila, The Cleaning Agent	910.58
Road Machinery & Supplies Co.	42.69
Rudolph's, Inc.	1,381.84
Rural Cellular Corporation	32.48
S & T Office Products	206.80
Timmer Implement, Inc.	128.23
Troupe Advertising	69.23
Vista Safety Program	226.35
Ziegler Inc.	430.43
Total:	<u>21,810.74</u>

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

Resolution 21 – 07/14/04

WHEREAS the Kanabec County Board of Commissioners has been presented with a request for lawful gambling within Kanabec County, and

WHEREAS the application was complete, included all necessary documentation, appears in accordance with County Policies and the facility owners are in good standing with the County;

BE IT RESOLVED to approve the Application for Permit for the Braham Baseball Association for a one-time Raffle and Bingo event held at the Braham Moose Lodge #1544, 2353 - 103rd Avenue, Braham, MN 55006 on July 27, 2004.

Action #22 - It was moved by Dennis McNally, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

Resolution 22 – 07/14/04

WHEREAS the Kanabec County Board of Commissioners has been presented with a request for lawful gambling within Kanabec County, and

WHEREAS the application was complete, included all necessary documentation, appears in accordance with County Policies and the facility owners are in good standing with the County;

BE IT RESOLVED to approve the Application for Permit for the Kanabec County Pheasants Forever for a one-time Raffle event held at the Fish Lake Resort, 674 Fish Lake Drive, Mora, MN 55051 on April 2, 2005.

12:01pm - Interim Personnel Director Kim Pautsch met with the County Board to discuss matters concerning human resources.

Action #23 - It was moved by Stan Cooper, seconded by Dennis McNally, and carried unanimously to approve the following resolution:

Resolution 23 – 07/14/04

WHEREAS two Social Workers pay was temporarily less than a less senior Social Worker due to the method of conversion to the Gmach Pay Plan, and

WHEREAS both Resolution 8-11/13/02 and Resolution 3-10/15/03 contain the statement:

Should these adjustments create a situation in which an employee receives less pay than a less senior employee in the same department and job class due solely to implementation adjustments, the more senior employee's wage will be adjusted to equal the less senior employee's rate.

BE IT RESOLVED to correct this situations by granting the following back pay adjustments:

Char Gabrielson	\$280.80
Cheri Jones	\$224.64

12:33pm - Kevin Belkholm met with the County Board to present a request to establish and approve a plan to clean portions of Kanabec County Ditch #5.

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

Resolution 24 – 07/14/04

WHEREAS a request has been made before the Kanabec County Board of Commissioners for ditch repairs pursuant to M.S. §103E, and

WHEREAS the request was accompanied by the signatures of four interested parties, and

WHEREAS M.S. §103E.202 requires a bond of at least \$10,000 to be filed with the County Auditor for a drainage project petition;

BE IT THEREFORE RESOLVED that the Kanabec County Board of Commissioners acknowledges that a document has been filed regarding a request for ditch repairs, but without the bond specified in §103E.202 the document can not be considered a petition, and

BE IT FURTHER RESOLVED that this document will be considered a petition pursuant to M.S. 103E.715 upon receipt of a bond filed pursuant to §103E.202.

Action #25 – It was moved by Les Nielsen, seconded by Jerry Nelson, and carried unanimously to recess the board meeting at 1:11pm to a time immediately following the Rail Road Authority meeting.

The Kanabec County Regional Railroad Authority met at 1:11pm on Wednesday, July 14, 2004 pursuant to adjournment with the following Board Members present: Stan Cooper, Jerry Nelson, Kathi Ellis, Les Nielsen, and Dennis McNally.

Nominations were accepted for the position of Chairperson of the Regional Railroad Authority. After proper call for nominations, the call was closed with the following being nominated: Les Nielsen.

Action #RR26 - It was moved by Dennis McNally, seconded by Jerry Nelson, and carried unanimously to elect Les Nielsen as Chairperson of the Regional Railroad Authority for a term expiring December 31, 2004.

Nominations were accepted for the position of Vice-Chairperson of the Regional Railroad Authority. After proper call for nominations, the call was closed with the following being nominated: Jerry Nelson.

Action #RR27 - It was moved by Jerry Nelson, seconded by Kathi Ellis, and carried unanimously to elect Jerry Nelson as Vice-Chairperson of the Regional Railroad Authority for a term expiring December 31, 2004.

Nominations were accepted for the position of Secretary-Treasurer of the Regional Railroad Authority. After proper call for nominations, the call was closed with the following being nominated: Kathi Ellis.

Action #RR28 - It was moved by Kathi Ellis, seconded by Dennis McNally, and carried unanimously to elect Kathi Ellis as Secretary-Treasurer of the Regional Railroad Authority for a term expiring December 31, 2004.

Action #RR29 - It was moved by Kathi Ellis, seconded by Dennis McNally, and carried unanimously to appoint Alan B. Peterson as Clerk to the Regional Railroad Authority.

Action #RR30 - It was moved by Kathi Ellis, seconded by Stan Cooper, and carried unanimously to approve the following resolution:

Resolution RR30 - 07/14/04

BE IT RESOLVED to establish a Regional Railroad Authority Advisory Committee, and

BE IT RESOLVED that the Advisory Committee will consist of:

1. One representative of the Town of Whited
 2. One representative of the Town of Comfort
 3. One representative of the City of Quamba
 4. One representative of the City of Mora
 5. Two At-Large
-

Action #RR31 - It was moved by Jerry Nelson, seconded by Stan Cooper, and carried unanimously to recess the Kanabec County Regional Railroad Authority at 1:25pm to meet in again in continued session on Wednesday, September 22, 2004 at 8:15pm in Room 164 of the Kanabec County Courthouse (known as the Commissioner's Board Room).

Respectfully submitted:

Kathi Ellis, Secretary-Treasurer

The meeting of the Kanabec County Board of Commissioners resumed.

Action #32 - It was moved by Stan Cooper, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

Resolution 32 - 07/14/04

WHEREAS, in the Spring of 2004 a document was submitted to the Kanabec County Board, through the Kanabec County Coordinator. The document is deemed by the Kanabec County Board to constitute a complaint about an impassable road, pursuant to Section 163.16 Minnesota Statutes. The "Road" is a portion of Keystone Street within Kanabec County, between 270th Avenue and Northland Road, and

WHEREAS, the evidence presented at the said hearing included:

1. The Road in question is on the town line between the Town of Peace and the Town of Hillman.
2. The complaint was interpreted by the Board to assert that because of the neglect by the Town(s), that the Road was not reasonably passable, and a hearing was scheduled, which was heard at May 26, 2004 in the evening.
3. The Town Clerks were given notice of the hearing. The signators were also given notice, together with the general public. At the hearing, the Petitioners and/or other witness presented evidence claiming that both townships have maintained part of Keystone south of 270th. Because the part of Keystone south of 270th is in neither the Towns of Peace nor Hillman, the comments are interpreted by the Board to mean parts or Keystone bordering the Towns of Peace and/or Hillman other than the allegedly neglected parts.
4. The assertion was made that the road had been established by a Road Order of the Town(s) and no order was on file with either Town vacating the road, and, accordingly the area in question is still a road.
5. The Petitioners asserted that Hillman Township old Road Books show maintenance payments for Keystone Road between 270th and 280th from years 1954, 1959, 1961, 1963, and 1965.
6. The suggestion was made that the County should consider making the questioned portion a Rustic Road under Section 160.83, Minnesota Statutes, or a Minimum Maintenance Road under Section 160.095 Minnesota Statutes.
7. Plat Books and maps from the past were referenced showing the Road which is now Keystone to have been in existence as a through street.
8. There was some claim that the road has existed there in excess of six years.
9. Local resident Allen Strom testified that there has never been any maintenance on the questioned portion over the last 40 years, and that he doesn't believe this is a road.
10. Local residence Rick Martens testified that prior to 1995 while he was working on the 9-1-1 addressing the information he had does not show the road going through the

questioned portion, and the lake levels have changed, and that he couldn't get through the questioned area in the 1960s.

11. Letters, including those addressed: "To Whom it May Concern," were Received expressing concern for the impassability of the road from organizations including the Sheriffs Office, the Emergency Response Team from the hospital and the Fire Department. Local resident Gene Elvehjem claims to have driven on the road between 1963 and 1975.

12. Photos of the 'Road' were received, some of which were of fields with questionably discernable wheel tracks, some of which were of where wheel tracks might have been, and some of which might have earlier been wheel tracks, but are now covered by water.

13. The Towns of Peace and Hillman both claim that they have no interest in the questioned portion. They have not filed any claim with the County Recorder nor have they done any act asserting their possession thereof. Accordingly, pursuant to the Marketable Title Act Section 541.023 Minnesota Statutes, as interpreted by case law, including *Township of Sterling v. Griffin*, 309 Minn. 230, 244 N. W.2d 129 (1976), they have no lingering interest to assert.

14. The Town Boards of both Hillman and Peace have declined to establish this as a Road.

15. Local residents Tom Fulkerson and Mary Miles, over whose lands the road would pass, claim the road does not presently exist, and do not want it resurrected.

WHEREAS, after hearing the evidence, the Board now finds:

A. The alleged road has not been recorded in the Kanabec County Recorder's Office.

B. Hillman Township records indicate that maintenance on the alleged road has not been done since at least 1961 and even that was likely on a portion of Keystone Street that is not in question here.

C. Peace Township records indicate no evidence of maintenance on the alleged road.

D. Credible testimony indicates no Township maintenance has been done since at least 1951 .

E. Visual inspection of the road shows no evidence of maintenance.

F. The area in question has not been in regular use as a public road for more than 40 years.

G. Minnesota Statute Section 541.023 includes the Minnesota Marketable Title Act which requires that an interest in land be recorded in the County Recorder's Office. The

Marketable Title Act acts as a statute of limitations in that an unrecorded interest in property terminates after 40 years if it is not recorded in the County Recorder's Office. An exception to the recording requirement is actual possession by a party.

THEREFORE BE IT RESOLVED that any road that may have earlier existed in the area in question has long since been abandoned by virtue of the Marketable Title Act, and there is now no public road existing which the County Board may now order to be made passable, and

BE IT FURTHER RESOLVED, that it is not within the authority of the Kanabec County Board to establish or re-establish the Road, to determine that the Road should be a Rustic Road, or to determine that it should be a Minimum Maintenance Road, and

BE IT FURTHER RESOLVED that in the absence of a public road, the conditions of Minnesota Statute Section 163.16 do not apply, and

BE IT FURTHER RESOLVED that the request for declaration of an Impassable Road is hereby denied.

1:55pm - Auditor/Treasurer Denise Cooper met with the County Board to discuss matters concerning her office.

Action #33 - It was moved by Dennis McNally, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

Resolution 33 - 07/14/04

WHEREAS the Auditor/Treasurer has presented the Kanabec County Board of Commissioners with a recommended list of parcels to be included in a tax forfeited property sale;

BE IT RESOLVED to accept the recommendations of Auditor/Treasurer Denise Cooper and list for sale the following properties:

SALE	Township	Parcel	Legal Description	Acres	Minimum Bid
1	Ann Lake	01.01070.00	PT of SW of SE, Approx 70' x 116'	0.19	\$2,000.00
2	Arthur	02.01225.00	NE of SW	40	\$42,826.00
3	Ford	05.00265.20	S½ of SW of SE of NE	5	\$5,288.00
4	Ford	05.00340.40	S½ of SW of SW of NW	5	\$5,315.00
5	Ford	05.00340.50	SW of NW of NW	10	\$12,222.00
6	Ford	05.00340.60	NW of NW of NW	10	\$10,608.00
7	Haybrook	07.00240.00	NW of NW	51.6	\$71,380.00
8	Haybrook	07.00275.00	S½ of SE	80	\$45,500.00

9	Haybrook	07.01270.00	NE of NE	40	\$27,818.00
10	Knife Lake	10.01655.00	PT of NW of NW, Approx 50' x 150'	0.7	\$17,500.00
11	Peace	12.03330.00	Chokecherry Acres Lot 4 of Block 4	5	\$28,518.00

Action #34 - It was moved by Dennis McNally, seconded by Stan Cooper, and carried unanimously to approve the following resolution:

Resolution 34 - 07/14/04

WHEREAS the Kanabec County Auditor/Treasurer has recommended the following applications for liquor and tobacco licenses, and

WHEREAS the applications were complete, included all necessary documentation, appear in accordance with County Policies and the facility owners are in good standing with the County;

BE IT RESOLVED to approve the following license applications:

ESTABLISHMENT	LIQUOR	BEER	TOBACCO
Trackside	On-Sunday	None	Yes
Mustang Lanes/Gutters Lounge	On-Sunday	None	Yes

Action #35 - It was moved by Jerry Nelson, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

Resolution 35 - 07/14/04

WHEREAS Kanabec County desires to establish a public trail in furtherance of its public recreation program, and

WHEREAS the E.C. Riders Club agrees to help and assist the local unit of government to acquire, construct and maintain said trail, and is registered as a nonprofit corporation, and

WHEREAS the State of Minnesota offers financial and technical assistance to the local unit of government for the construction of an approved trail, and whereas the trail in connection with this agreement shall hereinafter be called Snake River.

NOW THEREFORE BE IT RESOLVED that Kanabec County shall apply to the State of Minnesota – Department of Natural Resources – for financial and technical assistance in accordance with the laws, rules, and regulations governing said assistance.

BE IT FUTHER RESOLVED to authorize the Chairperson to sign an agreement with E.C. Riders and the State of MN to fulfill the requirements of the DNR Grant.

Commissioner Ellis asked the board to consider the county's involvement in the County Fair. It was agreed by consensus to permit the Highway Dept to do the following:

1. Limited dust control on the Fair Grounds road
2. The Sign Worker will drive stakes for a fence
3. An employee volunteering his time may use county equipment to blade the track.

2:15pm - County Engineer Greg Nikodym returned to the meeting.

Action #36 - It was moved by Les Nielsen, seconded by Stan Cooper, and carried unanimously to approve the following resolution:

Resolution 36 - 07/14/04
ORDER OF THE BOARD

WHEREAS the board has evaluated the past year's job performance of County Engineer Greg Nikodym;

BE IT RESOLVED that the board finds his performance to be satisfactory, and

BE IT FURTHER RESOLVED to authorize the request to advance in pay from G20D at \$32.35 per hour to G20E at \$33.44 per hour effective at the beginning of the pay period including July 1, 2004.

Action #37 - It was moved by Dennis McNally, seconded by Jerry Nelson, and carried unanimously to adjourn at 2:42pm to meet in regular session on Wednesday, July 21, 2004 at 9:00am.

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

Attest: _____
Kanabec County Coordinator