

# PROCEEDINGS OF THE COUNTY BOARD

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

**July 23, 2008**

The Kanabec County Board of Commissioners met at 6:30pm on Wednesday, July 23, 2008 pursuant to adjournment with the following Board Members present: Kim Smith, Kathi Ellis, Jerry Nelson, Les Nielsen and Kevin Troupe.

The Chairperson led the assembly in the Pledge of Allegiance.

Action #1 - It was moved by Kevin Troupe, seconded by Jerry Nelson, and carried unanimously to approve the agenda with the addition of:

- a. County Attorney: Staffing
- b. Agreement for Control of Animal Damage on Private Property
- c. OK House bill

Action #2 – It was moved by Kim Smith, seconded by Les Nielsen, and carried unanimously to approve the July 16, 2008 minutes of the Kanabec County Board of Commissioners as corrected:

- a. Remove the phrase “to authorize the purchase of Jail Management Software from Smart Public Safety Software, Inc at a cost of \$77,969.00 from building project funds” from the second and third lines of Action #20 and replace with “to approve the following resolution.”

Action #3 – It was moved by Kim Smith, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

## **Resolution #3 - 07/23/08**

### **Animal Damage Agreement**

**WHEREAS** the Animal and Plant Health Inspection Service (APHIS) of the United States Department of Agriculture has for many decades assisted property owners in the mitigation of animal damage on private property, and

**WHEREAS** APHIS has requested the consent of the county to conduct animal control on county owned and county controlled land;

**BE IT RESOLVED** that the Kanabec County Board of Commissioners approves a “Work Initiation Document for Wildlife Management” between Kanabec County and Animal and the Plant Health Inspection Service of the United States Department of Agriculture for control of the Gray Wolf, Beaver and Coyote, and

**BE IT RESOLVED** to authorize County Coordinator Alan B. Peterson to sign the agreement in behalf of the county board.

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Action #4 – It was moved by Kevin Troupe, seconded by Kim Smith, and carried unanimously to approve a **Consent Agenda** including all of the following actions:

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## **Resolution #4a – 07/23/08**

### Landwehr Construction Claim

**WHEREAS** the board has received a claim from the Landwehr Construction for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Landwehr application #3 for approval as follows:

Contract Sum	= \$481,057.35
Total Completed to date	= \$385,607.50
5% Retainage	= \$ 19,280.38
Previously paid	= <u>\$175,348.31</u>
Current Due	= \$190,978.88

and,

**WHEREAS** the Construction Manager has certified a Landwehr application for Field Work Order 3 for approval at \$2,513.50

**WHEREAS** the Construction Committee has approved these claims;

**BE IT RESOLVED** to authorize payment of \$193,492.31 on Jail Bond Funds to Landwehr Construction.

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## **Resolution #4b – 07/23/08**

### Bruce's Contracting Claim

**WHEREAS** the board has received a claim from the Bruce's Contracting for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Bruce's Application #4 for approval as follows:

Contract Sum	= \$256,650.00
Total Completed to date	= \$108,007.06
5% Retainage	= \$ 5,400.35
Less previous payments	= <u>\$ 97,423.91</u>
Current Due	= \$ 5,182.80

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$5,182.80 on Jail Bond Funds to Bruce's Contracting.

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## **Resolution #4c – 07/23/08**

### Wells Concrete Claim

**WHEREAS** the board has received a claim from the Wells Concrete for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Well's Application #2 for approval as follows:

Contract Sum	= \$1,263,345.00
Total Completed to date	= \$ 827,413.00
5% Retainage	= \$ 41,370.65
Less previous payments	= <u>\$ 630,608.10</u>
Current Due	= \$ 155,434.25

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$155,434.25 on Jail Bond Funds to Wells Concrete.

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## **Resolution #4d – 07/23/08**

### Dynamic Structural Steel Claim

**WHEREAS** the board has received a claim from the Dynamic Structural Steel, LLC for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Dynamic Steel Application #2 for approval as follows:

Contract Sum	= \$236,035.65
Total Completed to date	= \$181,220.66
5% Retainage	= \$ 9,061.03
Less previous payments	= <u>\$ 95,000.00</u>
Current Due	= \$ 77,159.63

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$77,159.63 on Jail Bond Funds to Dynamic Structural Steel, LLC

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## **Resolution #4e – 07/23/08**

Eagle Construction Co., Inc.

**WHEREAS** the board has received a claim from the Eagle Construction Co., Inc. for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Eagle Construction Application #1 for approval as follows:

Contract Sum	= \$167,749.00
Total Completed to date	= \$ 12,755.50
5% Retainage	= \$ 637.78
Less previous payments	= \$ <u>0</u>
Current Due	= \$ 12,117.72

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$12,117.72 on Jail Bond Funds to Eagle Construction Co., Inc.

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## **Resolution #4f – 07/23/08**

Bartley Sales Co., Inc.

**WHEREAS** the board has received a claim from the Bartley Sales Co., Inc. for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Bartley Sales Application #1 for approval as follows:

Contract Sum	= \$30,834.00
Total Completed to date	= \$ 155.00
5% Retainage	= \$ 7.75
Less previous payments	= \$ <u>0</u>
Current Due	= \$ 147.25

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$147.25 on Jail Bond Funds to the Bartley Sales Co., Inc.

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## Resolution #4g – 07/23/08

Pauly Jail Building Company, Inc.

**WHEREAS** the board has received a claim from the Pauly Jail Building Company, Inc. for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Pauly Jail Building Application #3 for approval as follows:

Contract Sum	= \$1,620,992.77
Total Completed to date	= \$ 538,229.49
5% Retainage	= \$ 26,911.47
Less previous payments	= \$ <u>264,900.73</u>
Current Due	= \$ 246,417.29

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$264,417.29 on Jail Bond Funds to Pauly Jail Building Company, Inc.

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## Resolution #4h – 07/23/08

Alexandria Plumbing & Heating

**WHEREAS** the board has received a claim from Alexandria Plumbing & Heating for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Alexandria Plumbing & Heating Application #1 for approval as follows:

Contract Sum	= \$994,800.00
Total Completed to date	= \$ 92,792.98
5% Retainage	= \$ 4,639.65
Less previous payments	= \$ <u>0</u>
Current Due	= \$ 88,153.33

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$88,153.33 on Jail Bond Funds to Alexandria Plumbing & Heating.

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## Resolution #4i – 07/23/08

Willmar Electric Service Corp

**WHEREAS** the board has received a claim from Willmar Electric Service Corp for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Willmar Electric Application #1 for approval as follows:

Contract Sum	= \$1,321,300.00
Total Completed to date	= \$ 39,209.41
5% Retainage	= \$ 1,960.47
Less previous payments	= \$ <u>0</u>
Current Due	= \$ 37,248.94

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$37,248.94 on Jail Bond Funds to Willmar Electric Service Corp.

**Resolution #4j – 07/23/08**

Accurate Controls, Inc

**WHEREAS** the board has received a claim from Accurate Controls, Inc. for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Accurate Controls Application #1 for approval as follows:

Contract Sum	= \$493,463.91
Total Completed to date	= \$ 14,279.32
5% Retainage	= \$ 713.97
Less previous payments	= \$ <u>0</u>
Current Due	= \$ 13,565.35

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$13,565.35 on Jail Bond Funds to Accurate Controls, Inc.

**Resolution #4k – 07/23/08**

General Claims

**WHEREAS** the board has received a claim from various vendors for payment for the jail project, and

**WHEREAS** the billing appears consistent with the service delivered and the documentation is in order, and

**WHEREAS** the Construction Committee has approved these claims;

**BE IT RESOLVED** to authorize payment of the following claims on Jail Bond Funds:

Ecowater Systems	\$67.91
E.G. Rud & Sons, Inc	\$934.00
Independent Testing Technologies	\$1,581.00
Sanitary Systems	\$213.00
Kanabec Co Highway Dept	\$1,118.18
East Central Energy	\$451.00

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## **Resolution #4l – 07/23/08**

### **Construction Manager's Claim**

**WHEREAS** the board has received a claim from the Contegrity Group for payment for worked performed in the construction phase the jail project, and

**WHEREAS** the work was performed in accordance with Board Resolution #14-09/26/07, the billing appears consistent with work performed and the documentation is in order;

**BE IT RESOLVED** to authorize payment of \$23,027.68 on Jail Bond Funds to the Contegrity Group.

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## **Resolution #4m – 07/23/08**

### **Architect's Claim**

**WHEREAS** the board has received a claim from Klein McCarthy for payment for worked performed in May, 2008 on a proposed jail as follows:

Professional Services	\$7,407.75
Reimbursables	\$1,667.50

and

**WHEREAS** the billing appears consistent with work performed and the documentation is in order and the Construction Committee has recommended approval;

**BE IT RESOLVED** to authorize payment of \$9,075.25 on Jail Bond Funds to Klein McCarthy Architects.

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*Action #5* – It was moved by Kim Smith, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

**Resolution #5 – 07/23/08**  
Arboretum

**WHEREAS** the Minnesota Landscape Arboretum has invited Minnesota Counties to participate in their celebration of 100 years of cold hardy plant and fruit research;

**BE IT RESOLVED** to accept the invitation and do the following:

- a. Plant a tree compliments of the Arboretum near the courthouse/jail complex
- b. Make a “Value of Trees” publication available

and,

**BE IT FURTHER RESOLVED** to select Doug Yankowiak as the tree supplier.

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*Action #6* – It was moved by Kevin Troupe, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

**Resolution #6 - 07/23/08**  
**ORDER OF THE BOARD**

**WHEREAS** there is a vacancy in the position of Assistant County Attorney, and

**WHEREAS** the board desires to refill this vacant position;

**BE IT RESOLVED** that the County Board authorizes County Attorney Amy Brosnahan and the County Personnel Director to hire a full-time Assistant County Attorney at 40 hours per week to refill the vacant position at Step A, Range 16 of the pay plan which is \$24.87 per hour plus a \$2.00 market adjustment for starting rate of \$26.87 per hour, and

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

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**6:45pm** – The Chairperson convened a Public Hearing to receive input from the public on a proposed change to Ordinance #27. The board clerk read aloud the notice following which the Chairperson invited public comment. Those that responded included:

Bob DeYoung  
Diane Kramer  
Jeff Kramer  
Clayton Berg  
Bob Strom

*Action #7* – It was moved by Jerry Nelson, seconded by Les Nielsen, and carried unanimously to close the Public Hearing at 6:55pm.

*Action #8* – It was moved by Les Nielsen, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

## **Resolution #8 - 07/23/08**

**Ordinance #27 - Liquor**

**WHEREAS** the board has considered changes to County Ordinance #27, “Kanabec County Liquor Ordinance,” and

**WHEREAS** the board has considered testimony from the public, input from county staff and the advice of other county elected officials, and

**WHEREAS** the board has determined that it is in the best interests of the county to add language confirming penalties to the ordinance;

**BE IT RESOLVED** that the County Board of Kanabec County Ordains that Ordinance #27 be revised, approved and effective August 1, 2008 as follows:

### **ORDINANCE NO. 27**

### **KANABEC COUNTY**

### **LIQUOR ORDINANCE**

An Ordinance providing for hours when intoxicating liquor and/or non-intoxicating malt liquor cannot be consumed on premises licensed to sell intoxicating liquor and/or non-intoxicating malt liquors; for hours during which no person other than employees of a licensee can remain in any premises licensed to sell intoxicating liquor and/or non-intoxicating malt liquors; for authority of law enforcement officials to enter premises to check for violations; for penalties for licensees who allow persons to remain on licensed premises during any time prohibited by this Ordinance; providing for penalty for failure to allow a law enforcement official to enter a licensed premises to check for violations; and providing repeal of a prior ordinance and a prior resolution dealing with the same subject.

THE COUNTY BOARD OF KANABEC COUNTY ORDAINS:

**1.0 DEFINITIONS.** The following words and phases when used in the ordinance, unless the context clearly indicates otherwise, shall have the meanings herein ascribed to them.

**1.01** “County” shall mean County of Kanabec.

- 1.02** “Final decision” shall mean any decision made by the County after a hearing under Section 9.0, or any determination made by the County Auditor that is not challenged at a hearing under Section 9.0 within 10 days of the mailing of the notice required by Section 9.01.
- 1.03** “Intoxicating Liquor” as defined in Minnesota Statute 340A.101, Subd. 14.
- 1.04** “License” shall mean those licenses issued by the County of Kanabec to allow for the sale of intoxicating liquor and/or non-intoxicating malt liquor by a licensee on the premises available to the licensee for the sale of intoxicating liquor and/or non-intoxicating malt liquor.
- 1.05** “Licensee” shall mean any person who is issued a license by the County of Kanabec to allow for the sale of intoxicating liquor and/or non-intoxicating malt liquor by the person on the premises licensed by the County of Kanabec.
- 1.06** “Non-intoxicating malt liquor” as defined by Minnesota Statute 340A.101, Subd. 19.
- 1.07** “Person” shall mean an individual, partnership or corporation.
- 1.08** “Premises” is the premises described in the approved license application, subject to the provisions in section 340A.410, subd 7. In the case of a restaurant, club, or exclusive liquor store licensed for on-sales of alcoholic beverages and located on a golf course, “licensed premises” means the entire golf course except for areas where motor vehicles are regularly parked or operated.
- 1.09** “Off-Sale” shall mean the sale of intoxicating liquor and/or non-intoxicating malt liquor in original packages for consumption off the licensed premises only.
- 1.10** “On-Sale” shall mean the sale of intoxicating liquor and/or non-intoxicating malt liquor for consumption on the licensed premises only.
- 1.11** “Club” as defined in Minnesota Statute 340A.101, Subd. 7

## **2.0 APPLICATION PROCESS**

- 2.01** An application for a license under this ordinance shall be made on the forms prescribed by the County and the State of Minnesota
- 2.02** Before issuing any license under this ordinance, the Board of Commissioners shall consider, among other things, the following:
- (a)** the application;
  - (b)** township approval;
  - (c)** the written recommendations from the Kanabec County Sheriff and Kanabec County Attorney;

- (d) the character and reputation of the person making the application;
- (e) the nature of the business being or to be conducted;
- (f) the physical set up of the premises;
- (g) the propriety of the location of the premises;
- (h) compliance with County ordinances and state law including, but not limited to: parking, zoning, sanitation, food service facilities, provisions for security against theft or misuse of products, subdivision regulations, building, fire, electrical and plumbing codes;
- (i) any files of the County regarding the person making the application and/or premises.

### **3.0 FEES – NEW LICENSEES AND RENEWALS**

- 3.01** The license fees for the licenses issued under this ordinance shall be those as set by resolution of the Kanabec County Board of Commissioners. Any resolution of the Board regarding license fees must comply with the provisions of Minn. Stat. 340A.408 (2005), and any amendment or recodification thereto.
- 3.02** Licenses are annual and expire June 30<sup>th</sup> of each year. License fees are not refundable.
- 3.03** Renewal fees are due with the license renewal application. No license shall be issued until license fees are paid in full.
- 3.04** Any licensee paying licensee fees by business or personal check that is returned due to insufficient funds or a closed account, will not be issued their license until payment by certified cashiers check or cash is received by the Kanabec County Auditor’s office.
- 3.05** The Kanabec County Auditor’s office reserves the right to require license renewal fees be paid by certified cashier’s check or cash in subsequent years should a licensee violate section 3.04.
- 3.06** No license for the sale of intoxicating liquor or non-intoxicating malt liquor will be issued to anyone for sales to be made on premises upon which delinquent property taxes exist.

### **4.0 HOURS OF SALE OF ON-SALE INTOXICATING LIQUOR OR NON-INTOXICATING MALT LIQUOR**

- 4.01** No sale of intoxicating liquor for consumption on the licensed premises may be made:
  - (a) between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;
  - (b) between 1:00 a.m. and 12:00 noon on Sundays;
- 4.02** No sale of non-intoxicating malt liquor may be made:

(a) between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;

(b) nor between 1:00 a.m. and 12:00 noon on Sunday.

**4.03** No licensee licensed to sell intoxicating liquor and/or non-intoxicating malt liquor shall permit any person to consume intoxicating liquor and/or non-intoxicating malt liquor in the licensed premises later than 1/2 hour after this ordinance allows for the sale of intoxicating and/or non-intoxicating malt liquor.

**4.04** No licensee shall permit any consumer or person whomever, except employees of the licensee, to remain on the licensed premises later than 1/2 hour after this ordinance allows for the sale of intoxicating and/or malt liquor.

## **5.0 TEMPORARY ON-SALE LICENSES FOR NON-INTOXICATING MALT LIQUOR**

**5.01** The County may, following proper application, issue a temporary on-sale license for the sale of non-intoxicating malt liquor to a club or charitable, religious or non-profit organization.

**5.02** The premises for which a temporary license is issued may include public property owned by the County.

**5.03** In the event the premises used are public property owned by the County the licensee shall deposit with the Kanabec County Auditor, a \$1,500 refundable cash deposit to guarantee that the premises will be cleaned up after the expiration of the temporary license, and to guarantee against property damage to the property owned by the County.

**5.04** A temporary license shall not be issued for the use of public property owned by the County unless the licensee files with the Kanabec County Auditor a liability and property damage insurance policy protecting the licensee and County with the limits of at least \$100,000 per person; at least \$300,000 per occurrence and property damage of at least \$10,000.

## **6.0 TEMPORARY ON-SALE LICENSES FOR INTOXICATING LIQUOR**

**6.01** The County may issue a temporary on-sale license for the sale of intoxicating liquor to a club or charitable, religious, or other non-profit organization in existence for at least three (3) years for the on-sale of intoxicating liquor in connection with a social event sponsored by the licensee.

**6.02** The temporary license under this section shall be issued for not more than three (3) consecutive days.

- 6.03** The premises for which a temporary license is issued may include public property owned by the County.
- 6.04** In the event the premises used are public property owned by the County, the licensee shall deposit with the Kanabec County Auditor, a \$1,500 refundable cash deposit to guarantee that the premises will be cleaned up after the expiration of the temporary license, and to guarantee against property damage to the property owned by the County.
- 6.05** A temporary license shall not be issued for the use of public property owned by the County unless the licensee files with the Kanabec County Auditor a liability and property damage insurance policy protecting the licensee and County with the limits of at least \$100,000 per person; at least \$300,000 per occurrence and property damage of at least \$10,000.

## **7.0 GENERAL PROVISIONS**

- 7.01** A licensee shall allow any law enforcement official to enter the premises at any time, for the purpose of investigating possible violations of this ordinance, other ordinances, and Minnesota Statutes.
- 7.02** A licensee shall immediately stop sales when ordered to do so by the Sheriff of Kanabec County or their deputies.
- 7.03** A licensee shall make every sale in full view of the public.
- 7.04** Any license issued under this ordinance shall be posted in a conspicuous place on the premises for which it is issued.
- 7.05** Any license issued under this ordinance shall not be transferred to any other person, organization or premises.
- 7.06** The licensee shall comply with all laws, rules and regulations of the state and federal governments in operation on the premises, and shall ensure compliance therewith by each of their partners, employees, agents and customers.

## **8.0 PENALTIES**

- 8.01** Any violation of Sections 4.03 or 4.04 is a misdemeanor, and additionally shall be cause for revocation, or suspension for up to 60 days of the license of the offender and/or up to a \$2000 fine.
- 8.02** Any violation of Section 7.01 shall be cause for revocation , or suspension for up to 60 days of the license of the offender and/or up to a \$2000 fine.
- 8.03** Any violation of Minnesota Chapter 340A shall be cause for revocation, or suspension for up to 60 days of the license of the offender and/or up to a \$2000 fine.

**8.04** Upon a determination by the County Auditor that a violation of this Ordinance or Minnesota Chapter 340A has occurred, the following minimum penalties shall apply:

- (a)** If the licensee can provide proof to the County of participation in an approved employee training program in alcohol management:
  - a. First violation: \$500 fine
  - b. Second violation within 36 months of any prior violation: \$1000 fine
  - c. Third violation within 36 months of any prior violations: \$1000 fine and a 7-day license suspension
  - d. Fourth violation within 36 months of any prior violations: the licensee's license will be revoked.
  
- (b)** If the licensee cannot provide proof of participation in a state approved employee training program in alcohol management:
  - a. First violation: \$1000 fine
  - b. Second violation within 36 months of any prior violation: \$2000 fine
  - c. Third violation within 36 months of any prior violations: \$2000 fine and a 14-day license suspension
  - d. Fourth violation within 36 months of any prior violations: the licensee's license will be revoked.

## **9.0 NOTICE AND HEARING**

**9.01** If the County Auditor makes a determination to suspend or revoke a license granted under this Ordinance, or to impose a fine on the licensee, the County Auditor must provide written notice of the specific civil penalty to the licensee.

**9.02** Written notice from the County Auditor must inform the licensee of the following:

- (a)** The reason for the Auditor's determination;
- (b)** The proposed consequences that the County intends to impose on the licensee;
- (c)** The licensee's right to request a hearing prior to the determination becoming final; and
- (d)** The consequences of the licensee's failure to request a hearing within 10 days of mailing of written notice.

**9.03** A hearing must be requested within 10 days of the date the notice was mailed via certified mail. If a licensee does not request a hearing within that time period, the determination of the County Auditor will be the final decision. Requests for a hearing must be submitted in writing to the County Coordinator.

- 9.04** If the licensee requests a hearing, the hearing will be conducted in accordance with Minn. Stat. 340A.415 and Sections 14.57 to 14.69 of the Administrative Procedures Act (“APA”), and any amendment or recodification thereto.
- 9.05** The County Board must select an independent hearing officer to conduct a hearing and make a report and recommendations pursuant to the provisions of the APA.
- 9.06** The County must consider the hearing officer’s recommendations and issue its decision on the suspension or revocation based on that recommendation pursuant to provisions of the APA. This decision will be the County’s final decision.

**10.0 EFFECTIVE DATE**

This ordinance shall be effective August 1, 2008.

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*Action #9* – It was moved by Jerry Nelson, seconded by Kim Smith, and carried unanimously to approve the following resolution:

**Resolution #9 - 07/23/08**

Files

**WHEREAS** part of the furnishings of the new jail includes mobile files, and

**WHEREAS** the Construction Committee has reviewed proposals and recommended Haldeman-Homme, Inc Spacesaver High Density Mobile Shelving, and

**WHEREAS** time is a factor as the shelving requires rails laid in the concrete floor and the floor will be poured in three to four weeks;

**BE IT RESOLVED** to authorize the purchase of Haldeman-Homme, Inc Spacesaver High Density Mobile Shelving to fit in Room L122 of the new jail for a delivered and installed cost not to exceed \$13,355.62 + tax.

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*Action #10* – It was moved by Kim Smith, seconded by Kevin Troupe, and carried unanimously to approve the following resolution:

**Resolution #10 - 07/23/08**

OK House

**WHEREAS** the board has received a claim of \$713.51 for Kanabec County’s share of a 2007 OK House operating deficit, and

**WHEREAS** there will be more such claims in the future related to the closing of the OK House;

**BE IT RESOLVED** to approve payment of this claim with \$356.76 drawn on the Welfare Fund and \$356.75 drawn on the Probation Budget in the Revenue Fund, and

**BE IT RESOLVED** that further claims related to the closing of the OK House will be split evenly between the Welfare Fund and Probation Budget in the Revenue Fund.

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**7:33pm** - The Chairperson then called for public comment. Those that responded included:

Bob Swetz	Is CHPS attorney estimate of \$17,000 accurate?
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**7:40pm** - The Chairperson closed public comment and the board took at 10 minute break.

**7:50pm** – Dawn Besemann, a member of the Historical Society Board of Directors, presented the History Center requested donation for 2009. The board took the matter under advisement.

Action #11 – It was moved by Kim Smith, seconded by Jerry Nelson, and carried unanimously to recess the board meeting at 8:20pm to a time immediately following the Human Service Board.

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The Kanabec County **Human Service Board** met at **8:21pm** on Wednesday, July 23, 2008 pursuant to adjournment with the following Board Members present: Kathi Ellis, Les Nielsen, Kim Smith, Jerry Nelson, and Kevin Troupe. Health & Human Service Director Wendy Thompson presented the Human Services agenda. Items discussed included the budget, staffing, finances, and other agency business.

Action #HS12 - It was moved by Kim Smith, seconded by Jerry Nelson, and carried unanimously to approve the amended agenda of the Human Service Board with the deletion of:

- 3. SCHA Update
- 8. Family Services Workshop

Action #HS13 – It was moved by Les Nielsen, seconded by Jerry Nelson, and carried unanimously to approve the following resolution:

## **Resolution #HS13 - 07/23/08**

Copier

**WHEREAS** quotes for a copier/printer were received as follows:

Ricoh 3350 SP from Metro Sales at \$5,795.00

Sharp MX-M350 from Marco at \$6,129.00

and,

**WHEREAS** the higher service costs on the Ricoh would quickly overcome the initial cost difference;

**BE IT RESOLVED** to approve the recommendation of the Health & Human Service Director and Information Systems Director and accept the quote of \$6,129.00 for a delivered and installed Sharp MX-M350 from Marco at a cost of \$6,129.00 + tax.

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Action #HS14 – It was moved by Les Nielsen, seconded by Kim Smith, and carried unanimously to approve the following resolution:

### **Resolution #HS14 - 07/23/08**

Judith Nelson Contract

**WHEREAS**, Minn. Stat. 245.461 through 245.486 and Minn Stat. 245.487 through 245.488 establishes the Minnesota Comprehensive Adult Mental Health Act, and

**WHEREAS** counties are required to provide mental health services in accordance with the Comprehensive Adult Mental Health Act and the Comprehensive Children's Mental Health Act, and

**WHEREAS** the Mental Health Division of the Department of Human Services provides regional grant funds in support of these services;

**BE IT RESOLVED** to approve a Purchase of Services Contract between Kanabec County Social Services and Judith M. Nelson, Anoka, MN for the period from August 01, 2008 to December 31, 2008 for the following services:

- a. Psych Evaluations and Individual Counseling
  - b. Group Counseling
  - c. Outpatient Diagnostic Assessment
  - d. Outpatient Treatment
  - e. Community Education and Prevention
  - f. Crisis intervention
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Action #15 – It was moved by Kim Smith, seconded by Kevin Troupe, and carried unanimously to approve the following resolution:

### **Resolution #HS15 - 07/23/08**

5 County Mental Health

**WHEREAS**, Five County Mental Health Center (FCMHC) provides Mental Health Services

**WHEREAS**, FCMHC has a need to obtain psychiatric services for their clients,

of a Advanced Nurse Practitioner and a supervising Psychiatrist for the Advanced Nurse Practitioner services, and

**WHEREAS**, the Kanabec County Family Services Agency (FSA) offers the expertise and professional discipline to provide the needed services, and

**BE IT RESOLVED**, the parties consent to a “Agreement to Provide Psychiatric and Supervision Services” with a scope of work as follows: FSA will provide a range of services including:

- Psychiatric assessments and medication management.
- Regular supervision of an advanced nurse practitioner by a MD psychiatrist.
- Referrals to other Contractor services and/or community services as clinically appropriate,

and with primary responsibilities including:

- > Psychiatric assessments for clients referred by the "Contractor"
- > Follow-up with clients on a regular basis and document accordingly
- > Telephone contact with clients as needed during available unscheduled and "no show" appointment time.
- > Provide consultation/training services to staff as requested by video-conferencing, telephone or other means of communication.
- > Psychiatric supervision, provided to the advanced nurse practitioner by videoconferencing.

and

**BE IT RESOLVED** that the term of this agreement shall be August 1, 2008 through December 31, 2008.

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*Action #16* – It was moved by Jerry Nelson, seconded by Kim Smith, and carried unanimously to approve the following resolution:

## **Resolution #HS15 - 07/23/08**

SCHA

**BE IT RESOLVED** to enter into an agreement between the Kanabec County Family Service Agency and South Country Health Alliance titled “South Country Health Alliance Outpatient Behavioral Health Provider Participation Agreement” effective January 1, 2009, and

**BE IT FURTHER RESOLVED** that this approval is contingent upon the approval of the County Attorney, and

**BE IT FURTHER RESOLVED** that Health & Human Service Director Wendy Thompson is authorized to sign the Agreement in behalf of the County Board.

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*Action #HS16* - It was moved by Kim Smith, seconded by Kevin Troupe, and carried unanimously to adjourn the Human Service Board at 8:42pm to meet again on Wednesday, August 20, 2008 at 9:05am.

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The meeting of the Kanabec County Board of Commissioners resumed.

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

**Resolution #17 - 07/23/08**  
**ORDER OF THE BOARD**

**WHEREAS** there is a vacancy in the position of Public Health Nurse, and

**WHEREAS** the board desires to refill this vacant position;

**BE IT RESOLVED** that the County Board authorizes Health & Human Service Director Wendy Thompson and the County Personnel Director to hire a full time Public Health Nurse at 40 hours per week to refill the vacant position at Step A, Range 11 of the pay plan which is \$18.58 per hour + a \$2.00 market adjustment 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.

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Action #18 – The meeting was recessed by Chairperson Ellis by consent of the board at 8:45pm to meet again in regular session on Tuesday, August 12, 2008 at 8:00am.

The Kanabec County Board of Commissioners met at 8:00am on Tuesday, August 12, 2008 pursuant to recess with the following Board Members present: Kim Smith, Kathi Ellis, Jerry Nelson, Les Nielsen and Kevin Troupe.

The board discussed the proposed 2009 budget in depth.

Action #19 – It was moved by Jerry Nelson, seconded by Kim Smith, and carried unanimously to adjourn at 12:08pm to meet in regular session on Wednesday, August 13, 2008 at 9:00am.

*Signed* \_\_\_\_\_

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

*Attest:* \_\_\_\_\_

Alan B. Peterson, Kanabec County Coordinator