

PROCEEDINGS OF THE COUNTY BOARD

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

October 27, 2010

The Kanabec County Board of Commissioners met at 9:00am on Wednesday, October 27, 2010 pursuant to adjournment with the following Board Members present: Kim Smith, Kathi Ellis, Kevin Troupe, Les Nielsen and Roger Crawford.

The Chairperson led the assembly in the Pledge of Allegiance.

Action #1 - It was moved by Kim Smith, seconded by Kevin Troupe, and carried unanimously to approve the agenda as presented.

Action #2 – It was moved by Kathi Ellis, seconded by Roger Crawford and carried unanimously to approve the October 20, 2010 minutes of the Kanabec County Board of Commissioners meeting as corrected. Change Action #11 to state Public Health Board and add District numbers to Commissioner’s names on Action #15.

Maintenance Director Bill Martin met with the Board to discuss matters concerning Building Maintenance.

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

Resolution #3 10/27/10 Public Health Flooring

WHEREAS the following quotes were received for flooring replacement in the Public Health building:

Zimmerman’s - \$20,512.33
Carpet Country Carpet One - \$20,772.00

WHEREAS the quote of \$20,512.33 by Zimmerman’s was the low quote,

BE IT RESOLVED to accept the low quote of \$20,512.33 provided by Zimmerman’s to be funded using the MCIT dividend.

Action #4 – It was moved by Kevin Troupe, seconded by Roger Crawford and carried unanimously to approve the following resolution:

Resolution #4 10/27/10
Fuel Tank Removal

WHEREAS the following quotes were received for removal of the 600 gallon fuel tank located near the old jail:

Hjort Excavating - \$4,125.00
Landwehr Construction, Inc - \$7,500.00
Eagle Welding & Petroleum Equipment - \$11,600.00

WHEREAS the quote of \$4,125.00 by Hjort Excavating was the low quote,

BE IT RESOLVED to accept the low quote of \$4,125.00 provided by Hjort Excavating to be purchased using funds from the building fund.

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

Resolution #5 - 10/27/10
County Coroner

WHEREAS the term of office for County Coroner expires January 3, 2011, and

WHEREAS Minnesota Statute §390.005 requires that the county board appoint a Coroner, and

WHEREAS the County sheriff recommends reappointment of Dr. Michael McGee;

BE IT RESOLVED to appoint Dr. Michael McGee as Kanabec County Coroner effective January 4, 2011 for a term ending January 3, 2012.

Action #6 – It was moved by Kathi Ellis, seconded by Kim Smith and carried unanimously to approve the following County ADA Policy P-125 effective October 27, 2010:

Americans with Disabilities Act (ADA) Policy

I. Policy Statement

Kanabec County is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process. It is the policy of Kanabec County to reasonably accommodate

qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

II. Definition

Disability: For purposes of determining eligibility for a reasonable accommodation, a person with a disability is one who has a physical or mental impairment that materially or substantially limits one or more major life activities.

III. Reasonable accommodation

A reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

1. To assure equal opportunity in the employment process;
2. To enable a qualified individual with a disability to perform the essential functions of a job; and
3. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

IV. Procedure - Current employees and employees seeking promotion

1. Kanabec County will inform all employees that this accommodation policy can be made available in accessible formats.
2. The employee shall inform their supervisor or the Personnel Director of the need for an accommodation.
3. The Personnel Director may request documentation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless the disability might require emergency treatment.
4. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:

- Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
- Determine the precise job-related limitation.
- Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
- Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, Kanabec County is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
- The Personnel Director will work with the employee to obtain technical assistance, as needed.
- The Personnel Director will provide a decision to the employee within a reasonable amount of time.

If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the Personnel Director shall work together to determine whether reassignment may be an appropriate accommodation.

V. Procedure - Job applicants

1. The job applicant shall inform the Personnel Director of the need for an accommodation. The Personnel Director will discuss the needed accommodation and possible alternatives with the applicant.
2. The Personnel Director will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

VI. Policy for funding accommodations

Funding must be approved by the Kanabec County Board of Commissioners for accommodations that do not cause an undue hardship (M.S. 43A.191(c)).

Definition

Undue hardship. An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of Kanabec County.

VIII. Procedure for determining undue hardship

1. The employee will meet with the Personnel Director to discuss the requested accommodation.
2. The Personnel Director will review undue hardships by considering:

- The nature and cost of the accommodation in relation to the size, the financial resources, and the nature and structure of the operation; and
- The impact of the accommodation on the nature or operation of Kanabec County
- The Personnel Director will provide a decision to the employee.

VII. Appeals

Employees or applicants who are dissatisfied with the decision(s) pertaining to his/her accommodation request may file an appeal with the Kanabec County Board of Commissioners, within a reasonable period of time, for a final decision.

Action #7 – It was moved by Kathi Ellis, seconded by Kim Smith and carried unanimously to approve the 2011 East Central County Library (ECRL) budget in the amount of \$2,825,735.

The Northeast Minnesota Regional Radio Board's Joint Powers agreement was discussed. No formal action was taken.

Jail Administrator Joanne Nelson met with the Board to discuss matters concerning jail staffing.

Action #8 – It was moved by Kim Smith, seconded by Roger Crawford and carried unanimously to approve the following resolution:

Resolution #8 – 10/27/10 Part Time Deputy

WHEREAS there is a temporary vacancy in the position of Part Time Jailer/Dispatcher, and

WHEREAS the board desires to refill this vacant position;

BE IT RESOLVED that the County Board authorizes County Sheriff and the County Personnel Director to hire a Part Time Jailer/Dispatcher to refill the vacant position at Step A, Range 7 of the pay plan which is \$15.16 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 to authorize County Sheriff Steve Schulz and the County Personnel Director to refill any subsequent vacancies that may occur within the department due to internal promotion.

County Engineer Greg Nikodym met with the Board to discuss matters concerning the Highway Department.

Action #9 – It was moved by Kathi Ellis, seconded by Roger Crawford and carried unanimously to approve the following resolution:

Resolution #9 – 10/27/10
Foam Insulation Project
Contract

WHEREAS TMI Coatings bid for the installation of foam insulation at the County Highway Department was accepted, and

WHEREAS TMI Coatings has submitted a signed contract, bond, and insurance information for County approval;

BE IT RESOLVED that the Chairperson of the County Board of Commissioners and County Coordinator are hereby authorized to sign a contract with TMI Coatings for completion of the foam insulation project at the County Highway Department facility.

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

Resolution #10 – 10/27/10
Dept of Commerce Agreement

WHEREAS Kanabec County entered into an agreement (B48810) with the Minnesota Department of Commerce on September 17, 2010 for a project to install foam insulation at the County Highway Department facility, and

WHEREAS it is necessary to amend the agreement to comply with federal rules;

BE IT RESOLVED that the Chairperson of the County Board of Commissioners and County Coordinator are hereby authorized to sign Amendment No. 1 to Agreement B48810.

Action #11 – It was moved by Kevin Troupe, seconded by Roger Crawford and carried unanimously to approve the following resolution:

Resolution #11 – 10/27/10
MNDOT Agreement

WHEREAS Kanabec County has an agreement with MnDOT to provide professional and technical services, routine maintenance, and construction administration when requested by either party, and

WHEREAS it would be advantageous to both parties to include emergency service to this agreement;

BE IT RESOLVED that the Chairperson and County Coordinator are authorized to sign Amendment #1 to Agreement No. 92223 with MnDOT.

Carolyn Drude representing Ehlers and Associates met with the Board to discuss HRA By-laws.

Action #12 – It was moved by Roger Crawford, seconded by Kathi Ellis and carried unanimously to approve the following resolution:

Resolution #12 – 10/27/10
Appointment of HRA Officers

RESOLUTION APPOINTING OFFICERS OF THE HOUSING AND
REDEVELOPMENT OF KANABEC COUNTY, MINNESOTA

BE IT RESOLVED by the Board of Commissioners (the “Board”) of Kanabec County, Minnesota, as follows:

WHEREAS, the Board of County Commissioners of Kanabec County, Minnesota (the “County”), held a public hearing on the need for the establishment of a county housing and redevelopment authority in the County on July 28, 2010, and subsequently determined that a sufficient need exists within the County for a county housing and redevelopment authority and, pursuant to a resolution adopted on October 20, 2010, the County established the Housing and Redevelopment Authority (the “HRA”) of Kanabec County, and appointed commissioners to the Board, pursuant to Minnesota Statutes, Section 469.006; and

WHEREAS, the Board wishes to appoint certain officers to the HRA;

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Commissioners of Kanabec County, Minnesota, as follows:

APPOINTMENT OF OFFICERS: The following are appointed to hold the HRA offices set forth opposite their respective names:

Chair:	Les Nielsen
Vice-Chair	Kevin Troupe
Secretary*	Dan Weber, County Coordinator

*The Auditor-Treasurer will be appointed by the Secretary to disburse funds and to assist the Secretary.

Upon vote being taken thereon, the following voted in favor thereof: Les Nielsen, Roger Crawford, Kevin Troup, Kim Smith and Kathi Ellis

and the following voted against the same: none

Action #13 – It was moved by Kathi Ellis, seconded by Kim Smith and carried unanimously to approve the following resolution:

Resolution #13 – 10/27/10
Public Hearing for Bonding

RESOLUTION CALLING FOR A PUBLIC HEARING ON A PROJECT TO BE UNDERTAKEN IN THE COUNTY OF KANABEC BY THE HOUSING AND REDEVELOPMENT AUTHORITY OF THE COUNTY OF KANABEC, MINNESOTA

BE IT RESOLVED by the County Board (the “Board”) of the County of Kanabec, Minnesota (the “County”), as follows:

Background. The County has been informed by representatives of the Housing and Redevelopment Authority of the County of Kanabec, Minnesota (the “Authority”) that the Authority proposes to undertake a project within the County consisting of the acquisition, constructing and furnishing of a 24-unit senior housing with supportive services facility (the “Project”) to be located adjacent and connected to the Eastwood Life Enrichment Center at 160 Valhalla Circle in the City of Mora, Minnesota. To finance the Project, the Authority will issue bonds pursuant to Minnesota Statutes, Section 469.034, in the approximate amount of \$2,000,000. The full faith and credit of the County will be pledged to the repayment of the bonds.

Public Hearing. A public hearing on the question of whether the County should consent to the undertaking of the Project is hereby called and shall be held on November 23, 2010 at 10:45 a.m. at the County Courthouse. The County Coordinator shall cause notice of the public hearing to be published in the official newspaper of the County as required by law.

County Housing and Redevelopment Authority Chairman Les Nielsen met with the Board to give notice of a Special Meeting of the County HRA Board. The Special Meeting will be held at 10:00am on November 10, 2010 in the County Board room.

10:30am - The Chairperson then called for public comment. Those who responded included:

Dennis McNally	Concerns about HRA, Pheasants Forever, Environmental Services and Election Questions
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Carrie Doom	Concerns over Tire Ordinance
Ron Peterson	Questions about HRA

10:42am - The Chairperson closed public comment.

Randy Ulseth representing the County Hospital Board met with the Board to discuss the rebranding of the Hospital. No formal action was taken.

Action #14 – It was moved by Roger Crawford, seconded by Kim Smith and carried unanimously to approve the following resolution:

Resolution #14 – 10/27/10
Transit Claims

WHEREAS the Transit uses volunteer drivers for many public purposes, and

WHEREAS these drivers are reimbursed for incurred expenses in accordance with County Policy and public law, and

WHEREAS the Transit Department Manager recommends approval of these claims;

BE IT RESOLVED to approve the following driver expense claims for reimbursement, all of which are properly documented:

	AMOUNT
Annette Majeski	\$ 54.00
Barb Hood	\$ 110.41
Betty Geisthardt	\$ 430.92
Bev Gustafson	\$ 227.87
Bill Hood	\$ 339.35
Bob Hoefert	\$1,103.84
Dan Niedzielski	\$ 188.50
Delores Struffert	\$ 76.50
Gary Nelson	\$ 581.72
Jean Newgard	\$ 321.84
Jennifer Leerssen	\$ 970.00
Jerald Nelson	\$ 99.81
Judy Colburn	\$ 306.00
Karen Luberd	\$ 698.76
Linda Nelson	\$ 664.79
Marge Tadych	\$ 169.00
Marlys Wolbert	\$ 182.50
Millie Laska	\$ 771.75
Ray Zamora	\$ 492.50
Rollie Pieper	\$1,213.43
Ronette Nelson	\$ 406.00

Sy Tadych	\$ 984.00
Ted Lindgren	\$ 716.76
Willard Landreville	\$ 456.34
Total for Volunteer Drivers	\$11,566.59

Action #15 – It was moved by Roger Crawford, seconded by Kim Smith and carried unanimously to approve the appointment of Barb McFadden to the Kanabec County Canvassing Board.

Union negotiations were discussed. No formal action was taken.

Action #16– It was moved by Roger Crawford, seconded by Kathi Ellis and carried unanimously to adjourn at 11:15am and to meet again on Wednesday, November 10, 2010 at 9:00am.

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

Attest: _____
Board Clerk