

---

---

**A TRANSCRIPT OF THE PROCEEDINGS OF A REGULAR MEETING OF THE HUBBARD COUNTY BOARD OF COMMISSIONERS HELD ON MARCH 4, 2014, AT 9:00 O'CLOCK A.M.**

A regular meeting of the Hubbard County Board of Commissioners was held on March 4, 2014, at 9:00 a.m. with all the Commissioners and County Coordinator, Debbie Thompson present.

The Pledge of Allegiance was said by all.

The meeting was called to order by Chairperson, Kathy Grell.

On motion of Mr. Johannsen, seconded by Mr. Larson and carried unanimously, the agenda was approved, as submitted.

**Public Input:** None.

On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the following consent agenda items were approved, as presented:

- Approve the minutes of the February 18, 2014 Regular Meeting;
- Approve the minutes of the February 11, 2014 Board Work Session;
- Approve the bills & Auditor's Warrants dated February 21, 2014 & February 28, 2014;
- Review the General Revenue Cash Balance Report dated January 31, 201, and 2014 Designated Monies (806) Report;
- Approve License Applications as follows: Tobacco – E-Cig City, City of Park Rapids and Sunday Liquor and On Sale Liquor – Companeros/Dorset House, Henrietta Township;
- Approve the Social Services bills;
- Review Departmental Overtime Report – February, 2014

**Information System Corporation (ISC):** ISC Vice President, Wayne Altenbernd provided information regarding the Nexon by Imation Assureon Data Archiving System. Discussion followed. On motion of Mr. Dotta, seconded by Mr. Stacey and carried unanimously, the purchase of the Assureon Data Archiving System from Information System Corporation in an amount up to \$52,121 plus any associated taxes and shipping, was approved, as recommended by the Technology Committee, with payment to be from the Records Equipment monies including the first year of maintenance. Future maintenance payments in an approximate amount of \$4500/year will be discussed with the Social Services Department representing the current largest user of the storage system.

**Land Records:** On motion of Mr. Larson, seconded by Mr. Johannsen and carried unanimously, the Planning Commission/Board of Adjustment By-Laws was approved, as recommended by the PC/BOA, pursuant to Shoreland Management Ordinance Section 1101.6.b.

Co Land Department Managers, Eric Buitenwerf and Nicole Lueth explained the tax statement distribution requirements per Minnesota Statute and the coordinating deadlines to

provide the statements to the contracted “out sourcer” necessary to successfully complete the mailing process. Discussion followed. The Board expressed support for the alternate submission date of the tax statements to the “out sourcer” as presented, contingent upon meeting all required deadlines.

The Board was also informed that there would not be a request forthcoming to renew the Phased Retirement Option (PRO) agreement effective April 2, 2014.

**Public Works:** Public Works Coordinator, David Olsonawski presented the quotes received for purchase of **culverts, aprons and end sections** as follows: Knife River, Bemidji, MN - \$16,057.55; Contech Engineering Solutions, Shakopee, MN - \$16,391; and True North Steel, Fargo, ND - \$16,569.39. Discussion followed. On motion of Mr. Larson, seconded by Mr. Stacey and carried unanimously, the low underlined quote for the project listed in bold, above was approved, as recommended by the Public Works Coordinator, with payment to be from Road & Bridge budgeted monies.

On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the following resolution was adopted:

**RESOLUTION NO. 03041401**

**2014 Spring Road Restrictions**

**WHEREAS**, because of rain, snow, frost and usual spring climate conditions, public roads may be seriously damaged unless restrictions are imposed as to weight of vehicles to be operated thereon, and

**WHEREAS**, as per Minnesota Statutes §169.87, Subdivision 2, no person shall operate any vehicle or combination of vehicles upon any county highway or county state aid highway where the gross weight on any single axle exceeds five tons and the gross weight on consecutive axles shall not exceed the gross weight allowed as defined in Minnesota Statutes §169.822 to 169.829 multiplied by a factor of five divided by nine, between the dates set by the Commissioner of Transportation each year in the state.

**NOW, THEREFORE, BE IT RESOLVED**, that given the optional power under Minnesota Statutes §169.87, Subdivision 1, the County Engineer shall erect and maintain signs imposing the cited weight restrictions, during the period determined by the Engineer. If signs are erected, the restrictions as indicated on the signs shall govern. If no signs are erected, the five ton gross weight provision per axle shall apply.

Exceptions to the five ton gross weight per axle restrictions are the following roads which will be posted to five (5) ton, seven (7) ton and nine (9) ton. (SEE ATTACHED COUNTY LIST)

**2014 ROAD RESTRICTIONS**

ALL ROADS NOT LISTED BELOW SHALL BE RESTRICTED TO 5 TON AS PER MINNESOTA STATUTES, SECTION 169.87.

**YEAR ROUND TWELVE MONTH 10-TON ROADS**

**C.S.A.H. No. 4 from T.H. 34 to T.H. 71**

**C.S.A.H. No. 6 from T.H. 87 to T.H. 34**

**C.S.A.H. No. 9 from T.H. 71 to C.S.A.H. 45**

**C.S.A.H. No. 15 from T.H. 71 to C.S.A.H. 6**

**C.S.A.H. No. 28 from T.H. 34 to T.H. 71**

**C.S.A.H. No. 45 from C.S.A.H. 9 to T.H. 2**

**9 TON**

C.S.A.H. No. 2 from T.H. 34 to 1 mile North of County Road 85

C.S.A.H. No. 3 from C.S.A.H. 9 to C.S.A.H. 10 & 3 and County line east 1.5 miles

C.S.A.H. No. 6 from Wadena County Line C.S.A.H. 23 to T.H. 87

C.S.A.H. No. 8 from T.H. 2 to 1.1 Mile East

C.S.A.H. No. 9 from C.S.A.H. 45 to Cass County Line C.S.A.H. 22

C.S.A.H. No. 9 from Clearwater County Line C.S.A.H. 40 to C.S.A.H. 3

C.S.A.H. No. 9 from C.S.A.H. 10 to T.H. 71

C.S.A.H. No. 10 & 3 from C.S.A.H. 9 to Beltrami County Line C.S.A.H. 7

C.S.A.H. No. 11 from T.H. 87 to T.H. 34

C.S.A.H. No. 12 from T.H. 64 to Cass County Line C.S.A.H. 6

C.S.A.H. No. 13 from T.H. 87 to T.H. 34

C.S.A.H. No. 16 from T.H. 71 to Cass County Line C.S.A.H. 21

C.S.A.H. No. 17 from C.S.A.H. 20 to C.S.A.H. 13

C.S.A.H. No. 18 from C.S.A.H. 2 to T.H. 34

C.S.A.H. No. 19 from T.H. 64 to the Cass County Line C.S.A.H. 40

C.S.A.H. No. 33 from T.H. 34 to T.H. 64

C.S.A.H. No. 37 from T.H. 64 to C.S.A.H. 39

C.S.A.H. No. 38 from T.H. 200 to Cass County Line C.S.A.H. 38

C.S.A.H. No. 39 from C.S.A.H. 38 to T.H. 200

C.S.A.H. No. 39 from T.H. 200 to C.S.A.H. 5

C.S.A.H. No. 41 from Becker County Line C.S.A.H. 44 to T.H. 71

C.S.A.H. No.	42	from	Becker County Line C.S.A.H. 46 to T.H. 71
C.S.A.H. No.	45	from	T.H. 200 to C.S.A.H. 9
C.S.A.H. No.	46	from	T.H. 2 to Beltrami County Line C.S.A.H. 4
C.S.A.H. No.	53	from	T.H. 71 to T.H. 34
C.S.A.H. No.	71	from	C.S.A.H. 39 to T.H. 200

7 TON

C.S.A.H. No.	3	from	T.H. 71 to C.S.A.H. 9
C.S.A.H. No.	7	from	T.H. 226 to 9.2 Miles North
C.S.A.H. No.	9	from	C.S.A.H. 3 to C.S.A.H. 10
C.S.A.H. No.	14	from	T.H. 71 to Becker County Line C.S.A.H. 42
C.S.A.H. No.	18	from	C.S.A.H. 4 to C.S.A.H. 2
C.S.A.H. No.	24	from	C.S.A.H. 4 to C.S.A.H. 7
C.S.A.H. No.	25	from	T.H. 34 to T.H. 64
C.S.A.H. No.	29	from	C.S.A.H. 9 to C.S.A.H. 35
C.S.A.H. No.	35	from	C.S.A.H. 29 to Beltrami County C.S.A.H. 2
C.S.A.H. No.	36	from	T.H. 200 to T.H. 2
C.S.A.H. No.	40	from	T.H. 71 to C.S.A.H. 2
C.S.A.H. No.	47	from	Wadena County Line C.S.A.H. 21 to C.S.A.H. 6
C.S.A.H. No.	48	from	T.H. 71 to Becker County Line C.S.A.H. 48
C.S.A.H. No.	50	from	C.S.A.H. 7 to C.S.A.H. 40
Co. Rd. No.	81	from	T.H. 34 to C.S.A.H. 4
Co. Rd. No.	82	from	T.H. 34 to C.S.A.H. 33
Co. Rd. No.	85	from	C.S.A.H. 2 to T.H. 34
Co. Rd. No.	89	from	T.H. 71 to 2.52 Miles North
Co. Rd. No.	91	from	C.S.A.H. 2 to 0.8 Mile North
Co. Rd. No.	93	from	T.H. 64 to C.S.A.H. 39
Co. Rd. No.	98	from	C.S.A.H. 9 to C.S.A.H. 35
Co. Rd. No.	101	from	C.S.A.H. 9 to T.H. 2
Co. Rd. No.	107	from	T.H. 34 to T.H. 34
Co. Rd. No.	117	from	T.H. 34 to 190th Street

5 TON

C.S.A.H. No.	1	from	T.H. 34 to C.S.A.H. 18
--------------	---	------	------------------------

C.S.A.H. No.	13	from	Wadena County Line C.S.A.H. 23 to T.H. 87
C.S.A.H. No.	18	from	T.H. 71 to C.S.A.H. 4
C.S.A.H. No.	20	from	T.H. 87 to T.H. 34
C.S.A.H. No.	23	from	T.H. 34 to T.H. 64
C.S.A.H. No.	23	from	C.S.A.H. 12 to T.H. 34
C.S.A.H. No.	30	from	T.H. 200 to 1.0 Mile East
C.S.A.H. No.	49	from	T.H. 34 to 0.09 Mile South
Co. Rd. No.	80	from	T.H. 34 to T.H. 34
Co. Rd. No.	83	from	T.H. 34 to 1.0 Mile South
Co. Rd. No.	86	from	C.S.A.H. 40 to 6650' NE
Co. Rd. No.	87	from	T.H. 34 to Cass County Line
Co. Rd. No.	100	from	C.S.A.H. 16 to 0.5 Mile North
Co. Rd. No.	103	from	C.S.A.H. 1 to 0.2 Mile East
Co. Rd. No.	104	from	C.S.A.H. 24 to 1.4 Mile North
Co. Rd. No.	106	from	Wadena County Line C.S.A.H. 24 to T.H. 87
Co. Rd. No.	109	from	C.S.A.H. 6 to 0.8 Mile East
Co. Rd. No.	109	from	C.S.A.H. 13 to 3.0 Mile East
Co. Rd. No.	111	from	1.2 Mile South of T.H. 87 to T.H. 87
Co. Rd. No.	112	from	T.H. 34 to C.S.A.H. 18
Co. Rd. No.	116	from	T.H. 71 to T.H. 71
Co. Rd. No.	119	from	C.S.A.H. 33 to 1.92 Miles South
Co. Rd. No.	122	from	T.H. 71/200 to Clearwater County Line C.R. 122
Co. Rd. No.	123	from	C.R. 122 to T.H. 71/200
Co. Rd. No.	130	from	T.H. 2 to T.H. 2

IF CONDITIONS INDICATE FAILURE, SOME OF THE ABOVE REFERENCED GROSS AXLE WEIGHTS MAY BE REDUCED. ENFORCEMENT WILL BE UNDER THE JURISDICTION OF THE HUBBARD COUNTY SHERIFF'S DEPARTMENT AND THE STATE PATROL.

DAVID A. OLSONAWSKI, P.E.

COUNTY ENGINEER

On motion of Mr. Larson, seconded by Mr. Dotta and carried unanimously, the filling of the following seasonal positions were approved, per proper policy procedure: one Highway/Land Survey position; two Park/Rec positions; and two Solid Waste positions.

---

Land Commissioner, Mark Lohmeier presented the following quotes for **two Parks & Recreation docks** as follows: **one 4'x 32' Galv/Alum Dock** – Bemidji Marine, Bemidji, MN - \$3,658.56; TimberCreek Dock & Lift, Walker, MN - \$4,459.00 and **6' x 32' Galv/Alum Dock** – Bemidji Marine, Bemidji, MN - \$5,430.56; Timber Creek Dock & Lift, Walker, MN - \$6,565.00. Discussion followed. On motion of Mr. Johannsen, seconded by Mr. Dotta and carried unanimously, the purchases listed in bold by underlined low respective quotes, above were approved, as recommended by the Land Commissioner, with payment be from Recreation monies.

**Sheriff:** On motion of Mr. Johannsen, seconded by Mr. Dotta and carried unanimously, the payment to Independent Emergency Services, Hutchinson, MN for the Next Generation E 911 upgrade in the amount of \$1,285.01 was approved, by the auditor's warrant as recommended by the Sheriff, with payment to be from E911 monies subject to State of Minnesota reimbursement.

**Committee Reports:** Information was shared regarding meetings attended by commissioners, materials obtained at the recent AMC Legislative Days and security comparisons of other courthouses.

**Finance:** On motion of Mr. Dotta, seconded by Mr. Stacey and carried 4 to 1 with Commissioner Grell voting no, the utilization of the Forte credit card service was approved, as recommended by the Auditor/Treasurer including the purchase of at least one (1) point of sale credit card machine. . The purchase of additional credit card machines to be determined by respective departments based on need.

A review of the alternate tax statement timelines presented earlier in the day was provided to the Auditor/Treasurer who agreed they would be satisfactory.

**Heritage Living Center (HLC):** On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the following resolution was adopted:

**RESOLUTION NO. 03041402**

**RESOLUTION AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH PROPOSED NMTC FINANCING FOR SKILLED NURSING FACILITY PROJECT, UNDERTAKEN IN ACCORDANCE WITH SECTION 45D OF THE INTERNAL REVENUE CODE**

**BE IT RESOLVED** by the Board of Commissioners (the County Board) of Hubbard County, Minnesota (the County) as follows:

Recitals.

Section 45D of the Internal Revenue Code of 1986, as amended (the "Code"), authorizes New Market Tax Credits to be available in connection with costs incurred for qualifying facilities located in whole or significant part in certain qualified census tracts, as described in section 45D(e) of the Code, and all as more fully provided in section 45D and the regulations thereunder.

---

The County has determined to undertake a project consisting of the acquisition, construction and betterment of skilled nursing facilities, including particularly a new replacement facility for the County's existing Heritage Living Center (the "Project"). The County believes that the Project is located in significant part in one or more qualifying census tracts, within the meaning of Section 45D(e) of the Code.

The County has determined to provide financing for the Project, in whole or part, through the issuance of its general obligation bonds, pursuant to Minnesota Statutes, Sections 376.55 and 376.56, and Chapter 475 (the "Bonds"). The Bonds may be issued in one or more series, including Bonds the interest on which is excluded from the gross income of recipients, for federal and Minnesota state income tax purposes, and Bonds the interest on which is included in the gross income of recipients, for federal and Minnesota state income tax purposes.

The County desires to lower its overall financing costs for the Project through participation in a financing transaction undertaken pursuant to section 45D of the Code (the "Proposed NMTC Financing").

There has been presented to the County Board proposed forms of the following: (i) an application for allocation of new markets tax credits to the Project (the "MMCDC Application"), to be submitted by the County to Midwest Minnesota Community Development Corporation ("MMCDC"); (ii) and an engagement letter from Dorsey & Whitney, LLP ("Dorsey"), outlining the terms of Dorsey's engagement to serve as Special NMTC Financing Counsel to the County in connection with the Proposed NMTC Financing (the "Legal Counsel Engagement Letter").

Authorization of Proposed NMTC Financing.

The County authorizes the undertaking of the Proposed NMTC Financing as a means to lower its overall financing costs for the Project and hereby authorizes the County Coordinator and other officers of the County to undertake such actions as may be reasonably necessary or desirable to effectuate the same.

The issuance of the Bonds shall be coordinated with the Proposed NMTC Financing so as to reduce the overall financing costs of the Project to the greatest extent feasible.

Specific authorizations and directions. The County Coordinator and other officers of the County are hereby specifically authorized and directed, as follows:

To submit to MMCDC the MMCDC Application substantially in the form presented to this meeting, which MMCDC Application shall be signed by one or more officers of the County, as provided therein.

To submit such additional applications to one or more Community Development Entities, as may be necessary or desirable to obtain one or more other allocations of New Market Tax Credits for the Project, in such amount or amounts as are consistent with and authorized by section 45D of the Code and regulations

thereunder and as shall serve to reduce the overall financing costs of the Project to the greatest extent feasible.

To accept the Legal Counsel Engagement Letter with the County's Special NMTC Financing Counsel and make payment of the retainer fee provided for therein, subject to the terms and conditions thereof.

To execute and deliver such other documents as may be necessary or desirable in connection therewith.

**BE IT FINALLY RESOLVED** that this resolution shall be in full force and effect from and after its passage.

On motion of Mr. Larson, seconded by Mr. Stacey and carried unanimously, the Heritage Living Center (HLC) application to the Minnesota Department of Health for a nursing home license was approved and the Chairman was authorized to sign same.

**Friends of the Headwaters:** On motion of Mr. Larson, seconded by Mr. Dotta and carried 4 to 1 with Mr. Johannsen voting no, the following resolution was adopted:

**RESOLUTION NO. 03041403**

**WHEREAS**, the Minnesota Public Utility Commission has scheduled public meetings, hearings and public comment periods on the proposed Sandpiper Docket #PL6668/PPL-13-474 and the public comment period ends on April 4, 2014; and

**WHEREAS**, many Hubbard County residents own property along the proposed route and would be very interested in learning more about the route, alternatives to the route and how lakes and marshes of concern to them might be affected by the proposed crude oil pipeline and;

**WHEREAS**, many Hubbard County residents are interested in learning about and/or participating in the public review are seasonal residents in Minnesota and are either unaware of the proposal or unable to fully participate in the public review process;

**NOW, THEREFORE, BE IT RESOLVED**, that the Hubbard County Board of Commissioners is petitioning the Minnesota Public Utilities Commission to extend the public comment period and hold additional public informational meetings and hearings during a period that is more inclusive of its members and requests that the opportunity for full public education about and participation in the permitting process for Docket #PL6668/PPL-13-474 crude oil pipeline not end until August 1, 2014.

**Coordinator:** Discussion was held regarding the topic of the Department Mangers meeting scheduled for March 25, 2014, to include the continued review of the webpage design and provision of a status report on the authorized Compensation Study. The Board expressed support for obtaining the services of a writer to compose the webpage departmental descriptions to provide uniformity, as discussed.

Discussion was held regarding the implementation of the proposed Transportation Sales

---

---

and Use Tax. By consensus of the Board, the implementation of the proposed Transportation Sales and Use Tax was deferred to further consideration during 2015 budget preparation.

On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the Polk County Solid Waste contract was approved, pending satisfactory review by the County Attorney.

Coordinator, Debbie Thompson provided a comparison of surrounding county Maintenance Manger job descriptions. The duties of a Maintenance Manager working for a local facility were also discussed. By consensus of the Board, the Coordinator was requested to explore the services of Fox Lawson for development of the job description and what time line will be required with a report to the Board.

By consensus of the Board, the Coordinator was directed to submit the RSVP notification for the commissioner's attendance of the MHB Prioritization Planning meeting on April 2, 2014, in Walker, MN at Chase on the Lake.

On motion of Mr. Dotta, seconded by Mr. Stacey and carried unanimously, the following resolution was adopted:

**RESOLUTION NO. 03041404**

***SOCIAL WORK MONTH 2014 PROCLAMATION  
"ALL PEOPLE MATTER"***

**WHEREAS**, the primary mission of the Social Work profession is to enhance human well-being and help meet the basic needs of all people, especially the most vulnerable in society; and

**WHEREAS**, Social Work Pioneers helped lead America's struggle for social justice; and

**WHEREAS**, Social Workers know that poverty and trauma can create lifelong social and economic disadvantages; and

**WHEREAS**, Social Workers know that discrimination of any kind limits human potential and must be eliminated; and

**WHEREAS**, Social Workers stand up for individuals and support diverse families in every community; and

**WHEREAS**, Social Workers help people in every stage of life function better in their environments, improve their relationships with others, and solve personal and family problems; and

**WHEREAS**, all children have the right to safe environments and quality education; and

---

**WHEREAS**, dignity and caregiving for older adults help define a nation’s character; and

**WHEREAS**, veterans and their families need community support to ensure successful transitions after service; and

**WHEREAS**, access to mental health treatment and health care services saves millions of lives; and

**WHEREAS**, Social Workers are change agents who put the ideals of citizenship into action every day; and

**WHEREAS**, Social Workers believe in shared prosperity and opportunity for everyone; and

**WHEREAS**, Social Work research and advocacy turn community needs into national priorities; and

**WHEREAS**, Social Workers celebrate the courage, hope and strength of the human spirit throughout their careers;

**NOW, THEREFORE, BE IT RESOLVED**, that the Hubbard County Board of Commissioners in recognition of the numerous contributions made by America’s 600,000 Social Workers, proclaim the month of March 2014 as National Social Work Month and call upon all citizens to join with the National Association of Social Workers and Hubbard County Social Services in celebration and support of the Social Work profession.

On motion of Mr. Dotta, seconded by Mr. Larson and carried unanimously, the commissioner attendance of the “Navigating Key Land Use Issues” training was approved, as respective schedules permit, on April 17, 2014, in St. Cloud, MN.

Commissioner Stacey left the meeting at 2:05 p.m.

**Committee Reports:** Information was shared regarding an AMC presentation. By consensus of the Board the Coordinator was directed to provide a copy of the “Courthouse Violence 2010 – 2012” report to all the commissioners and an acknowledgement of a “job well done” was expressed regarding the manner Commissioner Grell conducted the public hearings held on February 18, 2014.

There being no further business before the Board, the Chairperson adjourned the meeting at 2:13 p.m.

**GENERAL REVENUE:**

A’Viands LLC	11,716.37	ProWest & Associates Inc.	6,600.00
MN County Attorneys Assn	2,659.00	Pts of America, LLC	2,590.00
National Business Systems, Inc.	7,000.00	Ratwik, Roszak & Maloney PA	3,481.50

St. Joseph's Area Health Service	2,320.00	<b>SOCIAL SERVICES:</b>	
46 Payments Less Than \$2,000	19,044.26	Heartland Homes SILS	3,540.25
<b>ROAD &amp; BRIDGE:</b>		Hubbard County DAC	8,566.95
North American Salt Co.	30,309.24	Kindred Family Focus	10,935.56
Storlie Construction Co.	3,087.50	Mille Lacs Academy	3,485.95
13 Payments Less than \$2,000	7,645.98	Northwood Childrens Home – Main	7,546.33
<b>SOLID WASTE:</b>		Pine Manors	4,475.00
Hubbard County Hwy Dept	3,647.13	Rural Minnesota CEP	14,149.32
3 Payments Less Than \$2,000	942.32	Stellher Human Services Inc.	3,257.42
<b>FORFEITED LAND:</b>		35 Payments Less Than \$2,000	10,932.78
Southside Towing & Recovery, Inc.	5,683.73	42 Payments Less Than \$2,000	6,021.13
1 Payments Less Than \$2,000	1,866.25	DHS – SWIFT	4,611.00
		Hubbard County Hwy Dept	3,662.99
		31 Payments Less Than \$2,000	8,494.91

/s/Kathy Grell  
 Kathy Grell, Chairman  
 Hubbard County Board of Commissioners

ATTEST: /s/Debbie Thompson  
 Debbie Thompson  
 Hubbard County Coordinator

March 4, 2014

526

---