

**A TRANSCRIPT OF THE PROCEEDINGS OF A REGULAR MEETING OF THE HUBBARD COUNTY BOARD OF COMMISSIONERS HELD ON JUNE 3, 2014, AT 9:00 O'CLOCK A.M.**

A regular meeting of the Hubbard County Board of Commissioners was held on June 3, 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 received.

On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the following consent agenda items were approved, correcting typographical error on the May 20, 2014 board minutes, as discussed:

- Approved the minutes of the May 20, 2014 Regular Meeting as corrected;
- Approved the bills & Auditor’s Warrants dated May 23, 2014, and May 30, 2014;
- Approved the Social Services bills;
- Approved 3.2 Beer License application of Fairhavens Golf Course, Straight River Twp; and
- Adopted the following resolution:

**RESOLUTION NO. 06031401**

**WHEREAS**, Minnesota Statutes §465.03 provides for acceptance of gifts by the County by resolution of the County Board adopted by a two-thirds majority of the Board and expressing the terms of the gift, and

**WHEREAS**, Hubbard County's Sheriff's Department has received gifts as follows:

Name	Amount	Donation
Lake Emma Township	\$1,666.50	STS Equipment Donation
Shell Prairie Fair Association	\$1,000.00	STS Equipment Donation

**NOW, THEREFORE, BE IT RESOLVED**, that the aforesaid gifts are hereby gratefully accepted.

**Public Works:** Public Works Coordinator, David Olsonawski presented the following quotes received for **2014 Pavement Marking** as follows: Sir Lines-A-Lot, Minneapolis, MN - \$78,278.13; Traffic marking Service, Maple Lake, MN - \$80,537.47; and AAA Striping Service Co., St. Michael, MN - \$83,843.93. Discussion followed. On motion of Mr. Dotta, seconded

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by Mr. Johannsen and carried unanimously, the low underlined quote was approved for the project listed in bold, above, as recommended by the Public Works Coordinator, with payment to be from Road & Bridge budgeted monies.

Land Commissioner, Mark Lohmeier presented the timber parcel appraisals to be included on the scheduled Timber Auction. Discussion followed. On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the parcel appraisals for timber auction scheduled on July 7, 2014, were approved, including removal of road construction requirement on parcel #1024, as discussed.

Mr. Lohmeier provided the following quotes for purchase of a side-by-side UTV with tracks: ***Polaris Ranger 800 LE EPS***: Bemidji Sports Centre, Bemidji, MN - \$19,179; Okeson's Off-Trail Sales, Detroit Lakes, MN - \$21,000; 34 East Lawn & Sport, Park Rapids, MN - \$22,390; Walker Power Equipment, Walker, MN - \$22,665 and ***Can-Am Outlander 800 XT***: Seaberg Power Sports, Detroit Lakes, MN - \$26,299. Discussion followed. On motion of Mr. Dotta, seconded by Mr. Stacey and carried unanimously, the purchase in bold by underlined low quote above was approved with payment to be from Natural Resource budgeted monies.

Mr. Lohmeier presented the following quotes for the **engineered wood fiber delivered to Heartland & Farris Parks**: MN Wisc Playground, Golden Valley, MN - \$3,470 (\$17.35/yard); Playgrounds Etc., Redwood Falls, MN - \$4,139.72 (\$20.69/yard); Midwest Playscapes Inc., Chaska, MN - \$2,965 (\$21.17/yard, Heartland); and Midwest Playscapes Inc., Chaska, MN - \$2,925 (\$20.89/yard Farris) total \$5,890. On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the project in bold by underlined low quote above was approved, as recommended by the Land Commissioner, with payment to be from Parks and Recreation budgeted monies.

Mr. Olsonawski reminded the Board of the 5 Year Construction Program meeting scheduled for June 9, 2014, at Hart Lake Township Hall and June 16, 2014, in the LEC ITV Room with both beginning at 7:00 p.m.

Updates and information regarding the following were provided by Mr. Olsonawski and Mr. Lohmeier: project updates; work completed on the design of the Nevis Shop addition; the Asbestos Inspection completed on Akeley home; the scheduled Tax Forfeited Land Sale on June 6, 2014; and the expenses relative to the Cooperative approval of Government Fuel Facility repairs.

On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the removal of the Akeley property from the June 6, 2014, scheduled TFL Sale based on incomplete asbestos removal was approved, as recommended by the Land Commissioner.

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

**RESOLUTION NO. 06031402**

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**WHEREAS**, Arnold Christianson has applied to the County of Hubbard for an easement across unsold tax forfeited land to provide access, ingress and egress, and utility purposes to the following property owned by the applicant:

The north 330 feet of the Southeast Quarter of the Northeast Quarter, except the East 75 feet, Section 22, Township 145 North, Range 32 West of the Fifth Principal Meridian, Hubbard County, Minnesota.

**WHEREAS**, the requested easement is described as follows:

A 33.00 foot road easement over, under and across part of the Southeast Quarter of the Northeast Quarter, Section 22, Township 145 North, Range 32 West of the 5<sup>th</sup> Principal Meridian, Hubbard County, Minnesota. The center line of said easement is described as follows;

Commencing at the East Quarter of Section 22, Township 145 North, Range 32 West; thence North 00 degrees 46 minutes 08 seconds East, bearing system based on Minnesota County Coordinates System NAD83 (1996) Hubbard County, a distance of 1140.13 feet along the east line of said Section 22 to the point of beginning of the easement to be described; thence North 82 degrees 29 minutes 26 seconds West a distance of 75.54 feet, more or less, to the west line of the east 75.00 feet of said Southeast Quarter of the Northeast Quarter and there terminating.

The sidelines of said easement are to be prolonged or shortened to terminate on the west line of the east 75.00 feet of the Southeast Quarter of the Northeast Quarter.

**WHEREAS**, there are no reasonable alternatives to obtain access to the applicants property; and

**WHEREAS**, the proposed easement will not cause significant adverse environmental or natural resource management impact; and

**WHEREAS**, the appraised value of the easement is as follows: \$100.00

**NOW, THEREFORE BE IT RESOLVED**, by the County of Hubbard:

1. An easement shall be issued to the applicant upon payment to the County Auditor for the appraised value.
2. The easement shall be non-exclusive.
3. Timber rights are retained by Hubbard County and any timber removed will be charged for at the current rate.
4. The easement shall provide that it will revert to the State of Minnesota in trust for the taxing district in the event of non-use.

By consensus of the Board, the Land Commissioner was requested to explore potential methods of resolution for property line solutions for "Backwoods Bar & Grill" located in Rockwood Township, as discussed for further review by the Board.

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

**RESOLUTION NO. 06031403**

**WHEREAS,** The Hubbard County Sheriff's Office is eligible for a 2014 Supplemental Boating Grant (federal) and

**WHEREAS,** Hubbard County is in need of funds for the Boat and Water program, now,

**THEREFORE, BE IT RESOLVED,** that the Hubbard County Board of Commissioners approves the grant as submitted and

**BE IT FURTHER RESOLVED,** that Hubbard County agrees to comply with the requirements of the grant.

**County Attorney:** County Attorney, Don Dearstyne provided information regarding settlement of a recent tax court case with no action necessary. Mr. Dearstyne also provided a clarification regarding the statute requirement with regard to utilization of an unmarked county vehicle by Social Services personnel discussed at the May 20, 2014, meeting as information only.

**Committee Reports:** Reports were provided regarding the following committees and board meetings attended by respective commissioners: Kitchigami Regional Library Board; HIP meeting; and AIS Committee meeting. No action taken at this time.

**Land Records:** On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the final plat of **West Portage Estates, Parcel #27.05.02420** platting 15.27 acres in Todd Township into six residential lots was approved, as recommended by the Planning Commission and the Environmental Services Office.

**Community Health Services (CHS):** CHS Director, RaeAnn Mayer provided information regarding the following: WIC audit results; Toward Zero Death (TZD) Safe Roads grant application; expansion of the Sober Ride Home Program within Hubbard County and outside the City of Park Rapids; reported Hubbard County is currently at high risk for tick exposure and the first confirmed case of Pertussis within the county has been diagnosed. Anyone experiencing an extended cough, for more than two weeks, was encouraged to seek medical attention.

North Country Community Health Administrator, Bonnie Engen provided information regarding the public health strategic plan development currently underway by the North Country Community Health Board including a collaborative time sharing plan that will permit the county screening needs necessary to meet MnCare requirements.

**Veteran Services:** Veteran Services Officer, Greg Remus provided Veteran Services Update including increased services to Hubbard County veterans; Veteran Benefit Fair scheduled for August 8, 2014; VA Geographical Expenditures Report reflecting a 19% increase

in veteran dollars available in the county exceeding surrounding counties as well as state and federal statistics; and Transportation Report reflecting the utilization of the Veteran Van provided.

**Public Hearing:** A public hearing regarding the proposed amendment #16 to Shoreland Ordinance #17 was called to order at 11:30 a.m. On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the reading of the notice was waived. Co-Land Director, Eric Buietenwerf presented the proposed amendment and background regarding the amendment. Discussion followed. Clarifications were made to the public in attendance. The public hearing was closed at 11:44 a.m.

On motion of Mr. Larson, seconded by Mr. Johannsen and carried unanimously, Amendment #16 of Shoreland Ordinance #17 was adopted as follows, to be effective upon completion of publication on June 25, 2014:

**Shoreland Management Ordinance No. 17  
Amendment No. 16**

**Section 111. Definitions as Used in this Ordinance**

**Event Center:** A for-profit facility consisting of multipurpose meeting and recreational facilities typically consisting of one or more meeting or multipurpose rooms, kitchen, and/or outdoor cooking facilities and/or outdoor meeting/recreational space, that are available for use by various groups for such activities as meetings, parties, weddings, receptions, and dances.

**Section 401. Permitted, Condition, Special and Non-Permitted Uses**

**Table 1**

Use	NE	RD	GD	SP	All other Rvr sgmnts
Event Center*	N	C	N	N	N

**Section 402. Special Provisions**

11. Event centers and related outdoor items must be consistent with the following provisions:
  - A. An event center use requires a conditional use permit.
  - B. An event center conditional use is only allowed on a non-riparian lot located in a Recreational Development (RD) classified management district.
  - C. The event center property shall be served by a minor collector or higher functional classification of roadway (per the classifications shown on the official map of Hubbard County Ordinance No. 34), except that the proposed use may be served by a lesser functional class of roadway if the responsible road authority grants written permission for such use at the proposed location. Written permission from the responsible road authority is required to be submitted as part of a conditional use permit application.

- D. On-street vehicle parking is not allowed.
- E. Off-street parking areas shall be improved with a durable and dustless surface. Such areas shall be so graded and drained as to dispose of all surface water accumulation within the parking area in accordance with an approved stormwater management plan. Durable and dustless surface may include crushed rock and similar treatment. Parking areas for six (6) or fewer vehicles shall be exempt from this provision.
- F. Off-street parking areas shall be of sufficient size to provide parking for patrons, customers, suppliers, visitors and employees and shall provide one parking space for each three seats.
- G. A parking space shall be at least nine (9) feet wide by twenty (20) feet long. In considering parking lots, a standard of three hundred (300) square feet per parking space shall be used to compute total requirements including maneuvering areas.
- H. Where any commercial use is adjacent to property zoned or developed for residential use, that commercial use shall provide screening along the boundary of the residential property. Screening shall also be provided where a commercial use is across the street from a residential zone or use, but not on that side of a commercial use considered to be the front as determined by the Environmental Services Officer. The screening required herein shall consist of fence, earth mounds/berms, trees, or shrubs. Plans for such screening shall be approved as part of the conditional use permit before the screening is erected.

This Amendment #16 of Shoreland Ordinance No 17 shall be in full force and effective June 25, 2014, after its passage approval, and publication, as provided by law.

THIS ORDINANCE ORDAINED AND ENACTED by the Board of County Commissioners of the County of Hubbard, State of Minnesota, on this 3rd day of June, 2015.

ATTEST:     /s/ Debbie Thompson <hr style="width: 100%;"/> Debbie Thompson, Coordinator	BOARD OF COUNTY COMMISSIONERS Hubbard County, Minnesota BY:         /s/ Kathy Grell <hr style="width: 100%;"/> Kathy Grell, Chairperson
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**Heritage Living Center Campus:** Nursing Home Administrator, Kurt Hansen provided information regarding the early tax increment financing being sought for the HLC building project and the expectation to learn the results of the application in the next couple of weeks. No action was required.

On motion of Mr. Stacey, seconded by Mr. Johannsen and carried unanimously, the utilization of Contegrity Group Inc. construction management services for the HLC building project was approved pending the successful funding obtained for the project. It was understood that the preliminary work completed by Contegrity Group in preparation for the project is at no charge.

Mr. Hansen provided information regarding the Equitable Cost Sharing for Publicly held Nursing Homes (ECPN) Program currently authorized for HLC participation through 2015. Discussion followed. By consensus of the Board; the continued HLC participation in the ECPN

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Program was approved; and the Nursing Home Administrator was authorized to investigate the best use of the ECPN Program in the future to stabilize the proposed construction project.

**Coordinator:** By consensus of the Board, the topic of the June 10, 2014, Board Work Session was established to be for the development of a compensation philosophy and policy to address the results of the Classification and Compensation Study when completed.

Coordinator, Debbie Thompson reminded the commissioners of the AMC Region II District meeting scheduled for June 4, 2014, beginning at 8:00 a.m. in Bemidji.

Ms. Thompson reported the MN Department of Public Safety appointment of Lorretta Mattson as the Driver Licensing Agent effective July 1, 2014.

The Coordinator presented the following quotes for the **2014 disposal of unused county property** per established policy: We Sell Your Stuff, Park Rapids – commission schedule on file in the Coordinator’s Office (no acceptance of outdated office equipment without a \$35 listing fee; \$50 disposal fee; and \$15 pickup fee); Gov Deals – commission schedule on file in the Coordinator’s Office; Jokela Auctions, Osage – vehicles and equipment – 7% and other – 10%. Discussion followed. On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the underlined quote above was approved for utilization of property disposal in 2014.

**Natural Resource Management (NRM):** Mr. Lohmeier provide information regarding Timber Appraisal #810 located in Lake Emma Township. Discussion followed. On motion of Mr. Johannsen, seconded by Ms. Grell and carried 3 – 2 with Commissioners Dotta and Stacey voting no, a 90 day free extension was approved for Timber Appraisal #810 located in Lake Emma Township, based on extenuating circumstances.

**Coordinator:** Ms. Thompson provided information regarding MCIT Fostering Resilience Training available. Discussion followed. By consensus of the Board, the offering of the training was approved and the Coordinator was authorized to schedule same.

The Committee assignments currently held by the Auditor/Treasurer and Assessor were reviewed. Discussion was held regarding the retirement of personnel holding these positions with no action taken at this time.

By consensus of the Board, Commissioner Stacey’s attendance of the Board of Appeal & Equalization Training to be held in the LEC Meeting Room, Park Rapids, MN on October 15, 2014, was approved.

On motion of Mr. Johannsen, seconded by Mr. Dotta and carried unanimously, the following were approved: resignation of Dispatcher/Jailer, Judy Hughes effective February 17, 2014; the resignation agreement; and the Chairperson and Clerk were authorized to sign same.

On motion of Mr. Larson, seconded by Mr. Dotta and carried unanimously, the Coordinator and Commissioner Larson were authorized to extend an offer of employment to Facilities Maintenance Manager applicant/s, based on the recommendation of Commissioners

Larson and Stacey and seek departmental coverage as necessary, per discussion.

On motion of Mr. Dotta, seconded by Mr. Stacey and carried unanimously, Commissioners Grell and Johannsen were authorized to further investigate the re-filling of the Assessor position by internal candidate and the re-filling of the position per proper procedures was approved, if necessary.

On motion of Mr. Stacey, seconded by Mr. Johannsen and carried unanimously, Commissioner Grell was appointed to serve on the AMC Broadband Sub Committee meeting on June 25, 2014, in St. Cloud, MN beginning at 9:30 a.m.

On motion of Mr. Johannsen, seconded by Mr. Dotta and carried unanimously, the negotiated Information System Specialist Sr. wage schedule was approved, as recommended by the Social Services Director and the Coordinator.

There being no further business before the Board, the Chairperson adjourned the meeting at 2:35 p.m.

**GENERAL REVENUE:**

Hubbard County Hwy Dept	8,340.04	Sampletech	2,225.00
Lakes Area Dive Team	5,000.00	13 Payments Less Than \$2,000	3,750.01
McGee PA/M.B.	2,500.00		
Reliance Telephone Inc.	10,400.00		
RT Vision	5,021.00		
Turnkey Corrections	2,100.50		
52 Payments Less Than \$2,000	21,093.13		

**FORFEITED LAND:**

PRT USA, Inc.	30,750.00
Roberts/Eric	4,977.23
6 Payments Less Than \$2,000	5,616.61

**COUNTY ENVIRONMENTAL TRUST FUND:**

2 Payment Less Than \$2,000	62.83
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**ROAD & BRIDGE:**

11 Payments Less than \$2,000	5,253.56
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**SOCIAL SERVICES:**

43 Payments Less Than \$2,000	9,840.66
22 Payments Less Than \$2,000	6,299.98

**SOLID WASTE:**

Hubbard County Hwy Dept	2,381.31
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/s/Kathy Grell  
 Kathy Grell, Chairman  
 Hubbard County Board of Commissioners

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