

A TRANSCRIPT OF THE PROCEEDINGS OF A REGULAR MEETING OF THE HUBBARD COUNTY BOARD OF COMMISSIONERS HELD ON OCTOBER 7, 2014, AT 9:00 O'CLOCK A.M.

A regular meeting of the Hubbard County Board of Commissioners was held on October 7, 2014, at 9:00 a.m. with all the Commissioners, Assistant Coordinator, Teresa Walsh and County Coordinator, Debbie Thompson present at various times during the meeting.

The Pledge of Allegiance was said by all.

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

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

Public Input: Schoolcraft Township Supervisor, Mike Studanski presented a request for gate installation on the newly constructed logging road within the township. The Land Commissioner stated the matter was under investigation by his department. The Township was requested to place their request in writing to the Land Department for further review.

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

- Approved the minutes of the September 11, 2014, Work Session;
- Approved the minutes of the September 16, 2014, Regular Meeting;
- Approved the bills & Auditor’s Warrants dated September 19, September 26, & October 3, 2014;
- Approved the Social Services bills;
- Reviewed the Departmental Overtime Report dated August, 2014;
- Reviewed the Highway Department Financial Statement for YTD August 31, 2014;
- Adopted the following resolution:

RESOLUTION NO. 10071401

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
Juanita Disney	40.00	K-9

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

- Approved the following license applications for Park Rapids locations unless

otherwise noted: **Tobacco** – Holiday Station, Park Rapids Superstore; T & M Express (Nevis, Akeley & Park Rapids); and Northern Convenience.

Public Works: On motion of Mr. Dotta, seconded by Mr. Stacey and carried unanimously, the following final payments were approved pending completion of proper paperwork, as recommended by the Public Works Coordinator, in the respective amounts and corresponding payment sources: to **Envirotech, Greeley, Colorado for CP 29-14-03, Chloride application in the amount of \$287,129.93** from county aid and state aid maintenance monies depending on the roadway that chloride was dispersed on; the final payment to **R.L. Larson Excavating, Inc., St. Cloud, MN for SP 29-596-002, Park Rapids Main Avenue Project in the amount of \$67,458.93** from federal, state aid municipal and city local monies; the final payment to **Tri-City Paving, Inc., Little Falls, MN for SAP 29-613-011, CSAH 13 bituminous overlay and aggregate shouldering in the amount of \$60,010.23** from state aid regular monies; the final payment to **Gladen Construction Company, Laporte, MN for SAP 29-671-004, CSAH 71 Laporte reconstruct in the amount of \$48,157.79** from state aid regular municipal monies.

On motion of Mr. Johannsen, seconded by Mr. Larson and carried unanimously, the completion of SP 29-070-003, HSIP project with District 2 counties for Chevron placement on various roadways by **A & H Contracting, LLC, Ironton, MN in the amount of \$130,742.12** was approved representing the following split, as recommended by the Public Works Coordinator: Federal \$117,667.91 and State Aid \$13,074.21. (The Pennington County Board approved the project bid on January 7, 2014).

On motion of Mr. Larson, seconded by Mr. Dotta and carried unanimously, the following resolutions were adopted, as recommended by the Land Commissioner:

Resolution No. 10071402

WHEREAS, Potlatch Corporation 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:

Government Lots 1 & 2, Section 10, Township 143 North, Range 35 West, Hubbard County, Minnesota.

WHEREAS, the requested easement is described as follows:

A 33.00 foot ingress and egress easement over, under, and across the Easterly 33.00 feet of the Northeast Quarter of the Northeast Quarter, Section 10, Township One Hundred Forty-three (143) North, Range Thirty-five (35) West, Hubbard County, Minnesota.

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: \$1,500.00

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.

Resolution No. 10071403

WHEREAS, Potlatch Corporation 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 East One-Half of the Southeast Quarter, Section 7, Township 143 North, Range 34 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 the East One-half of the Northeast Quarter, Section 7, Township One Hundred Forty-three (143) North, Range Thirty-four (34) West of the 5th Principal Meridian, Hubbard County, Minnesota. The center line of said easement is described as follows;

Commencing at the Northeast Corner of said Section 7, Township 143 North, Range 34 West, thence South 89 degrees 20 minutes 24 seconds West a distance of 388.90 feet (assuming a line between the North Quarter Corner of Section 7, Township 143 North, Range 34 West, and the Northeast Corner of Section 7, Township 143 North, Range 34 West, bears North 89 degrees 20 minutes 24 seconds East) to the actual point of beginning of the easement centerline to be described;

Thence South 16 degrees 38 minutes 03 seconds West for 23.06 feet; thence South 56 degrees 51 minutes 13 seconds West for 192.16 feet; thence South 42 degrees 25 minutes 37 seconds West for 241.00 feet; thence South 05 degrees 22 minutes 03 seconds West for 212.41 feet; thence South 16 degrees 00 minutes 15 seconds East for 140.43 feet; thence South 03 degrees 32 minutes 29 seconds West for 115.80 feet; thence South 15 degrees 46 minutes 50 seconds East for 68.03 feet; thence South 39 degrees 21 minutes 43 seconds East for 67.93 feet; thence South 59 degrees 05 minutes 58 seconds East for 122.55 feet; thence South 45 degrees 24 minutes 50 seconds East for 69.01 feet; thence South 35 degrees 11 minutes 18 seconds East for 287.92 feet; thence South 02 degrees 27 minutes 23 seconds East for 86.37 feet; thence South 20 degrees 39 minutes 47 seconds West for 70.22 feet; thence South 37 degrees 22 minutes 17 seconds West for 231.67 feet; thence South 20 degrees 10 minutes 33 seconds

West for 165.81 feet; thence South 07 degrees 13 minutes 31 seconds East for 116.39; thence South 18 degrees 54 minutes 00 seconds East for 132.64 feet; thence South 24 degrees 25 minutes 04 seconds East for 194.21 feet; thence South 01 degrees 47 minutes 24 seconds East for 77.06 feet; thence South 32 degrees 52 minutes 26 seconds West for 167.33 feet; thence South 16 degrees 16 minutes 30 seconds West for 99.89 feet; thence South 33 degrees 26 minutes 22 seconds West for 96.70 feet; thence South 12 degrees 27 minutes 31 seconds West for 137.40 feet to the South line of the Southeast Quarter of the Northeast Quarter of Section 7, Township 143 North, Range 34 West and there said easement terminating.

The sidelines of said easement are to be prolonged or shortened to terminate on the South line of the Southeast Quarter of the Northeast Quarter of Section 7, Township 143 North, Range 34 West.

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: \$3,540.18

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.

Resolution No. 10071404

WHEREAS, Potlatch Corporation 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 One-Half of the Northeast Quarter, Section 26, Township 140 North, Range 33 West, Hubbard County, Minnesota.

WHEREAS, the requested easement is described as follows:

A 33.00 foot ingress and egress easement over, under, and across the Southwest Quarter of the Northeast Quarter, Section 26, Township One Hundred Forty (140) North, Range Thirty-three (33) West, Hubbard County, Minnesota, being 16.5 feet on each side of the following described centerline:

Commencing at the East Quarter Corner of said Section 26, Township 140 North, Range 33 West, thence North 87 degrees 15 minutes 34 seconds West a distance of 1543.01 feet (assuming a line between the Southeast Corner of Section 26, Township 140 North, Range 33 West, and the East Quarter Corner of Section 26, Township 140 North, Range 33 West, bears North 00 degrees 05 minutes 26 seconds East) to the actual point of beginning of the easement centerline to be described;

Thence North 01 degrees 13 minutes 43 seconds West for 107.10 feet; thence North 12 degrees 21 minutes 47 seconds West for 169.01 feet; thence North 09 degrees 17 minutes 55 seconds East for 77.40 feet; thence North 00 degrees 45 minutes 52 seconds West for 223.85 feet; thence North 13 degrees 50 minutes 08 seconds East for 162.86 feet; thence North 03 degrees 28 minutes 59 seconds East for 109.75 feet; thence North 16 degrees 12 minutes 33 seconds East for 238.14 feet; thence North 10 degrees 52 minutes 03 seconds East for 155.14 feet; thence North 14 degrees 07 minutes 10 seconds East for 65.32 feet; thence North 23 degrees 37 minutes 16 seconds East for 65.17 feet to the North line of the Southwest Quarter of the Northeast Quarter of Section 26, Township 140 North, Range 33 West and there said easement terminating. The sidelines of said easement to be lengthened or shortened to meet and terminate at said North line.

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: \$1,561.07

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.

Land Commissioner, Mark Lohmeier presented the quote obtained for the **completion of a pre-demolition Asbestos inspection for property in the City of Park Rapids** as follows: Trio Environmental Consulting Inc., West Fargo, ND in the amount of \$807. Discussion followed. On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the project in bold by underlined quote, above was approved, as recommended by the Land Commissioner to be paid from PILT dollars.

On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the

payment to Minnesota Power, Park Rapids, MN in the amount of \$860.00 was approved by auditor's warrant, as recommended by the Public Works Coordinator, for Nevis Shop expenses to be paid from budgeted monies.

Mr. Lohmeier reported the final timber auction of the year will be conducted on October 13, 2014, at the Public Works Department beginning at 9:00 a.m.

Committee Reports: Commissioners shared information regarding the following committees and/or meetings attended recently: Kitchigami Regional Board; Northwest Regional Radio Board; Parks & Recreation Board; an update of change in personnel for the Department of Corrections (DOC) due to re-districting; PrimeWest; Technology Committee; Manager Meeting; Phase II construction progress in the judicial area and utilization of the remodeled courthouse conference rooms; HIP; Northwest Juvenile Training Center; and AIS Task Force. No action was taken.

Coordinator: By consensus of the Board, the next "Lunch Room" meeting will be conducted in November and Commissioners Johannsen and Grell will be attending. The date of the meeting will be established on October 21, 2014.

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

RESOLUTION NO. 10071405

WHEREAS, The Hubbard County Sheriff's Office is eligible for a 2014 Federal Boating Grant in the amount of \$19,654 and

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

THEREFORE, BE IT RESOLVED, that Hubbard County agrees to comply with the requirements of the grant, and

BE IT FURTHER RESOLVED that the Hubbard County Board of Commissioners approves the grant as submitted.

By consensus of the Board, the Sheriff was requested to provide a report reflecting the number of hours the three Boat & Water boats owned by the county spend on the water annually.

Sheriff Cory Aukes provided information regarding the number of overtime hours necessary in the Corrections Facility and requested additional part time staff representing his solution. Discussion followed regarding the timing of his request. By consensus of the Board, the matter was referred to the next meeting for further review.

Sheriff Aukes provided a clarification to the Board that the State of Minnesota will pay for inmates actually housed in Hubbard County vs the number contracted upon completion of the agreement which is different than what was the understanding at the time the initial presentation was made to the Board.

Closed Session: The County Attorney withdrew his request for the closed session pursuant to M.S. §13D.05, Subd. 3b scheduled at 9:55 a.m. Assistant Coordinator, Teresa Walsh left the meeting and Coordinator, Debbie Thompson arrived at 9:54 a.m.

Coordinator: Coordinator, Debbie Thompson provided the dates of the Board of Appeal & Equalization trainings available for commissioner attendance and explained that Commissioner Stacey is taking the course offered in Park Rapids on October 15, 2014. Commissioner Dotta is also qualified to act as the second board member serving in a qualified capacity in 2015 at the County Board of Appeal and Equalization.

Discussion was held regarding the subject matter for the October work session scheduled on October 14. On motion of Mr. Dotta, seconded by Mr. Johannsen and carried 4 – 1 with Commissioner Stacey voting no, the October 14, Board Work Session was cancelled.

On motion of Mr. Larson, seconded by Mr. Dotta and carried unanimously, the Board work session scheduled for November 11, 2014, was re-scheduled to November 13, 2014, as November 11, is a holiday and the work session scheduled for December 9, 2014, was re-scheduled to December 11, 2014, due to the Commissioner's return from the AMC Conference on December 9, with both work sessions scheduled to begin at 9:00 a.m. In addition, the subject of the November 13, Work Session will be a review of the proposed 2015 Departmental budgets.

Land Records: On motion of Mr. Dotta, seconded by Mr. Stacey and carried unanimously, a public hearing was scheduled for November 4, 2014, beginning at 9:45 a.m. for consideration of the repeal of the Peddler's Ordinance #13. A question was raised as to whether the regular scheduled board meeting could be held on Election Day. Assistant County Attorney, Erika Randall clarified that the regular board meeting could be held on November 4, 2014, provided no business was conducted between 6:00 p.m. and 8:00 p.m.

Environmental Services Officer, Eric Buitenwerf provided information regarding a Great River Energy data request and offer to share data in exchange. Discussion followed. On motion of Mr. Dotta, seconded by Mr. Stacey and carried unanimously, the Great River Energy GIS data share agreement was approved, as recommended by the County Attorney and the Chair was authorized to sign same.

Mr. Buitenwerf provided information regarding a staffing need. Discussion followed. By consensus of the Board, the matter was referred to October 21, 2014, for further review.

Coordinator: Ms. Thompson reported the efforts completed to obtain applicants for the Finance Director/Auditor/Treasurer position. Information was also shared regarding the expenses involved and options available to utilize outside recruitment services. By consensus of the Board, the matter was referred to November 4, 2014, for further review.

A review of Resolution No. 08051402 was conducted. By consensus of the Board, it was determined that no action was warranted at this time.

Ms. Thompson re-stated the date and time established for the completion of the Truth & Taxation meeting approved on December 3, 2013, as follows: meeting to be conducted on **December 2, 2014, beginning at 6:05 p.m.** in the County Board Room No. 324 in the Hubbard County Courthouse.

On motion of Mr. Dotta, seconded by Mr. Larson and carried unanimously, the quote of **Tiereny Brothers, Minneapolis, MN for purchase of ITV equipment in the amount of \$6,485** was approved with payment to be from building fund/contingency dollars and the purchase of a portable storage unit to permit use of the ITV equipment in multiple locations within the courthouse was authorized, not to exceed \$1000. Both purchases were recommended by the Technology Committee. Attention to the capability to adjust the camera height on the equipment was requested to permit use in a standing position, if necessary, vs the regular sitting position utilized.

On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the provision of benefits to employees exceeding an average of thirty hours per week as required by the Affordable Care Act (ACA) effective January 1, 2015, was approved using a look-back measurement period. The Measurement Period will be for twelve months beginning the twenty-third (23) pay period to the end of the 22nd pay period of the following year, annually. The first look-back measuring period shall begin on October 20, 2013, and end on October 19, 2014.

By consensus of the Board, the Coordinator was authorized to complete the AMC Winter Conference registration, as discussed.

Ms. Thompson referred to the current Meeting Room Policy and questioned the direction of the Board for use of the various conference rooms available upon completion of the courthouse remodel. Discussion followed. By consensus of the Board, the matter was referred to the November 13, 2014, work session including the continued utilization of county facilities by Todd Township.

Ms. Thompson presented the inquiry of the City of Park Rapids regarding the use of the Board Room beginning in 2015. Discussion followed regarding a potential conflict with the current Park Rapids City Council meetings scheduled on the second and fourth Tuesday of each month and the current Planning Commission/Board of Adjustment "run over" meeting when needed on the fourth Tuesday of the month. The Coordinator was requested to contact the Park Rapids City Administrator to discuss possible solutions and report to the Board.

On motion of Mr. Dotta, seconded by Mr. Stacey and carried unanimously, the SelectAccount individual Health Savings Account (H.S.A.) administration of the fee schedule option was approved for county personnel effective January 1, 2015, that will allow H.S.A. participants the ability to elect their fees individually vs the group administration that has been required in the past.

On motion of Mr. Stacey, seconded by Mr. Larson and carried unanimously, the 2015 membership in the National Association of Counties (NACO) was approved and the payment of the dues in the amount of \$450 was authorized from the commissioner budgeted monies in January, 2015.

Ms. Thompson provided information regarding the projected effects of the Affordable Care Act on county benefits including the projected assessment of a 40% excise tax dubbed “the Cadillac Tax” on employer dollars and employee dollars paid toward benefits over an established threshold. The tax is scheduled to be effective in 2018. Discussion followed. On motion of Mr. Dotta, seconded by Mr. Larson and carried 4 – 1 with Commissioner Johannsen voting no, a 1.2% increase of the single cafeteria benefit contribution based on the increase in insurance rates was approved for the non-union employees effective January 1, 2015, with no change made to the single plus children and family contributions.

Ms. Randall provided comparison data regarding the number of files opened by the County Attorney’s Office in 2014 as compared to 2013. Discussion followed. By consensus of the Board, a request was made that the department provide additional information regarding the breakdown of the severity of case files including a trend analysis over a period of time, as discussed.

Ms. Thompson provided information regarding the donation of leave policy included in Section 15 of the Personnel Policy. Discussion followed. On motion of Mr. Johannsen, seconded by Mr. Larson and carried unanimously, the repeal of the Paid Time Off (PTO) Donation Program (sick leave available through vacation donation, union personnel only) included in the Personnel Policy, Section 15 Leaves of Absence With and/or Without Pay was approved as it does not qualify as a bona fide catastrophic leave policy per I.R.S. regulations as recommended by employment legal counsel. Clarification was made that consideration of a proper catastrophic leave policy will be reviewed by the Personnel Policy for recommendation to the Board.

Closed Session: On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the meeting was closed pursuant to M.S. §13D.03 for completion of union strategy planning at 11:46 a.m. The meeting was re-opened at 12:58 p.m.

On motion of Mr. Johannsen, seconded by Mr. Dotta and carried unanimously, the meeting was adjourned at 12:58 p.m.

GENERAL REVENUE:

A’Viands LLC	12,444.19	Ramsey Co. Medical Examiner	4,200.00
Alpha Video and Audio Inc.	68,893.00	Regents of the University of MN	17,976.86
Coborns Pharmacy 2030	2,715.71	Seachange Printing & Marketing SE	12,554.93
Headwaters Irrigation	11,470.00	TH Consulting	3,775.00
Hubbard County Hwy Department	12,204.67	Vetter Johnson Architects, Inc.	31,268.06
MCCC	15,271.55	Watchguard Video	4,919.00
MN Counties Information Systems	6,942.00	84 Payments Less Than \$2,000	36,366.34
Northwoods Computer Service	2,688.75		

ROAD & BRIDGE:

Commissioner of Transportation	2,453.53	Lake Country Associates Inc.	6,891.00
Dakota Fence	14,886.00	Mille Lacs Academy	7,738.84
Dechantal Excavating	14,082.96	North Homes Inc.	25,093.88
Hubbard Co Treasurer	2,914.86	Northwestern MN Juvenile Center	5,989.00
Newman Traffic Signs	4,921.50	Rural Minnesota CEP	11,183.44
Warner Garage Door Inc.	2,457.15	Snyder Group Foster Home	3,686.00
Widseth, Smith, Nolting Asso Inc.	2,216.50	Stellher Human Services Inc.	4,920.89
22 Payments Less than \$2,000	8,453.76	Volunteers of America	18,114.54
SOLID WASTE:		Woodland Hills	7,869.97
Hubbard County Hwy Dept	3,228.96	47 Payments Less Than \$2,000	19,854.56
11 Payments Less Than \$2,000	3,889.27	Lighthouse Group Foster Home	3,330.00
FORFEITED LAND:		Nelson In-Home Services Inc.	5,472.50
Generations Forestry LLC	6,825.62	North Homes Inc.	8,240.74
Hubbard County Hwy Dept	3,104.56	Odor, David & Tay	2,026.70
7 Payments Less Than \$2,000	2,283.83	St. Joseph Community Health	6,898.60
COUNTY ENVIRONMENTAL TRUST FUND:		18 Payments Less Than \$2,000	8,116.12
1 Payment Less Than \$2,000	265.60	Bartos, Jessica & Andrew	2,073.60
SOCIAL SERVICES:		Guida, Travis	2,082.00
DHS – SWIFT	13,218.60	46 Payments Less Than \$2,000	9,443.68
DHS – St. Peter – 472	3,454.10	DHS – SWIFT	47,895.40
Hensel, Russ	3,127.00	Hubbard County Auditor-Treasurer	13,274.93
Hubbard County DAC	18,985.44	Hubbard County Hwy Dept	3,052.96
Kindred Family Focus	2,694.76	53 Payments Less Than \$2,000	15,032.43

/s/Kathy Grell

Kathy Grell, Chairman

Hubbard County Board of Commissioners

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

