
A TRANSCRIPT OF THE PROCEEDINGS OF THE REGULAR MEETING OF THE HUBBARD COUNTY BOARD OF COMMISSIONERS HELD ON SEPTEMBER 1, 2015, AT 9:00 O'CLOCK A.M.

The regular meeting of the Hubbard County Board of Commissioners was held on September 1, 2015, 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 Chairman, Dan Stacey.

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

Public Input: none.

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

- ◆ Approved the minutes of the August 18, 2015 Regular Meeting;
- ◆ Approved the bills & Auditor's Warrants dated August 21, and August 28, 2015;
- ◆ Approved the Social Services bills, as presented;
- ◆ Reviewed the Departmental Overtime Report, August 31, 2015

Public Works: Solid Waste Administrator, Jed Nordin provided information regarding the choice to continue to burn brush disposed of at the south transfer station or grind it and have it removed. Discussion followed. By consensus of the Board, support was expressed for the Solid Waste Administrator's decision to grind the brush that will decrease the potential liability to the county and eliminate the smoke related complaints received by burning it as has been done in the past.

Coordinator: Coordinator, Debbie Thompson reminded the Board of the scheduled work session on September 8, 2015, beginning at 9:00 a.m. with the agenda to include the following: a meeting with the Shell Prairie Ag Association representatives and 2016 departmental budget review. The continuation of this meeting to September 4, 2015, at 8:00 a.m. for review of the 2016 budget was discussed. The County Attorney, Sheriff, and Land Records managers were invited to attend the meeting on September 4, to discuss their respective budget requests and will be contacted by the Coordinator to arrange a time

Ms. Thompson reminded the Board of the AMC Fall Policy Meetings to be held on September 17 and 18, 2015, at Breezy Point Resort, Pequot Lakes, MN and the next "Commissioner Lunch Room" meeting scheduled for September 8, 2015, beginning at 11:30 a.m. to 12:30 p.m. in the lunch room located on the lower level of the courthouse with Commissioners Johannsen and Massie scheduled to attend. Employees are invited to attend during their respective lunch breaks and as outlined previously, with any time

spent in excess of the hour listed to be with prior authorization of their manager and use of accrued time.

The Board was also reminded of the upcoming Township Association Meeting on September 21, 2015, in Badoura Township.

By consensus of the Board, the consideration of the Polk County resolution of support request regarding the utility tax court appeals was referred to a later date.

On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the Coordinator was authorized to obtain quotes for the completion of the Probation Department HVAC System as discussed, for further review by the Board.

On motion of Mr. Dotta, seconded by Mr. Smith and carried unanimously, the appointment of Engineering Aide II, Ethan Anstine to the Benefit Committee as the Local 49 representative was approved.

On motion of Mr. Dotta, seconded by Mr. Smith and carried unanimously, the Auditor/Treasurer was authorized to issue a duplicate warrant for lost check #6037 in the amount of \$325, as presented.

Land Records: Assessor, Ginger Woodrum reported the completion of passport applications has successfully been implemented.

Ms. Woodrum provided a revised appraised value of tax forfeited Parcel #02.04.00600 in the amount of \$20,000 based on the numerous zoning restrictions and title issues on the property. Discussion followed. On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the value for Parcel #02.04.00600 was accepted for a closed sale in the amount of \$20,000, as recommended by the Assessor.

Sheriff: Sheriff, Cory Aukes reported the review of the unused squad car inventory by the SWCD representative and the selection made for consideration of the Board. Discussion followed. On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the sale of a 2005 Ford Crown Victoria, unused squad car to the Soil & Water Conservation District (SWCD) was authorized for \$1. (On September 4, 2015, the Sheriff advised the Board of a correction to reflect a 2010 vehicle.)

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

RESOLUTION NO. 09011501

WHEREAS, David Seifert Fargo Vet Center Counselor traveled to Park Rapids twice a month to counsel area veterans and family members of veterans diagnosed with Post Traumatic Stress Disorder (PTSD) for the past 4 years; and

WHEREAS, David Seifert counseled individuals and facilitated two groups, one for veterans diagnosed with PTSD and a second consisting of family members; and

WHEREAS, Hubbard County residents contacted the Hubbard County Veteran Service Office asking for the County to recognize David Seifert Fargo Vet Center Counselor as he is retiring in September 2015; and

WHEREAS, David Seifert Fargo Vet Center Counselor made a dramatic impact improving the quality of lives of our veterans and their family members through his professional approach, keen insight, and outstanding communication skills; **NOW**

NOW THEREFORE, BE IT RESOLVED, by Hubbard County, that David Seifert, Fargo Vet Center Counselor is recognized for his outstanding performance of duty.

Committee Reports: A report was provided regarding the following meetings attended: Land of the Dancing Sky meeting; MAHUBE-OTWA, Heritage Living Center and DAC Recycling meeting.

By consensus of the Board, the Coordinator was requested to work with the Heritage Living Center, Administrator to schedule a tour of the HLC construction project on September 15, 2015, if possible given the work underway.

Coordinator: On motion of Mr. Johannsen, seconded by Mr. Dotta and carried unanimously, Mr. Stacey and Mr. Massie were appointed to serve on the Community Social Services Director interview committee.

On motion of Mr. Dotta, seconded by Mr. Massie and carried unanimously, the meeting was recessed at 10:44 a.m. until September 4, 2015, at 8:00 a.m.

The regular meeting of the Hubbard County Board of Commissioners was re-convened on September 4, 2015, at 8:00 a.m. with Commissioners Massie, Smith, Stacey and Johannsen and County Coordinator, Debbie Thompson present. Commissioner Dotta was absent.

The Pledge of Allegiance was said by all.

The meeting was re-convened by Chairman, Dan Stacey.

Commissioner Dotta arrived at 8:06 a.m. On motion of Mr. Johannsen, seconded by Mr. Dotta and carried unanimously, the agenda was approved, as presented.

Finance: Auditor/Treasurer, Kay Rave provided information regarding the levy requirement given the 2016 proposed departmental budget requests totaling \$13,779,079 representing an increase of \$940,761 from the 2015 levy of \$12,800,000 or a 7.3% increase. Ms. Rave provided guidance to the Board as to how the budget worksheet works. Ms. Rave recommended development of a plan for the use of committed funds. Discussion followed regarding the establishment of levy levels. A review of different methods for levy establishment was completed including the following options: by percentage of increase or

actual need expressed by proposed budgets. The utilization of existing dollars that have been used in the past was reviewed. A comparison of budgeted PILT dollars to actual dollars received was provided by Ms. Rave.

Sheriff: Sheriff, Cory Aukes; Chief Deputy Sheriff, Scott Parks; and Office Manager/Accountant, Linda Swenson provided information regarding the proposed LEC departmental budgets. The addition of the following positions included in the budget was reviewed: a full time Investigator and the increase of the Assistant STS Crewleader position from half time to full time.

The Sheriff informed the Board that there had been a 34% increase in calls for service experienced by his office when compared to 2014. This type of increase in service calls prevents his deputy's ability to adequately investigate and follow-up on the calls received. The Board was reminded that the county currently has one investigator as has been the case for many years. The Sheriff expressed the need for an additional Investigator to provide the necessary follow-up to calls addressed by the deputies. Procedures currently in place were explained that have allowed additional investigations to be completed by a road deputy. The Board requested the Sheriff provide a break down as to the number of additional investigations being completed by the road deputy and the type of crimes involved. The Sheriff spoke to the benefit that would be achieved not only by his deputies but also the increased public safety experienced by the citizens of Hubbard County with the addition of an Investigator position. The Board was informed that that the neighboring counties of Cass, Becker, and Beltrami currently employ 3 to 5 investigators. Clarification was made that these numbers do not include the "drug task force deputy" position. Other increased expenses over and above the position wage and benefit package were reviewed including an additional squad and other necessary equipment. Solid Waste complaints being received by the Solid Waste Administrator were addressed and the solid waste potential for revenue to contribute to such a position was considered.

Sheriff Aukes reported that it is not uncommon for an investigator to receive 200 calls to follow-up on and that is more than one person is capable of doing. Discussions followed including the clarification that there is no guarantee that every crime investigated will be solved and lead directly to a conviction. In some cases a lot of time is dedicated to a complaint that is not solved!

The Board expressed concern that "more is better" is not a sufficient justification for the increase in expense that is realized by the addition of this position. The type of calls being received were questioned as to severity and if there had been a change noticed over the last years. The Sheriff refers to the receipt of "crim sex" calls involving children and the importance of a trained investigator to handle them.

The increase in the Assistant STS Crewleader from full time to part time was reviewed. It was explained that the position was decreased from full time to part time in 2013. The Board questioned what advantages will be realized by the County by making the proposed change. The Sheriff explained that with two full time positions it will allow two crews to operate at the same time. The STS Program allows inmates to gain experience and keeps them occupied. The revenue included in the budget was questioned as it did not seem

to increase with the potential for two crews working. Review of this number was to be sought from the STS Crewleader.

The Board re-capped their interest in additional information from the Sheriff as follows: 1) The number and type crimes included in the cases handled by the road deputy working as an investigator; and 2) A review of the STS potential revenue. If the Assistant STS Crewleader position is increased to permit two crews is there an expectation of any increased revenue potential?

County Attorney: County Attorney, Don Dearstyne provided a review of the personnel changes requested in the proposed 2016 budget to include a third Assistant County Attorney and a full time Office Support position. Mr. Dearstyne reported his office had opened 1,168 files through June, 2015 and projects 2,336 by end of December if the same rate continues. The number of files opened in 2014 totaled 2,166 files and in 2013 were 1,607 for comparison. Mr. Dearstyne also explained the increase in caseload being experienced by the public defender's office and the recently approved increase in their staff. Mr. Dearstyne stated the numbers of reported files opened do not represent probation violations for which files are not opened. It was explained that some cases continue to be active files in more than one year. Mr. Dearstyne's inability to supply historical data was explained to be due to a virus experienced by his office equipment, preventing access to file data. It was clarified that the files reportedly opened in his office represent both juvenile and adult files.

The projected number of files was reviewed. It was explained that eight jury trials were completed this spring. During that period a number of file openings were delayed resulting in the delayed "spike" in numbers. Mr. Dearstyne explained that appeal prosecution procedures have changed. Previously the Attorney General's Office would handle the appeals filed. Now the appeals filed are handled by the County Attorney's Office. He reported that an appeal can take fifty to seventy hours of work to complete. The County Attorney explained that the "raw" file opening numbers do not totally reflect the work of his office. The Board expressed an interest in the number of "crim sex" cases filed thus far in 2015 and any historical data that was available for comparison.

Mr. Dearstyne cited an increase in public safety of residents to be experienced with the addition of these positions. He and his staff must prioritize the complaints received by his office. Mr. Dearstyne noted the contracted services provided to the City of Park Rapids as additional revenue realized by his office together with the inclusion of the Victim Services Grant dollars in the County Attorney budget. Mr. Dearstyne referenced MN Statute §393.11 as information for the Board's consideration. He provided a "three legged stool" metaphor including Social Services; Law Enforcement and the County Attorney's Office, suggesting that each must increase equally to work properly. He referenced the increased social service personnel authorized by the Board and projected this together with the additional requirements of DHS will make a significant impact on himself and his staff. Mr. Dearstyne admitted that no procedural changes have been implemented at this point, per the recommendation of the Governor's task force. Previous work history of the new Assistant County Attorney hired in 2015 was noted to include family law experience.

A review of the staffing history of the County Attorney's office was provided for the benefit of the new commissioners on the Board.

A review of the staffing report provided by Mr. Dearstyne with the presentation of his budget was completed with the board questioning the probation violations and child support numbers included as the same number. The Board also questioned the total cases provided in the report for the year of 2013 (1439) vs the number of files provided today for the year 2013 (1607). The training expenses included in the budget were clarified by Mr. Dearstyne. The file numbers provided by Mr. Dearstyne were based on the MCAPs software utilized by the attorney's office. A review of the procedures completed by the attorney's office when complaints are received to determine if a complaint is filed was outlined. The Board questioned the recognition of a trend in case type experienced. Mr. Dearstyne stated a trend seems to be toward more criminal cases and believes that is based on more aggressive Sheriff's Office investigation of complaints. In addition, state patrol cases previously centered on traffic issues and there seems to be more drug cases noted recently. There appears to be more domestic and drug cases. Mr. Dearstyne clarifies that the public defender's office does not handle any appellant work, civil work, Board issues or data requests. He also explained that improved DNA testing capabilities have increased the ability to charge crimes. There are more changes in BCA procedures that may also increase criminal charge potential however these changes are yet to be determined. Mr. Dearstyne stated that recently his office has received more cases regarding heroin and cocaine drug use in addition to meth.

The Board re-stated their request for weighted case load data. It was explained that those requests take time to obtain.

Mr. Dearstyne, when questioned regarding something less than two full time positions, stated he preferred both staff increases to be full time. He went on to state that a three quarter clerical position may be acceptable with a full time attorney. The county's past experience of having both a part time county attorney and assistant attorney's was provided. The potential for staffing a part time assistant attorney or contracting possibilities in the community of an independent attorney was discussed as an alternate. Discontinuation of the city work was considered to increase current staff time to process required work load. It was explained that some of the city work would be required to be completed by the county office whether paid or not. Mr. Dearstyne noted that completion of the city work in the county office allows for a continuum of service.

The Board expressed an interest in the following information: 1) Confirmation of the number of files opened in previous years as reflected in the historical staffing report; 2) the provision of a breakdown for the last five years of files similar to that included in the staffing report provided by former Assistant County Attorney, Jonathan Frieden; and 3) the breakdown of City and County cases and types of cases represented by each. The authorization for overtime or additional personnel if needed to obtain the requested data was offered by the Board. The timeline for receipt of the requested data was discussed. The Board expressed an interest to receive it "sooner than later" but at least by the end of the month.

Land Records: The staffing increases for the Land Records Department were presented as follows: the elimination of the shared ESO/Assessor position replaced by the

increase of an Environmental Specialist position and a Deputy Assessor position. It was explained that the previously authorized increase of a Recorder's office part time position to full time had been budgeted but not filled. The new proposal is to fill that authorized full time position and maintain the part time position (now at 29 hours/week) however reducing it to 20 – 24 hours per week.

It was explained that the increased Environmental Specialist position would allow for full time counter assistance to the public. In addition, it is expected to allow for improved "turn around" time on bluff determinations. The Board questioned if surveyors are able to make bluff determinations in place of county staff. It was explained that as less land is available for development the administration of the Shoreland Ordinance becomes more complicated and a surveyor is not as familiar with the details as county staff. This position is expected to facilitate the scanning of the office files to permit integration with the LINK parcel mapping and would increase the availability of files to the public. The ability to work with the public to issue permits and complete high water line assessments is thought to improve with the addition of the position. The time completing these services is not "trackable" data at this point however it was estimated to typically take 2 – 3 hours to travel to the site, work with the owner, and return to the office.

A history of the office staffing levels was completed. The Board noted that a majority of duties proposed take place in the summer and questioned what staff does during the winter season. It was explained that septic complaints received are rectified during the winter and structures discovered during the assessment period that did not have permits on file are addressed during the winter. The expectation to improve the "up front" services working with applicants and citizens to avoid violations was also provided.

Information was provided reflecting an increase in permits being written. It was explained that the number of permits issued are seasonal in nature so these numbers cannot be converted to estimated annual numbers easily. Clarification was made that "Shore Alterations" do not include removal of ice ridges in the spring. These alterations include installation of rip rap or movement of material in the setback area. It was also explained that due to some of the changes in the ordinance, the public has been able to do more with non-conforming parcels leading to increased permit requests.

The needs of the Recorder staff were discussed as being insufficient to complete the land transfers and the difficulty experienced to authorize staff absences and continue to provide the services necessary. The suggested changes in personnel would facilitate cross training of personnel to address the issues experienced.

It was explained that the highest document recording was realized in 2004 which was twice what is done now. The document recording is believed to be 5% higher than 2014. The Recorder's Office is experiencing less re-financing, foreclosure and sheriff's sales and more deeds representing property purchases being recorded.

Information regarding the history of property transactions being experienced by the Assessor's staff was provided to the Board. A change in the Department of Revenue (DOR) verification requirements being more intensive that were effective on October 1, 2013, were

explained. The duties that were previously completed by one to two staff are now being done by three to four people in an attempt to complete them in a timely manner. The completed verification must be submitted with the final determination of a qualified sale within thirty days of the sale. It was reported that the county is currently outside the required parameters. It was also explained that an attempt to assign these duties to the local assessors had been made however they have been hesitant to take on the duties without additional compensation and the verifications, when completed, were found to be less than adequate. The development of a policy incorporating the DOR requirements has been adopted to complete a verification of all residential and seasonal sales. The addition of this position will not achieve all the DOR requirements but will satisfy the county policy. The Board was informed that a priority has been placed on customer service for veteran's by the Assessor's Office and they work closely with the Veteran Service Officer to assist in their completion of applications for available programs.

The transfer of property is currently completed by three Land Records staff; passports are completed by seven. Discussion was held regarding the potential for additional GIS staff in the future. It was clarified that currently Torrens work is completed only by the County Recorder. It is believed the proposed staff request would facilitate training of staff to complete Torrens work.

Education expenses included in the budget were questioned by the Board. They include CMA licensure requirements and licensure for the proposed Environmental Specialist position.

Coordinator: The Board was informed that active warrants and jail population numbers will be posted on the website effective September 23, 2015.

A request of the Judge was shared with the Board, to install court recording equipment in the new Board Room. The consideration had been reviewed by the Tech Committee. No action was taken at this time.

Commissioner Dotta left the meeting at 1:11 p.m.

A spreadsheet for application review was distributed regarding the Community Services Director position. Discussion was held regarding what other parties might serve on the interview panel. No action taken at this time.

On motion of Mr. Smith, seconded by Mr. Massie and carried unanimously, the meeting was adjourned at 1:19 p.m.

GENERAL REVENUE:

Bytespeed, LLC	34,512.00	MCIT	2,500.00
Haataja Contracting Inc.	3,917.29	Turnkey Corrections	3,416.85
Hubbard County Hwy Dept	13,361.39	61 Payments Less Than \$2,000	28,884.16
K9 Storm Incorporated	2,700.00		

ROAD & BRIDGE:

Brock White Co. LLC	6,000.00
Erickson Engineering	2,669.00
R & R Rental Inc.	3,220.00
10 Payments Less Than \$2,000	3,311.53

SOLID WASTE:

F-M Forklift Sales & Service Inc.	23,262.00
Hubbard County Hwy Dept	2,804.49
7 Payments Less Than \$2,000	3,350.74

FORFEITED LAND:

Rowland Enterprises LLC	3,757.00
4 Payments Less Than \$2,000	2,233.38

COUNTY ENVIRONMENTAL TRUST FUND:

1 Payment Less Than \$2,000	34.01
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SOCIAL SERVICES:

Catholic Charities of St. Paul & MPI	7,905.00
Heartland Homes SILS	4,451.60
Heartland Ranch Inc.	4,425.00
Hubbard County DAC	19,673.65
Hubbard County Social Services	16,591.00
Kindred Family Focus	12,740.07
North Homes Inc.	11,681.62
Pine Manors	2,400.00
Rural Minnesota CEP	10,389.31
Snyder Group Foster Home	6,851.00
35 Payments Less Than \$2,000	13,680.02
Bytespeed LLC	2,487.00
DHS – Swift	11,529.74
Hubbard County Auditor/Treasurer	39,336.62
Hubbard County Hwy Dept.	2,096.99
45 Payments Less Than \$2,000	8,364.62

/s/ Daniel Stacey

Daniel Stacey, Chairman
Hubbard County Board of Commissioners

ATTEST: /s/ Debbie Thompson

Debbie Thompson
Hubbard County Coordinator

