
A TRANSCRIPT OF THE PROCEEDINGS OF THE REGULAR MEETING OF THE HUBBARD COUNTY BOARD OF COMMISSIONERS HELD ON NOVEMBER 3, 2015, AT 9:00 O'CLOCK A.M.

The regular meeting of the Hubbard County Board of Commissioners was held on November 3, 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. Johannsen, seconded by Mr. Massie and carried unanimously, the agenda was approved, as modified.

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

- ◆ Approved the minutes of the October 20, 2015 Regular Meeting;
- ◆ Approved the bills & Auditor's Warrants dated October 23 & October 30, 2015;
- ◆ Approved the Social Services bills;
- ◆ Referred the review of a Shoreland Management Ordinance violation to the County Attorney for litigation, if necessary;
- ◆ Approved the following license applications: Tobacco-City of Akeley; PR Tobacco Superstore; Hugo's; Lakes Area Coop, Park Rapids Cenex Store; Lakes Area Coop, Akeley Cenex; Orton's East; Orton's West; Itasca Junction Inc.; Rapids Spirits; and Walmart;
- ◆ Reviewed the Departmental Overtime Report, October, 2015;
- ◆ Adopted the following resolution:

RESOLUTION NO. 11031501

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
Dale Fischer	\$420.00	STS Firewood

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

Public Works: On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the following departmental clothing policies were approved, as recommended by the respective department managers: Highway, Solid Waste and Land Department.

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

Resolution No. 11031502

WHEREAS, R. D. Schirmers, R. A. Creager, Young Estates, LLC, and Richard A. Rolffs have 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 applicants:

That part of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 11, Township 140 North, Range 32 West of the Fifth Principal Meridian, Hubbard County, Minnesota, described as follows:

Commencing at the East Quarter Corner of said section 11, said point being the POINT OF BEGINNING of the parcel of land to be described; thence South 00 degrees 01 minutes 56 seconds West, along the east line of said section 11, a distance of 1978 feet, more or less, to the centerline of Williams Creek; thence westerly, along said centerline, to the intersection with the shoreline of Doe Lake; thence northwesterly and westerly, along said shoreline to the intersection with the centerline of Doe River; thence northerly, along said centerline, to the intersection with the shoreline of Mary Lake; thence northeasterly, along said shoreline, to the intersection with the north line of said Northeast Quarter of the Southeast Quarter, said line bears South 89 degrees 56 minutes 00 seconds West from the POINT OF BEGINNING; thence North 89 degrees 56 minutes 00 seconds East, along said north line, a distance of 117 feet, more or less, to the POINT OF BEGINNING.

WHEREAS, the requested easement is described as follows:

A 33 foot wide easement for ingress, egress and utility purposes over, under and across the following described property in the Southwest Quarter of Section 12 Township 140 North, Range 32 West of the Fifth Principal Meridian, Hubbard County, Minnesota, the centerline of said easement is described as follows:

Commencing at the West Quarter Corner of said Section 12; thence South 00 degrees 01 minutes 56 seconds West, along the west line of said section 12, a distance of 1340.32 to the POINT OF BEGINNING of the easement centerline to be described; thence South 89 degrees 30 minutes 22 seconds East 102.73 feet; thence South 74 degrees 53 minute 19 seconds East 192.41 feet; thence South 28 degrees 46 minute 08 seconds East 125.26 feet; thence South 65 degrees 32 minutes 58 seconds East 120.72 feet; thence South 80 degrees 18 minutes 45 seconds East 81.28 feet; thence South 60 degrees 20 minutes 53 seconds East 104.59 feet; thence South 71 degrees 22 minutes 48 seconds East 97.18 feet; thence North 88 degrees 23 minutes 06 seconds East 106.47 feet; thence North 42 degrees 53 minute 53 seconds East

222.27; thence North 58 degrees 15 minutes 34 seconds East 152.33 feet; thence South 86 degrees 45 minute 25 seconds East 143.16 feet; thence North 73 degrees 46 minutes 25 seconds East 50.50 feet to the centerline of Frost Bite Road (an existing township road).

The sidelines of said easement are to be prolonged or shortened to begin on the west line of said Section 12

Said easement contains 1.14 acres

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: \$0.00

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

1. An easement shall be issued to the applicants 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.

Solid Waste Administrator, Jed Nordin presented information regarding the two options for processing waste at the County Transfer Stations. One option for the Board's consideration included a renewal of the contract with Waste Management of North Dakota, Inc. to be effective July 1, 2016. The second option was a three year agreement for the period of July 1, 2016 through December 31, 2019 with Polk County, Minnesota. Discussion followed. On motion of Mr. Johannsen, seconded by Mr. Massie and carried unanimously, the agreement with Polk County was approved, as recommended by the Solid Waste Administrator, pending satisfactory review by the County Attorney and the addition of numbers to the exhibits. The Chairman and Coordinator were authorized to sign the agreement when ready.

On motion of Mr. Dotta, seconded by Mr. Smith and carried unanimously, the Solid Waste Administrator was requested to notify Waste Management that the solid waste agreement will not be renewed effective July 1, 2016, and he was authorized to seek trucking quotes for further review by the Board.

Sheriff: On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the following resolution was adopted and the Chairman and the Coordinator were approved to sign the agreement:

WHEREAS, The Hubbard County Sheriff's Office is eligible for a 2015 Federal Boating Grant in the amount of \$12,340 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 grand, and

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

Sheriff, Cory Aukes provided a quote for the **purchase of twenty (20) buoys and necessary chains, anchors, ropes and clamps of Rolyan Buoys, Cedarburg, WI** in the amount of \$7,506 representing government pricing. Discussion followed. On motion of Mr. Dotta, seconded by Mr. Smith and carried unanimously, the purchase in bold by the underlined quote, above was approved, as recommended by the Sheriff, with payment to be from the 2015 Federal Boating Safety Supplemental Equipment Grant dollars.

Sheriff Aukes provided the following quote **for purchase of four (4) water rescue devices of Water Rescue Innovations, Superior, WI, in the amount of \$2,756** representing government pricing. Discussion followed. On motion of Mr. Massie, seconded by Mr. Stacey and carried unanimously, the purchase in bold by the underlined quote, above was approved, as recommended by the Sheriff, with payment to be from the 2015 Federal Boating Safety Supplemental Equipment Grant dollars.

The Sheriff provided the following quotes **for purchase of one (1) Erskine 61" snow blower, Bobcat of Bemidji, Bemidji, MN - \$5,360** and RDO Equipment, Ada, MN - \$5,157. Discussion followed. On motion Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the purchase in bold, by underlined quote, above was approved, as recommended by the Sheriff, based on the delivery of the equipment to Park Rapids, MN with payment to be from STS donated monies.

Maintenance: Facilities Maintenance Manager, Bobby Wilkins presented a list of the unused county items compiled for disposal by a silent auction for review by the Board. Discussion followed. On motion of Mr. Dotta, seconded by Mr. Smith and carried unanimously, the disposal of unused county equipment for sale by silent auction upon advertisement to be conducted on the county website was approved, as recommended by the Facilities Maintenance Manager.

Mr. Wilkins presented the following quotes for the **construction of a social service office for the newly hired Social Services Supervisor I position** including the quote of Davis Electric, Park Rapids, MN not to exceed \$3,500 for relocation of electrical/fire alarm: Hataaja Contracting, Menahga, MN - \$4,000; Jerome Getz Construction, Alexandria, MN - \$4,500; and Pro-Contractors, Menahga, MN - \$3,800. Discussion followed. On motion of Mr. Dotta, seconded by Mr. Smith and carried 3 – 2

with Commissioners Johannsen and Stacey voting no, the project in bold by underlined quotes, above was approved based on the inclusive details of the awarded quote, with payment to be from the building fund monies.

The following quotes were presented for **completion of tree services in front of the museum including trimming of several trees and removal of one**: Carr's Tree Service, Ottertail, MN - \$1,175; Stan's Firewood and Tree Service, Akeley, MN - \$3,645 including the sealing of cut areas. Discussion followed. On motion of Mr. Johannsen, seconded by Mr. Dotta the project in bold, by low quote, above was approved, as recommended by the Facilities Maintenance Manager, with payment to be from building budgeted monies.

Mr. Wilkins presented the following quotes for the **replacement of the mop sink in the courthouse basement**: Ackerman Plumbing & Heating, Park Rapids, MN - \$1,710 and Carlson Plumbing and Heating, Park Rapids, MN - \$2,775. Discussion followed. On motion of Mr. Johannsen, seconded by Mr. Dotta and carried unanimously, the project in bold by low underlined quote, above was approved, as recommended by the Facilities Maintenance Manager, with payment to be from budgeted monies.

Finance: On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the three year agreement with the Government Management Group to provide the Cost Allocation Plan was approved in the amount of \$3,675 annually, as recommended by the Auditor/Treasurer, with payment to be from budgeted monies.

On motion of Mr. Stacey, seconded by Mr. Johannsen and carried unanimously, the application for repurchase of forfeited lands of Michael O. Frey, described as 9-7 NE ¼ of SE ¼, Section 9, Township 143, Range 32, Lakeport Township, Parcel ID #19.09.01700 and the following resolution was adopted:

RESOLUTION NO. 11031504

RESOLVED, by the Board of County Commissioners of Hubbard County, Minnesota that the foregoing application is hereby approved contingent upon payment of all monies necessary for the reasons stated as follows:

To return the property to the tax rolls.

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

RESOLUTION NO. 11031505

AFFIRMING HUBBARD COUNTY'S ENDORSEMENT OF THE REVISED COUNTY PROGRAM AID FORMULA DEVELOPED BY THE ASSOCIATION OF MINNESOTA COUNTIES' COUNTY PROGRAM AID WORK GROUP

WHEREAS, Minnesota's counties are mandated by the state to provide essential services in many program areas including human services public safety, and transportation; and

WHEREAS, counties depend on County Program Aid ("CPA") for the financial sustainability of these state-mandated, county-administered services; and

WHEREAS, the current structure of the CPA formula, pursuant to M.S. §447A.0124, creates considerably volatility in the fund's distribution, interfering with counties' abilities to accurately budget for essential services; and

WHEREAS, the current formula's inadequacies have also resulted in the dramatic reduction of funding for one-third of counties that have lost at least 50 percent of their funding since 2005; and

WHEREAS, despite fluctuations over the past ten years, the state appropriation to the 2015 CPA is equal to the 2005 appropriation making it greatly depressed in terms of inflation; and

WHEREAS, a revised CPA formula in conjunction with additional funding will enable counties to continue to provide quality services that may also translate into reductions in county levies, decreasing the tax burden of Minnesota residents; and

WHEREAS, in October 2014, the Association of Minnesota Counties assembled the CPA Work Group including leadership from twenty counties and representatives from the Metropolitan Inter-County Association and the Minnesota Rural Counties Caucus to analyze and develop a CPA formula that reflects the pressing needs of Minnesota's counties; and

WHEREAS, the CPA Work Group unanimously approved a revised CPA formula that benefits all Minnesota counties by reducing volatility and ensuring a fair distribution of CPA; and

WHEREAS, the Board of Directors of the Association of Minnesota Counties, which represents the diverse interests of Minnesota's 87 counties, voted to support the proposed CPA formula revisions;

NOW, THEREFORE, BE IT RESOLVED, that Hubbard County endorses the following revisions to the Minnesota County Program Aid formula:

- A funding increase of \$40 million
- The creation of a funding floor that guarantees each county \$350,000 in tax base equalization aid ("TBEA");
- Formula revisions to slow down counties' loss of TBEA funding, including: an increase of the per capita factor to \$190, a decrease of the county adjusted net tax capacity (ANTC) factor to 9 percent, and the indexing of the ANTC factor to statewide per capita ANTC;
- The elimination of special funds and transition aid; and

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- The creation of a 5% cap on annual CPA losses; ensuring no county will lose more than 5% of its funding each year.

Auditor/Treasurer, Kay Rave provided the MCIT Annual Report for Board review with no action required.

Coordinator: Coordinator, Debbie Thompson presented a draft resolution for Board review regarding Public Utilities tax court litigation. Discussion followed. By consensus of the Board, the resolution was tabled pending further contact with the Association of Minnesota Counties (AMC).

By consensus of the Board, the Hubbard County AMC Silent Auction contribution was determined to be a basket of local county products including wine; honey; wild rice; and maple syrup to name a few.

By consensus of the Board, the attendance of the AMC Conference to be held in December was approved to include the following in addition to the Commissioners: Public Works Coordinator; Solid Waste Administrator; Auditor/Treasurer; Community Services Director and the Coordinator.

The Board re-affirmed the agenda for the Board Work Session to be held on November 10, 2015, scheduled to begin at 9:00 a.m. as follows: Nemeth Art Center representative; Review of the County Attorney and Land Record Department 2016 proposed departmental budgets; and review of Shell Prairie Ag Association rental agreement.

By consensus of the Board, the following commissioners will attend the Mississippi Headwaters Board (MHB) Annual Meeting to be held on November 20, 2015, beginning at 10:45 to 3:00 p.m. at the Chase on the Lake in Walker, MN: Mr. Johannsen, Mr. Smith and Mr. Stacey.

A review of the services provided to the county through its membership of the National Association of Counties (NACO) was completed with no action taken.

On motion of Mr. Johannsen, seconded by Mr. Smith and carried unanimously, the following resignations were accepted, with regrets and the provision of a service award for the respective employees was authorized: Information System Specialist Sr., Pete Skadberg, effective November 3, 2015, and Bailiff, Allen Bruns effective October 30, 2015.

Public Hearing regarding the proposed Local Water Plan: The public hearing was called to order at 11:00 a.m. On motion of Mr. Dotta, seconded by Mr. Massie and carried unanimously, the reading of the public notice was waived.

Soil & Water Conservation District (SWCD), District Manager, Julie Kingsley provided a brief history of the work completed by the Water Management Task Force to draft the proposed Local Water Plan currently before the Board. She also reported

that the plan under consideration would be a ten year plan with a five year review vs the five year plan that is currently in place. Ms. Kingsley also provided a review of several of the tables included and the data that was used to complete them.

Public comment was received from Daniel Kittleson who was a member of the committee that developed the proposed Local Water Plan. Mr. Kittleson spoke to the work completed over the last two years and the need for this plan as a strategy for the protection of the water as well as forests and the buffer zones established per recent legislation. He spoke to the importance of septic system impacts on the water table and the efforts extended by the Coalition of Lake Association (COLA) over the past twenty plus years. He spoke to the need to develop “triggers” to continue the inspection of septic systems. He also referenced the presence of “impaired lakes” and “declining water quality” and encouraged the Board’s continued monitoring of septic systems with specific outcomes to be developed.

Ms. Thompson read four letters received from the public as follows: Maurice Spangler; Hubbard County Coalition of Lakes (COLA); the Long Lake Area Association; and Friends of the Headwaters.

Sharon Natzel addressed the Board citing specific suggestions for updates to be included in the Local Water Plan. (A copy of the presentation was provided for the record.)

Chairman Stacey asked for any further public input. There being none the public hearing was concluded at 11:27 a.m.

Ms. Kingsley deferred to Board of Water and Soil (BWSR) Conservationist, Chad Severts as to the procedures to be followed. Mr. Severts explained that no action was necessary at this meeting however BWSR is expecting to send the plan to the State of MN in January and a sixty (60) day review period must be provided prior to the submission.

Mr. Charles Andress, Badura Township addressed the Board encouraging the Board to consider the effects of the Local Water Plan in the long term and expressed concerns of the effects on the county’s infrastructure over time.

Chairman Stacey acknowledged that the comments received will need to be considered and the continued review of the Local Water Plan was added to the Agenda of the Work Session to be held on November 10, 2015.

County Attorney: County Attorney, Donovan Dearstyne provided information regarding a courthouse security committee he has been serving as a representative on. The group is exploring sources of funding for the provision of courthouse security. The Board requested the County Attorney draft correspondence to AMC seeking legislative support of the cause and authorized the signature of same by the Board Chairman, as discussed.

On motion of Mr. Dotta, seconded by Mr. Massie and carried unanimously, the Victim Services Grant agreement was approved and the signature of same by the Board Chairman was authorized. County Attorney Dearstyne later reported that the amount of the grant was \$46,000 representing an increase of \$4,000 over the 2015 amount received.

Extension: University of Minnesota 4-H Coordinator, Mari Jo Lohmeier provided quotes for the **purchase of a desk** as follows: Minncor, St. Paul - \$1,695.54 (including shipping fees) and The Office Shop, Brainerd, MN - \$3,128.97 (no shipping included). Discussion followed. On motion of Mr. Massie, seconded by Mr. Dotta and carried unanimously the purchase in bold by underlined low quote, above was approved, as recommended by Ms. Lohmeier, with payment to be from budgeted monies.

Public Input: Information was shared by Ben Brunsveld regarding a request for an easement over tax forfeited land. Discussion followed. By consensus of the Board, the matter was referred to the Land Commissioner for resolution.

Coordinator: Ms. Thompson provided the recommendation of the Management Team directed to review the preliminary findings of the Fox Lawson Compensation Market Study as follows: overall the county's salary structure is considered to be highly competitive, paying 6.2% above the market at the minimum salary range; 1% above the market at the midpoint salary range and 2.4% below the market at the maximum salary range, based on the twenty-five benchmark positions used for comparison. The guidelines for determining the competitive nature of current compensation was presented as compensation 10% above or below the market is considered competitive.

Discussion followed regarding suggestions by the Management Team including the following: that the county continue to use the "modified Hay System" for job description evaluation and not move to the "Decision Band Method"; that the county continue to consider combination of position descriptions when possible; that the county continue to seek an outside source to review job descriptions when needed in the future; and the development of a policy outlining how compensation will be reviewed on an ongoing basis. On motion of Mr. Johannsen, seconded by Mr. Massie and carried unanimously, the recommendation of the Management Team was accepted and approved and the Coordinator was authorized to explore the availability of outside sources to complete review of job descriptions in place of the Classification Committee in the future.

On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the re-filling of all social service vacated positions from this date forward be approved by the Board prior to beginning the re-hiring efforts.

Information was shared with the Board regarding the following: 1) the Mississippi Headwaters Board's successful effort in receiving a \$49,000 grant from the Initiative Foundation for the distribution of infomercials in major cities across MN 2) the AMC sponsored Community Meeting regarding Truth In Taxation (TNT) at the Bemidji City Hall, on November 5, 2015 from 4 – 6 p.m. and 3) the 2015 Committee

Assignments were reviewed in preparation for approval of 2016 assignments. On motion of Mr. Massie, seconded by Mr. Dotta and carried unanimously the AMC Voting Delegates were approved as follows and the Coordinator was directed to inform AMC: five Commissioners; PW Coordinator; Community Services Director; and Coordinator.

By consensus of the Board, the following events were scheduled: 1) presentation of the 2015 Employee Service Awards on December 15, at 9:05 a.m.; 2) the completion of the 2015 Department Manager evaluations on December 14 and December 21, 2015, beginning at 9:30 a.m. on each day; 3) the next Commissioner “lunch room” meetings to be held on December 16, from 11:30 a.m. to 12:30 p.m. in the lunch room on the lower level of the courthouse, with Commissioner Massie and Smith attending.

O motion of Mr. Smith, seconded by Mr. Massie and carried unanimously, the closure of the courthouse and highway department to the public at noon on December 24, 2015, and the transfer station at 1:00 p.m. was approved, with employees leaving required to utilize accrued leave (PTO, vacation or compensatory) to remain in pay status with those choosing to remain at work able to do so with no loss of time or extra compensation.

Ms. Thompson reported the need to address the Department of Corrections lease renewal due April 16, 2016, for budget considerations. More information will be provided when received.

On motion of Mr. Johannsen, seconded by Mr. Dotta and carried unanimously, the attendance of the Community Services Director “New Director’s School” provided by the MN Association of County Social Service Administrators (MACSSA) beginning on November 18 – 20, 2015, was approved and the Coordinator was authorize to complete the registration on Mr. Sandberg’s behalf.

On motion of Mr. Massie, seconded by Mr. Dotta and carried unanimously, an offer of employment to Socials Services Supervisor I applicant, Debra Vizecky at a start step with increase to Step 2 upon satisfactory completion of six month probationary period, based on prior experience in the position was approved with an expected start date of November 19, 2015.

On motion of Mr. Dotta, seconded by Mr. Massie and carried unanimously, the revisions to Section 16 – Cafeteria Plan and Addendum VII – Cafeteria Contribution of the Personnel Policy was approved, as presented.

By consensus of the Board, the Board supported a Courthouse Open House to be held after the first of the year in 2016.

Closed Session: On motion of Mr. Dotta, seconded by Mr. Massie and carried unanimously, the meeting was closed at 1:52 p.m. pursuant to §M. S. 13D.03. The meeting was re-opened at 2:02 p.m.

Coordinator: A review and discussion regarding the County Organizational Chart was held with no action taken at this time.

There being no further business before the Board, the Chairman adjourned the meeting at 2:18 p.m.

GENERAL REVENUE:

A'Viands LLC	14,674.69
Hubbard County Hwy Dept	7,936.44
Law Enforcement Technology Gro	139,193.80
Turnkey Corrections	3,280.90
49 Payments Less Than \$2,000	21,260.69

ROAD & BRIDGE:

Diamond Mowers, Inc.	2,006.24
Knutson Bruching LLC	30,020.00
Newman Traffic Signs	3,835.48
Paul Bunyan Communications	15,450.76
Storlie Construction Co.	72,177.50
13 Payments Less Than \$2,000	2,576.17

SOLID WASTE:

4 Payments Less Than \$2,000	2,095.36
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FORFEITED LAND:

Vogt's Dirt Service, LLC	24,777.12
4 Payments Less Than \$2,000	1,768.97

SOCIAL SERVICES:

Hubbard County DAC	18,207.00
Lake Country Associates Inc.	27,060.00
North Homes Inc.	26,282.79
Pedersen, Janelle	2,269.50
Rural Minnesota CEP	10,764.70
St. Joseph Community Health	9,817.54
St. Josephs Area Health Service	5,000.00
Stellher Human Services Inc.	2,398.70
19 Payments Less Than \$2,000	7,135.48
2 Payments Less Than \$2,000	31.40
DHS – SWIFT	15,126.75
Hubbard County Auditor-Treasurer	33,613.98
Laporte School ISD #306	12,000.00
42 Payments Less Than \$2,000	10,086.52
47 Payments Less Than \$2,000	7,364.19

/s/ Daniel Stacey

Daniel Stacey, Chairman
Hubbard County Board of Commissioners

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

