
A TRANSCRIPT OF THE PROCEEDINGS OF THE REGULAR MEETING OF THE HUBBARD COUNTY BOARD OF COMMISSIONERS HELD ON NOVEMBER 17, 2015, AT 9:00 O'CLOCK A.M.

The regular meeting of the Hubbard County Board of Commissioners was held on November 17, 2015, at 9:00 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 called to order by Chairman, Dan Stacey.

On motion of Mr. Johannsen, seconded by Mr. Massie and carried with Commissioner Dotta absent, the agenda was approved, as modified.

On motion of Mr. Mr. Johansen, seconded by Mr. Smith and carried with Commissioner Dotta absent, the following consent agenda items were approved, as submitted:

- ◆ Approved the minutes of the November 3, 2015, Regular Meeting;
- ◆ Approved the minutes of the November 10, 2015, Work Session;
- ◆ Approved the bills & Auditor's Warrants dated November 6, & 13, 2015;
- ◆ Reviewed the General Revenue Cash Balance Report dated October 31, 2015;
- ◆ Reviewed the General Revenue Departmental Overtime Reports, October 30, 2015;
- ◆ Adopted the following resolution, pending completion of proper paperwork;

RESOLUTION NO. 11171501

WHEREAS, an application to Conduct Annual Off-Site Gambling – LG230 License #A00220 has been received from the American Legion Otto Hendrickson Post 212, 900 E 1st Street, Box 143 Park Rapids, Minnesota, for the conduct of raffles at the southwest corner of Fish Hook Lake in Todd Township in the County of Hubbard on February 6, 2016, and

WHEREAS, the Hubbard County Board of Commissioners has no objection to the granting of said application, now, therefore,

BE IT RESOLVED, that the aforesaid request be, and the same hereby is, approved, and

BE IT FURTHER RESOLVED, that the waiting period prior to consideration of this application, if any, be waived.

- ◆ Adopted the following resolution, pending completion of proper paperwork;

RESOLUTION NO.11171502

WHEREAS, an application has been received from Park Rapids Amateur Hockey Association, Park Rapids, MN 56470 for a Minnesota Lawful Gambling LG214 Premises

Permit to conduct gambling at The Barn, 17523 County Road 18, Park Rapids, MN in the County of Hubbard, Minnesota, and

WHEREAS, the Hubbard County Board of Commissioners has no objection to the granting of said application, now, therefore,

BE IT RESOLVED, that the aforesaid application be, and the same hereby is, approved, and

BE IT FURTHER RESOLVED, that the waiting period prior to consideration of this application, if any, be waived.

- ◆ Approved the payment of the social services bills, as presented
- ◆ Reviewed the Highway Department YTD Financial Statement dated October 31, 2015;
- ◆ Approved the following license applications: Tobacco & Off-Sale Liquor – Stompin’ Grounds Lodge & Camping, Akeley Township and Foxy’s Bar & Grill, Arago Township; 3.2 Beer & Wine – Long Lake Theater Inc., Hubbard Township; Sunday and On-Sale Liquor – VFW 8508/Harold Harris Post, Akeley Township, Stompin’ Grounds Lodge & Camping, Akeley Township and Foxy’s Bar & Grill, Arago Township.

Social Services: Introduced Community Services Director, Tom Sandberg to the Board. Mr. Sandberg began his duties with the County on November 12, 2015.

Public Works: On motion of Mr. Johannsen, seconded by Mr. Smith and carried with Commissioner Dotta absent, the following resolution was adopted:

RESOLUTION NO. 11171503

WHEREAS, the Capital Assistance Program (CAP) funding was appropriated to Polk County in the 2015 Legislative Session for Phase I of a Regional Solid Waste Expansion Project (Project) which included infrastructure projects in Beltrami, Hubbard and Polk Counties; and

WHEREAS, Polk County has made application for a CAP grant (Grant) on behalf of itself and its partner Counties of: Beltrami, Clearwater, Hubbard, Mahnomen, and Norman; and

WHEREAS, Hubbard County shall subsequently enter into a Joint Powers Agreement with Polk County which identifies and clarifies the roles and responsibilities of Polk and Hubbard County under the CAP grant and Project. The Joint Powers Agreement for this project shall authorize Polk to exercise those duties necessary to operate the Project on its behalf; and

WHEREAS, a major component of the Project for which the Grant is sought includes the equipment for, and construction of a new Hubbard County Transfer Station serving the Polk County Resource Recovery Facility (RRF) in Fosston, MN. The RRF includes a Waste-to-Energy facility. The Hubbard County Transfer Station shall be located at Park Rapids, MN; and

NOW, THEREFORE, BE IT RESOLVED, by the Hubbard County Board of Commissioners that Hubbard County will implement its portion of the Project, provide necessary local financing, and accept and exercise the governmental powers necessary to develop and operate the Project; and

BE IT FURTHER RESOLVED, recycling components of the Project are located at, and operated out of, common property, equipment or buildings which also serve disposal related purposes or activities. However, Hubbard County will not accept recyclable materials for the purpose of disposal at its facilities unless no other person is willing to accept the recyclable materials; and

BE IT FURTHER RESOLVED, Hubbard County pledges to use all funds made available exclusively for the eligible capital-related costs of the project and to pay any additional amount by which the cost of the Project exceeds the estimate by appropriation to the construction fund of additional funds or proceeds of additional bonds of Hubbard County. Hubbard County recognizes that any subsequent withdrawal of allocated or additional funds of Hubbard County will impair the obligation of contract between the State of Minnesota, Hubbard County and the bondholders; and

BE IT FURTHER RESOLVED, the Hubbard County Board of Commissioners authorizes the Polk County Administrator to sign the Capital Assistance Program Grant Agreement on behalf of Hubbard County.

On motion of Mr. Johannsen, seconded by Mr. Smith and carried with Commissioner Dotta absent, the following resolution was adopted:

RESOLUTION NO. 11171504

WHEREAS, James A. Bringle and Emily Bringle 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 Government Lot 4, Section 7, Township 144 North, Range 35 West of the Fifth Principal Meridian, Hubbard County, Minnesota, described as follows:

Commencing at the southwest corner of said Government Lot 4 (also the southwest corner of said section 7); thence on a bearing of North 34 degrees 35 minutes 23 seconds East (the west line of said Section 7 has a record bearing of North 01 degrees 44 minutes 23 seconds East) a distance of 548.84 feet; thence North 21 degrees 00 minutes 00 seconds East a distance of 200 feet to the POINT OF BEGINNING of the parcel of land to be described; thence North 85 degrees 54 minutes 49 seconds East, parallel to the south line of said Government Lot 4, a distance of 647.79 feet; thence North 13 degrees 17 minutes 13 seconds West, a distance of 481.75 feet; thence South 85 degrees 54 minutes 49 seconds West, parallel to the south line of said Government Lot 4, a distance of 674 feet, more or less, to the shoreline of Big LaSalle Lake; thence southerly along the shoreline to the intersection with a line that bears North 69 degrees 00 minutes 00

seconds West from the POINT OF BEGINNING; thence South 69 degrees 00 minutes 00 seconds East a distance of 250 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 west 33.00 feet of the north 1,000.00 feet of the Northeast Quarter of Section 18 Township 144 North, Range 35 West of the Fifth Principal Meridian, Hubbard County, Minnesota.

Said easement contains 0.76 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: \$1,136.36

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.

On motion of Mr. Johannsen, seconded by Mr. Massie and carried with Commissioner Dotta absent, the 2015/2016 GIA Grant Agreement for the Two Inlets Forest Riders Snowmobile Club was approved, as recommended by the Land Commissioner.

On motion of Mr. Johannsen, seconded by Mr. Smith and carried with Commissioner Dotta absent the addition of the following names to Cabin Lease #59 located in Clay Township was approved, as recommended by the Land Commissioner: Chad Thomas and David Pikal.

Coordinator: On motion of Mr. Massie, seconded by Mr. Johannsen and carried with Commissioner Dotta absent, the following resolution was adopted:

RESOLUTION NO. 11171505

PUBLIC UTILITIES TAX COURT PETITIONS FOR HUBBARD COUNTY PROPERTY

WHEREAS, Hubbard County is aware of various utility company petitions to the Minnesota Tax Court for relief of local property taxes generated through the assessment and levying processes for all taxable properties within Hubbard County; and

WHEREAS, Hubbard County adheres to the yearly certified State Ordered and State Recommended Utility Values as valued by the State Assessed Property Division of the Minnesota Department of Revenue; and

WHEREAS, Hubbard County's assessment practices for locally appraised property properly follow state prescribed processes and requirements yielding a consistent determination of valuations across property classifications, including utilities; and

WHEREAS, the Board is also aware that a Tax Court decision reducing market values for past, current or future years has the potential to require Hubbard County to refund to appealing utilities significant property taxes either already collected after the levy and budget year, or will need to be factored into future budgets and levies as a cost to be borne by all other taxable properties; and

WHEREAS, the potential for refunding large amounts will cause undue financial difficulties for the County, Townships and School Districts in addition to the potential for years of significant budget planning adjustments, public input and implementation of additional administrative processes, and

WHEREAS, that the Hubbard County Board of Commissioners has significant concerns with its ability under existing law to manage refunds that may result from a department of revenue valuation reduction by Tax Court decisions regarding public utility tax petition that will affect the County's ability to prudently plan, inform its public, and manage its fiscal affairs as it is required and expected to as a local governing entity in Minnesota.

BE IT FURTHER RESOLVED, that Hubbard County suggests that if there is to be a reduction in public utility property taxes deemed appropriate in tax court, the payment of the resulting refund should not be the responsibility of the county that will cause undue fiscal pressure on Hubbard County and its local taxing entities, and shift the property tax burden of local government services unfairly to other property taxpayers in the County.

BE IT FURTHER RESOLVED, that the County of Hubbard believes there is a past precedent that would support the development of Transition Aide to make such refunds so as not to unduly effect the finances of the County, if a refund is required by the Tax Court.

Coordinator, Debbie Thompson reminded the Board of the following: Mississippi Headwaters Board (MHB) Annual Meeting scheduled on November 20, 2015, 10:45 – 3:00 p.m., at Chase on the Lake, Walker, MN and the Managers Evaluations are scheduled to be held on December 14, and December 21, 2015, beginning at 9:30 a.m. on both days.

The further review of the county organizational chart was referred to a future meeting.

Ms. Thompson reported the 2016 annual NaCo dues will be \$450.00.

By consensus of the Board, the presentation of the 2015 Employee Service Awards were re-scheduled from December 15, as originally planned to December 1, 2015.

Sheriff: On motion of Mr. Stacey, seconded by Mr. Massie and carried with Commissioner Dotta absent, the following resolution was adopted:

RESOLUTION NO. 11171506

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

SNOWMOBILE GRANT

WHEREAS, the Hubbard County Sheriff’s Department has applied for and received approval for Snowmobile Safety Enforcement Grant Funding for the 2016/2017 season, and

WHEREAS, the Grant will provide funding for personnel expenses for persons who are actively engaged in snowmobile safety duties, uniforms, fuel, lubricants, repairs, rental/lease costs, travel costs, training expenses and expendable supplies for snowmobile safety enforcement,

BE IT RESOLVED, that the Hubbard County Sheriff’s Department enter into a grant agreement with the Minnesota Department of Natural Resources, Enforcement Office for the project entitled SNOWMOBILE SAFETY ENFORCEMENT during the period from October 15, 2015, through June 30, 2017; and

DATED at Park Rapids, Minnesota this 17th day of November, 2015.

Brad Olson, Program Coordinator for the Northern Lights Council of the Boy Scouts of America provided information regarding the needs of the Camp Wilderness Boy Scout location in Hubbard County for tornado safe rooms given the distance to an alternate safe location within the county. He provided information regarding a proposed FEMA grant application that has been drafted with the assistance of Emergency Management Officer, Brian Halbasch. Discussion followed. On motion of Commissioner Johannsen, seconded by Mr. Stacey and carried with Commissioner Dotta absent, the Northern Lights Council submission of a FEMA grant application for construction of two Tornado Safe Rooms on the Camp Wilderness property was approved, pending satisfactory review of the payment procedures to be followed and insurance requirements by the Auditor/Treasurer.

Nemeth Art Center: On motion of Mr. Massie, seconded by Mr. Stacey and carried with Commissioner Dotta absent, the grant application proposed by the Nemeth Arts group for the “old courthouse museum” floor refinishing was approved including a 10% county match in an amount not to exceed \$1000 if the grant is obtained.

Michael Dagen, Nemeth Art Center Executive Director provided the following quotes for **completion of the floor refinishing of the “old courthouse museum” floor if the grant is obtained** as follows: Jeff Green’s Heritage Flooring, LLC, Park Rapids, MN - \$7,492.50

(additional repairs at time and material, if found necessary); **Park Rapids Hardwood Flooring**, Park Rapids, MN – **System 1** – Residential Water-Based Finish – Grand Gallery (\$6,280) Community Gallery (\$1,288) total \$7,568; **System 2** – Commercial Water-Based Finish - Grand Gallery (\$7,457.50) Community Gallery (\$1,529.50) total \$8,987; **System 3 – 4** – Coat UV Cured Commercial Finish - Grand Gallery (\$10,990) Community Gallery (\$2,254) total \$13,244; **System 4** – Historically Accurate Finish - Grand Gallery (\$6,280) Community Gallery (\$1,288) total \$7,568; **Option – Staining** - Grand Gallery (\$1,962.50) Staircase (\$402.50) total \$2,365; **Natural Accent Hardwood Floors**, Fargo, ND – **System 3** – Four Coat Commercial Water-Based Finish with Catalyzed Sealer - Large & Small Room - \$16,786.22; **System 2** – Commercial Water-Based Finish - \$12,803.90; **System 1** – Residential Water – Based Finish - \$9,820.00; **Option – Staining** - \$1,920 add for custom color mix - \$200.00. Discussion followed. On motion of Mr. Massie, seconded by Mr. Johannsen and carried with Commissioner Dotta absent, the project in bold by underlined low quote, above was approved contingent upon the approval and receipt of the grant as discussed.

Coordinator: On motion of Mr. Johannsen, seconded by Mr. Massie and carried with Commissioner Dotta absent the payment of the Heritage Living Center (HLC) Construction Disbursement #12 was approved in the amount of \$553,368.58.

Ms. Thompson reported the amount of the MN Power rebate for the Probation HVAC update project was \$278. On motion of Mr. Stacey, seconded by Mr. Smith and carried with Commissioner Dotta absent, the Coordinator was authorized to complete the proper paperwork to obtain the MN Power rebate.

On motion of Mr. Stacey, seconded by Mr. Johannsen and carried with Commissioner Dotta absent the ratification of the Teamsters 320 Social Services collective bargaining unit for the period of January 1, 2015 to December 31, 2016, was approved pending receipt of original signatures, as presented.

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

RESOLUTION NO. 11171507

WHEREAS, it is the policy of Hubbard County to offer the benefit of health insurance coverage to all benefit eligible employees through its Cafeteria Plan, and

WHEREAS, it is the policy of Hubbard County that employees are required to participate in the Cafeteria Plan with a minimum of a qualifying core benefit, and

WHEREAS, the **core benefit** is defined as follows: the health plan with the lowest premium and the highest deductible offered via the Hubbard County Cafeteria Plan, and

WHEREAS, for the purpose of this resolution a **family unit** shall be two employees of Hubbard County married to each other, with or without dependents

BE IT THEREFORE RESOLVED, that effective January 1, 2016, the Hubbard County Cafeteria Plan will be administered as follows:

1. A **family unit** shall be defined as two employees of Hubbard County, married to each other, with or without dependents.
2. A **family unit** now and in the future will be required to participate in the Cafeteria Plan with a minimum qualifying core benefit.
3. A **family unit** representing employees that are **not both benefit eligible** shall receive the choice of Cafeteria Contribution based on the benefit tier (example: single, single plus children, or family) elected by the benefit eligible employee.
4. A **family unit** representing employees that are **both benefit eligible** shall receive, as their cafeteria contribution, one of the following options: the most senior employee shall receive a single or a single + children contribution with the spouse having the same alternate benefit choice. (Example employee 1 receives a single contribution and single coverage, employee 2 receives a single contribution or a single + children contribution or employee 1 receives a single + children contribution and employee 2 receives a single contribution.)
5. A **family unit** with dependents representing employees that are **both benefit eligible** may at their choice elect an alternate coverage as follows: the most senior employee may receive a family contribution and elect one family plan including coverage for their spouse. The spouse will waive their independent coverage and receive an amount to be used toward the Cafeteria Plan equal to the highest cash amount, after payment of the premium available to all county employees. Under no circumstances will the family contribution when added to the waived cash amount exceed the sum of the single contribution plus the single + children contribution as provided in item #4 above.
6. Under no circumstances will a family unit be allowed to divide dependents and receive two single + children contributions or two family contributions.
7. It is understood that per the health insurance policy provided by Blue Cross/Blue Shield an employee can be covered as an employee or a dependent but not both so that no employee may be double covered.

On motion of Commissioner Johannsen, seconded by Mr. Massie and carried with Commissioner Dotta absent, the 2016 Purchase of Service (POS) Agreements with Northwoods Computer Service and TH Consulting were approved for technology services with hourly rates the same as 2015, as presented.

Land Records: Environmental Services Officer, Eric Buitenwerf presented a proposed ESO departmental clothing policy for field personnel per the discussions held during the recent negotiations. Discussion followed. A motion by Mr. Massie, seconded by Mr. Stacey to approve the Environmental Services Department Field

SOLID WASTE:		LSS – Guardianship	17,078.06
Liesch Associates Inc.	2,216.19	MAHUBE Community Council Inc.	5,277.76
Polk Co. Environmental Services De	11,232.92	MSOP – MN Sex Offender Program	14,706.00
Ziegler Inc.	2,109.39	Pedersen, Janelle	2,069.25
15 Payments Less Than \$2,000	3,587.86	Rural Minnesota CEP	10,338.44
FORFEITED LAND:		St. Joseph Community Health	9,755.37
2 Payments Less Than \$2,000	489.64	Stellher Hyman Services, Inc.	4,110.69
SOCIAL SERVICES:		28 Payments Less Than \$2,000	10,979.77
1 Payment Less Than \$2,000	380.96	1 Payment Less Than \$2,000	418.56
Caring Hands Home Care, Inc.	5,000.00	Hubbard County Hwy Dept	2,239.02
HRA of Bemidji	5,000.00	Jones-Pearson Funeral Home	6,727.45
Hubbard County DAC	13,330.44	Purchase Power	3,071.97
Kindred Family Focus	10,693.98	60 Payments Less Than \$2,000	14,582.99

/s/ Daniel Stacey

Daniel Stacey, Chairman
Hubbard County Board of Commissioners

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

