

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, January 7, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski, Schuldt, & Moorhead; Sarah Wexler-Mann (videotaped the proceedings); Bryan VanGorp; Donna Buckbee; Bruce Kuehmichel; HR Director Arrick-Kruger; Environmental Services Director Frank; Zoning Administrator Scanlan; Jail Administrator Schiltz; Finance Director Lapham; Engineer Pogodzinski

Presiding: Auditor Meiners, Chairperson pro tem

Call to order.

Auditor Meiners requested nominations for Chairperson for the year 2014. Commissioner Storlie nominated Commissioner Walter. The nomination was seconded by Commissioner Zmyewski and carried unanimously.

Chairperson Walter requested nominations for Vice-Chairperson for the year 2014. Commissioner Storlie nominated Commissioner Schuldt. The nomination was seconded by Commissioner Kjome and carried unanimously.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the agenda subject to corrections discussed.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the December 30, 2013 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$25,247.77
Road & Bridge Fund	47,101.64

Total	\$72,349.41
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File No. 2 - Bryan VanGorp, Yucatan Township resident, read from a prepared statement which is on file.

Donna Buckbee, Yucatan Township resident, expressed agreement with Mr. VanGorp's sentiment. Ms. Buckbee stated that in her opinion it is the duty of commissioners to hear residents. The Houston County Protectors are concerned with their inability to speak at length during board meetings. Ms. Buckbee expressed concern that information available to residents is being limited as a result of private groups and/or citizens not being allowed to schedule appointments. In her opinion, 2 minutes is not adequate to discuss important matters.

Environmental Services Director Frank reported that he has been directed to work with the land use attorney to extend the frac sand moratorium. A draft of the moratorium has been distributed. The current moratorium will expire in March. The extension will keep the moratorium in place through March 2015. Recently, the State has provided a draft ordinance. There will be additional public input collected in this regard. Environmental Services Director Frank requested authorization to schedule the required public hearing. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to schedule the public hearing for January 28, 2014 at 10:00 a.m.

File No. 3 – Following discussion, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adopt the following resolution:

RESOLUTION NO. 14-1

To Use Alternative Method To Disseminate Bids And Requests

WHEREAS, Minn. Statute § 311A.03 Subd. 3(b), allows a county to use its web-site or recognized industry trade journals as an alternative to disseminate solicitations of bids, requests for information and requests for proposals;

NOW THEREFORE, the Houston County Board of Commissioners hereby resolves:

BE IT RESOLVED, that the County of Houston will continue to use the Houston County website, www.co.houston.mn.us, as an alternative means to disseminate solicitations of bids, requests for information, and requests for proposals for transportation related construction and maintenance projects.

BE IT FURTHER RESOLVED, that any dissemination by alternative means must be in substantially the same format and for the same period of time as a publication would otherwise be required under Minn. Statute § 331A.03 Subd. 3.

File No. 4 – Following discussion, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adopt following resolution:

RESOLUTION NO. 14-2

RESOLVED, That under the provisions of Chapter 714, Laws of 1961, duly designated representatives of Houston County shall be authorized to participate in the meetings and activities of their respective State Association by membership therein and attendance at meetings thereof, as contemplated by Statute, and by the provisions of Chapter 529, Laws of 1963; and

RESOLVED FURTHER, That money be appropriated from the County Revenue Fund to defray expenses of such officials in connection therewith, said expenses to be paid upon presentation and allowance of properly itemized claims in an amount not to exceed statute limitations.

File No. 5 - Following discussion motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to adopt the following resolution:

RESOLUTION NO. 14-3

WHEREAS, Donna Trehus holds the elected office of Houston County Treasurer and Charlene Meiners holds the elected office of Houston County Auditor;

NOW THEREFORE, BE IT RESOLVED that Donna Trehus, Houston County Treasurer, is granted the following powers: Open any deposit or share accounts(s) with Eitzen State Bank in the name of Houston County;

BE IT FURTHER RESOLVED that Donna Trehus, County Treasurer, Charlene Meiners, County Auditor, and Teresa Walter, Chairperson of the Houston County Board, are hereby granted the following powers: Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with Eitzen State Bank;

BE IT FURTHER RESOLVED, that the above mentioned powers are granted effective retroactive to January 2, 2014.

File No. 6 - Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to establish the minimum salaries for county officials to be elected in 2014 as follows:

Auditor	\$ 5,000.00
Treasurer	\$ 5,000.00
Recorder	\$ 5,000.00
Sheriff	\$ 5,000.00
Attorney	\$ 5,000.00
Commissioner	\$ 5,000.00

File No. 7 - Auditor Meiners provided a proposed schedule of County Board Meetings for the 2014 year. She reported that she considered the annual December AMC meeting and also

holiday's when drafting the proposed schedule. It is still possible to amend the schedule if necessary. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the 2014 Board Meeting Schedule as proposed.

Discussion was held regarding the 2014 AMC Legislative Conference to be held in February. Commissioner Storlie and Schuldt indicated that they planned to attend. Room reservations will be made.

Discussion was held regarding combining the monthly Human Services meeting with the regular Board meeting. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to discontinue separate Human Services meetings and combine them with the regular Board meeting held the third Tuesday of each month.

File No. 8 – On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to change the status of employment of Samantha Hancock, from 67 day employee to 0.5 FTE jailer/dispatcher, effective January 12, 2014. This change will allow the department to maintain the minimum DOC staffing requirements.

HR Director Arrick-Kruger reported that due to individuals leaving and other status changes, the pool of 67 day employees working as jailer/dispatchers has decreased and there is a need to increase it. Interviews are scheduled for later this week with hiring recommendations to follow.

Jail Administrator Schiltz reported that the Justice Center Conference Room was made available to individuals needing a warm place during the current period of dangerously low temperatures and windchill factors. Fortunately, no one was required to utilize the facility for this purpose. It was noted that during a period of extreme heat last summer the facility was available as a cooling center for those seeking relief from the heat. It was not utilized for that purpose either. Commissioner Zmyewski suggested that information be published sooner so that more individuals are aware of the availability of a safe place to escape extremely high or low temperatures.

HR Director Arrick-Kruger reported that interviews were conducted for the position of Public Health Director. On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to hire Mary Marchel as Public Health Director at step 9 of the D-6-1 comparable worth band effective February 10, 2014 contingent upon successful completion of a background check. HR Director Arrick-Kruger stated that Ms. Marchel is well qualified and comes with experience managing a department with an annual budget exceeding \$25 million, having 120 employees in addition to some grant writing experience.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to convene a closed session for the purpose of discussing ongoing labor negotiations.

The time being 10:05 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to reconvene in open session.

HR Director Arrick-Kruger reported that Pursuant to M.S. 13D.03 subd. 1(b) the closed session was convened to consider strategy for ongoing labor negotiations with no determination.

File No. 9 - At this time the printing bids for calendar year 2014, filed pursuant to advertisement, were opened and read:

The Houston County News quoted the following prices:

OFFICIAL NEWSPAPER FOR 2014: Official proceedings of the County Board and all notices required to be published in the Official Paper at \$4.25 per inch.

MISCELLANEOUS NOTICES: Miscellaneous notices not required to be published in the Official Paper at legal or display rate per line. My display rates for legal publications are \$4.25 per column inch and display publications are \$4.25 per column inch.

FIRST PRINTING OF 2013 FINANCIAL STATEMENT: Official Paper for publishing the Financial Statement for the year 2013 subsequent publication, (Chapter 158, Laws for 1993) at \$4.25 per column inch.

SECOND PRINTING OF 2013 FINANCIAL STATEMENT: Official Paper for publishing the Financial Statement for the year 2013, subsequent publication, (Chapter 158, Laws for 1993) at \$4.25 per column inch.

PUBLICATION OF 2013 DELINQUENT TAX LIST: Houston County provides the data in a "type set" format - with the Delinquent List being published by only the successful bidder. Bids to be based on an 8 point type, Arial font with 9 point leading at \$4.25 per column inch.

Caledonia Argus quoted the following prices:

OFFICIAL NEWSPAPER FOR 2014: Official proceedings of the County Board and all notices required to be published in the Official Paper at \$4.25 per column inch.

MISCELLANEOUS NOTICES: Miscellaneous notices not required to be published in the Official Paper at legal or display rate per line. My display rate for legal publications is \$9.00 per column inch and display publications are \$7.75 per column inch.

FIRST PRINTING OF 2013 FINANCIAL STATEMENT: Official Paper for publishing the Financial Statement for the year 2013, subsequent publication, (Chapter 158, Laws for 1993) at \$4.25 per column inch.

SECOND PRINTING OF 2013 FINANCIAL STATEMENT: Official Paper for publishing the Financial Statement for the year 2013, subsequent publication, (Chapter 158, Laws for 1993) at \$4.25 per column inch.

PUBLICATION OF 2013 DELINQUENT TAX LIST: Houston County provides the data in a “type set” format - with the Delinquent List being published by only the successful bidder. Bids to be based on an 8 point type, Arial font with 9 point leading at \$7.75 per column inch.

Spring Grove Herald quoted the following prices:

OFFICIAL NEWSPAPER FOR 2014: Official proceedings of the County Board and all notices required to be published in the Official Paper at \$4.60 per column inch.

MISCELLANEOUS NOTICES: Miscellaneous notices not required to be published in the Official Paper at legal or display rate per line. My display rate for legal publications is \$7.25 per column inch and display publications are \$7.25 per column inch.

FIRST PRINTING OF 2013 FINANCIAL STATEMENT: Official Paper for publishing the Financial Statement for the year 2013, subsequent publication, (Chapter 158, Laws for 1993) at \$4.60 per column inch.

SECOND PRINTING OF 2013 FINANCIAL STATEMENT: Official Paper for publishing the Financial Statement for the year 2013, subsequent publication, (Chapter 158, Laws for 1993) at \$4.60 per column inch.

PUBLICATION OF 2013 DELINQUENT TAX LIST: Houston County provides the data in a “type set” format - with the Delinquent List being published by only the successful bidder. Bids to be based on an 8 point type, Arial font with 9 point leading at \$4.60 per column inch.

Auditor Meiners reported that initial review reflects that a tie for official newspaper exists between the Caledonia Argus and Houston County News. The suggestion was made to consider circulation of the two newspapers. Houston County News has a circulation of 1,828 and Caledonia Argus has a circulation of 2,725. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to accept the bid provided by Caledonia Argus in the amount of \$4.25 per column inch due to the greater circulation count.

Auditor Meiners stated that typically all bids for miscellaneous notices are accepted. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to accept all bids for miscellaneous notices.

There was another tie for the first and second printing of the Financial Statement. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to award the First Printing to Houston County News and the Second Printing to Caledonia Argus. Both printings will be published at a rate of \$4.25 per column inch.

Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to accept the low bid in the amount of \$4.25 per column inch for the publication of the Delinquent Tax List provided by Houston County News.

File No. 10 - Following discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the committee appointments as discussed.

Commissioner Zmyewski reported on the personnel committee meeting which he attended.

Commissioner Storlie reported on an HVMHC and a personnel committee meeting which she attended. She also reported on the recent interview for PHN Director which she participated in.

Commissioner Storlie suggested that the County Board meetings be videotaped. This will allow for greater transparency. She suggested further that the meetings be live streamed. Commissioner Zmyewski expressed concern with live streaming. Chairperson Walter indicated that she supports videotaping the meetings also. Commissioner Zmyewski stated that while he has concerns with live streaming, he does support posting pre-recordings of the meetings at the same time as the approved minutes are released to the public.

Commissioners Schuldt, Kjome and Walter reported on the PHN Director interview which he participated in.

It was noted that during committee meetings IS Director Milde expressed concern that the AC units responsible for climate control within the server rooms are freezing up. This has resulted in extremely high temperatures. He expressed concern that the high temperatures could result in hardware damage.

Commissioner Zmyewski suggested that the Board consider strategic planning and lean processing. This is something that departments could complete once the Board has set the example. It would be beneficial to have a strategic plan that could be periodically reviewed. Commissioner Storlie commented how some departments have already performed lean process reviews on their own. She indicated that from training she has received, for the idea of lean processing to be widely accepted it needs to be sold as efficiency is a good thing. Commissioner Zmyewski indicated that with upcoming changes with regard to the Highway Department

Building, that may be a good department to begin this process with. It was agreed to schedule additional discussion on this during the January 21st meeting.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to place on file the following items from the consent agenda:

File No. 11 – Correspondence to Payroll regarding the hiring of Craig Welsh as a 67 day employee, the hiring of a 67 day social worker and changing employment status for J. Shaver

File No. 12 – Various letters of appreciation

There being no further business and the time being 10:50 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, January 14, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, January 14, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski, Schuldt, & Moorhead; Ron Meiners; Wayne Stenberg; Environmental Services Director Frank; Zoning Administrator Scanlan; Jail Administrator Schiltz; Rick Howden; Finance Director Lapham; Donna Buckbee; Sarah Wexler-Mann (videotaped the proceedings); Yvonne Krogstad; Engineer Pogodzinski; Sheriff Ely; Dave Walter; Sheldon McElhiney; Ivan McElhiney; Erlene Welshons

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the January 7, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$42,729.33
Road & Bridge Fund	48,232.00

Total	\$90,961.33
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File No. 2 - Donna Buckbee, Yucatan Township resident presented information gathered during a recent rail transportation safety meeting. She stated that she is a member of the Houston County Protector's group. She shared concerns that rail cars transporting crude are single walled and lack safety valve technology, travel at excessive speeds on tracks in need of repair. She indicated that a collaborative meeting will be scheduled at which both Minnesota Representative

Walz and Wisconsin Representative Kind will be in attendance. Commissioners will be invited to attend.

File No. 3 - Ron Meiners, SWCD manager, explained that a resolution being presented for adoption is the same as a resolution adopted in 2008 during the last 5 year water plan updated. He explained the process by which the water plan is adopted. Chairperson Walter questioned whether any comments were received. Mr. Meiners responded that two comments had been received, neither of which was acted upon. One comment was with regard to language contained in the water plan and will be addressed in the future. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to adopt the following resolution:

RESOLUTION NO. 14-4
Adoption and Implementation
After BWSR Approval

WHEREAS, the Houston County Board of Commissioners has been notified by the Minnesota Board of Water and Soil Resources that the Houston County Comprehensive Local Water Management Plan has been approved according to Minnesota Statutes Chapter 103B.301:

NOW, THEREFORE BE IT RESOLVED, the Houston County Board Commissioners hereby adopts and will begin implementation of its approved comprehensive water plan.

BE IT FURTHER RESOLVED, after the adoption of the local comprehensive water management plan, the Houston County Board shall amend existing water and related land resources plans and official controls as necessary to conform them to the applicable and approved comprehensive water plan.

BE IT FURTHER RESOLVED, after the adoption of the local comprehensive water management plan, Houston County shall notify local units of government within the County of the adoption of the plan or amendments to the plan. The local units of government are required to submit existing water and related land resources plans and official controls within 90 days to the County Board for review.

BE IT FURTHER RESOLVED, Within 180 days, the Houston County Board shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls, and local comprehensive water management plan. The Houston County Board shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the local comprehensive water management plan.

BE IT FURTHER RESOLVED, if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after receiving the county's recommendations to appeal the recommendations to the Board of Water and Soil Resources.

BE IT FURTHER RESOLVED, after receiving the recommendations of the Houston County Board, or a resolution of an appeal, a local unit of government has 180 days to initiate revisions to its plan or official controls. The new or revised plans and official controls must be submitted to the Houston County Board for review and recommendations.

File No. 4 - Wayne Stenberg, Executive Director of Semcac along with Erlene Welshons, Transportation Coordinator met with the Board to provide an annual update. Mr. Stenberg expressed his appreciation for the continued support of the County. He provided an update with regard to the size of the Semcac Board which has been reduced to 21, various programs, and participation. He reported that the food shelf has an ongoing drive for a 3 month period which is being matched 1:1 by the Masons. Sequestration has resulted in a reduction in federal funding which has resulted in the loss of 4 communal senior dining sites including those in Houston, Lewiston, Wanamingo and Morristown. He was pleased to report that Semcac worked with the mayor of Houston to continue services for seniors who utilized the communal site. Meals and eating space are provided by the assisted living/long term care facility in Houston at a reduced rate to senior dining participants. Meals on wheels continues to be active in impacted communities.

Erlene Welshons provided information related to the transportation program which includes public transit buses and the volunteer driver program. She stated that the public transit buses used to be known by various names across the Semcac service area have been re-branded across the area and are now known as "Rolling Hills Transit". She provided information related to the annual number of rides provided by the various buses. Semcac has been increasing its service area which now includes Spring Valley and Stewartville with the expectation that there will be expansion into Olmsted County. Semcac operates a new dispatch center for its transportation programs out of Kasson, located in Dodge County where the greatest ridership is experienced. The program benefits from an 85/15% match MN DOT/local. Capital costs are matched 80/20%. The Caledonia public transit bus is due to be replaced in 2015. This will require funding from the local area to meet the match requirement. More information in this regard will be distributed at a later date.

In closing, Mr. Stenberg provided various modes of communication which Semcac participates in including Facebook, twitter and website.

Commissioner Schuldt questioned how many volunteer drivers participated in the volunteer driver program. Ms. Welshons responded that there are approximately 140 and there is a need for more drivers, especially in the Caledonia area. She stated that community members may arrange for services by calling the 800 number.

Commissioner Storlie commented that there is a need for pre-school bussing service. Mr. Stenberg stated that Semcac is working with MN DOT to determine whether Semcac may be able to assist in providing this service.

File No. 5 - Environmental Services Director Frank reported that he has reviewed options for e-waste recycling due to increasing volume and costs. The County has been doing business with Universal Recycling, a Janesville, WI based company. E-waste is collected countywide as part of the drop site program. Through the review process, Environmental Services Director Frank learned that all companies offering e-waste recycling would be charging due to high volume and disposal costs. Dynamic Recycling out of Holmen, WI will accept all e-waste with processing performed in Holmen. Environmental Services Director Frank explained that Minnesota has a rebate program in place for e-waste recycling. Wisconsin is working to develop a plan modeled after that of Minnesota. Houston County will be required to participate in the program for one year prior to reaping the benefits of the 80% rebate. He expects that increased metal prices on the appliance recycling side will aid in covering the increased cost of e-waste recycling. Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the Recycling Service Agreement with Dynamic Recycling, Inc.

File No. 6 – The Annual Ag BMP report is submitted annually to the State. The State allocates funding for programs whose goal is to protect ground water. Following the submission of the Houston County report, the county will be able to access approximately \$200,000.00 for low interest loans to improve and/or bring into compliance feedlots, septic systems and non-conforming wells. These loans have a 1/2 % origination fee and 3% interest. The county administers the program and local lending institutions provide the loans. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the submission of the 2014 Ag BMP report to the State Department of Agriculture.

Environmental Services Director Frank reported that initial interviews of candidates interested in serving on the Planning Commission have been conducted. The field of 6 applicants has been reduced to 3 finalists. Of the remaining applicants, it is agreed that an alternate to serve on the Board of Adjustment will also be chosen. It was the consensus of the Board that Commissioners Schuldt and Walter would participate in the second round of interviews to be scheduled for this Thursday or Friday afternoon. A recommendation for an appointee to the Planning Commission will be brought forward following this interview.

File No. 7 - Zoning Administrator Scanlan met with the Board to follow up on the McElhiney conditional use permit application which was tabled. Dave Walter from Soil and Water Conservation provided information to be considered. Mr. Walter has viewed the site. The application sought the approval for construction of upwards of 11 or 12 greenhouses. There was little information included regarding the size of the greenhouses, layout of the site or driveway specifications. Mr. Walter expressed concern with the site with regard to road right of way, natural slope present and storm water runoff. He stated that in his professional opinion the site is too small for the proposed number of greenhouses. The site may be suitable for 3 to 4 greenhouses depending upon size. Zoning Administrator Scanlan reported that concerns could be address by placing 4 conditions on the permit including follow all state and federal regulations, limit the number of greenhouses to 3 or 4, submit detailed plans to SWCD for approval, and no

processing of fish at the site. There is a need to see how the contractor/engineer intends to deal with storm water runoff and the requirement to submit detailed plans to SWCD address this concern. It was noted that all fish are intended to leave the property on ice or in water and the prohibition of processing of fish will ensure this. Commissioner Zmyewski stated that he has received several calls from neighbors with concerns. He indicated that a detailed plan should have been submitted with the initial application. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to deny the issuance of a conditional use permit to Sheldon McElhiney for commercial greenhouses.

Jail Administrator Schiltz reported that the inmate population is remaining at between 22 and 25 inmates. He has been busy addressing various issues.

File No. 8 - On the recommendation of Jail Administrator Schiltz, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried authorize the hire of Elissa Strobel, Justin Hesse, and Zachary Swedberg as 67 day employees to assist as needed as jailer/dispatchers. Jail Administrator Schiltz commented that these hires will increase the roster to approximately 6 which is where he prefers the list be.

File No. 9 - Rick Howden presented an agreement with Pathfinder for the completion of a historic structure report on the Historic Courthouse which will allow the County to submit additional grant applications. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the agreement with Pathfinder and authorize the signature of Chairperson Walter.

Rick Howden reported that both Representative Davids and Senator Miller have authored and submitted legislation in support of the legislative bonding request for the Historic Courthouse. Once the legislative session begins and more is known it may be necessary to travel to St. Paul to make final appeal for our project.

File No. 10 - Finance Director Lapham reported that end of year reports are not available yet. She expects to have a summary available next week. She will distribute the information prior to scheduling discussion with the Board. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the Budget Amendment as presented.

File No. 11 - Motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to approve the following 2014 Appropriations:

2014 APPROPRIATIONS

SE Minnesota Initiative Fund	\$2,700.00
SEMAAA	\$2,000.00
SELCO	\$134,405.00

Emergency Medical Service	\$10,000.00
SEMCAC - RSVP Program	\$1,000.00
SEMCAC - Senior Driving Program	\$1,000.00
SEMCAC - Senior & Caregiver Advocacy	\$1,000.00
SEMCAC - Senior Nutrition	\$1,000.00
Historical Society	\$37,500.00
Historical Society - Matching Funds	\$5,000.00
Southern MN Tourism//Historic Bluff Country	\$945.80
Agricultural Society	\$18,000.00
Bluff Country HRA	\$5,000.00

File No. 12 - Commissioner Kjome reported on a local youth who participated in a national competition performing successfully and winning. He suggested that this young man's accomplishment be recognized. Motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to adopt the following resolution:

RESOLUTION 14-5

WHEREAS, Alex Folz, student at Spring Grove Public School, competed in the NFL's 52nd Annual Punt, Pass and Kick national championship held in Denver, Colorado at Sports Authority Field on January 11, 2014; and

WHEREAS, Alex won the national title for the 12-13 age division defeating 39 other youth athletes his age; and

WHEREAS, Alex was honored on national television during the Denver Broncos – San Diego Chargers football game;

NOW, THEREFORE, BE IT RESOLVED that the Houston County Board of Commissioners hereby congratulate Alex Folz on his stellar accomplishment.

Chairperson Walter reported on a rail transportation safety meeting which she attended along with Commissioner Kjome. Donna Buckbee provided information on said meeting during public comment earlier in this meeting.

Commissioner Zmyewski reported that a meeting including Commissioner Schuldt, Engineer Pogodzinski and himself to discuss the Highway Department Building has been scheduled.

Commissioner Kjome reported on a rail transportation safety meeting which he attended.

Commissioner Schuldt reported on a joint meeting of Houston and Fillmore Counties towards zero deaths which he attended.

Commissioner Storlie reported on an EDA meeting which she attended along with Commissioner Kjome. A countywide economic summit is being planned. The tentative date is Saturday, April 26th.

Chairperson Walter reported on SE MN Emergency Medical Service and Workforce Development meetings which she attended in addition to the rail transportation safety meeting.

Commissioners Storlie and Schuldt will be attending the AMC Legislative conference.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 13 – Various correspondences to payroll regarding recent hires

File No. 14 – Public Notice regarding public hearing scheduled for 1/28/2014

File No. 15 – Correspondence from SMIF

File No. 16 – Section 8 Vouchers by County Report

File No. 17 – Correspondence to Planning Commission vacancy applicants

File No. 18 – Correspondence to area newspapers soliciting 2014 printing bids

There being no further business and the time being 10:23 a.m., motion was made by Commissioner Zmyewski seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, January 21, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, January 21, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski, Schuldt, & Moorhead; County Attorney Hammell; HS Director Bahr; HR Director Arrick-Kruger; Kelley Stanage; Betts Reedy; Sarah Wexler-Mann; Environmental Services Director Frank; Yvonne Krogstad; HS Director Bahr; Social Services Supervisor Hunter; HS Intern Sara Grandy

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the January 14, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$247,769.37
Road & Bridge Fund	141,016.74

Total	\$388,786.11
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File No. 2 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the application of cancellation of forfeiture on parcel #05.0037.000 and to adopt the following resolution:

RESOLUTION NO. 14-6

WHEREAS, Houston County tax forfeited Parcel #05.0037.000 in 2002 due to the non-payment of taxes; and

WHEREAS, it has come to the attention of the Auditor and Recorder that this parcel was forfeited in error;

NOW, THEREFORE, BE IT RESOLVED that the Houston County Board of Commissioners hereby approves the cancellation of forfeiture for Parcel #05.0037.000.

File No. 3 - HR Director Arrick-Kruger explained the process by which a recommendation has come forward for an appointee to the Planning Commission. Environmental Services Director Frank was present for the discussion. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and carried with Commissioner Zmyewski abstaining to appoint Rich Schild to the Planning Commission for a 3 year term expiring December 31, 2016.

Environmental Services Director Frank stated that an alternate to the Board of Adjustment is needed. Commissioner Zmyewski indicated that a qualified applicant may be pulled from the pool generated by the Planning Commission applicants. HR Director Arrick-Kruger expressed her understanding that Arlin "Pete" Peterson has been recommended for the position. It is not known whether Mr. Peterson is interested in serving in this capacity. It was agreed that Environmental Services Director Frank would follow up with Mr. Peterson and provide a follow up report to the Board.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to accept the resignation of Gayle Stortz. Ms. Stortz has served the County for 34 years. HR Director Arrick-Kruger and HS Director Bahr will return to the Board with staffing recommendations. There is currently a search ongoing which may yield candidates for the position being vacated by Ms. Stortz.

HR Director Arrick-Kruger reported that following a retirement from the Public Health Department a staffing analysis has been completed. It is the departments desire to fill the vacancy. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to authorize the initiation of a search for a 1.0 FTE Public Health Nurse.

File No. 4 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to change the status of Mike Rasmussen from probationary to regular status upon completion of 1080 hours of work. Mr. Rasmussen works as a part time jailer/dispatcher. Jail Administrator Schiltz has conducted a review of his work.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to change the status of John Dollar from probationary to regular effective upon his anniversary.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the minutes of the December 17, 2013 Human Services Board Meeting.

HS Director Bahr reported that she used to attend a Director's Meeting and an East Hub Meeting on different days. Recently, it was determined to schedule both meetings for the same day reducing the number of day's attendees would be required to be out of the office. The East Hub includes participants from Houston, Fillmore, Winona, Wabasha and Goodhue Counties.

A regional crisis program is being established as part of a \$130,000.00 grant awarded to the region. The program will be available to assist both children and adults in crisis. An 800 number call center is being organized to provide the necessary services. Since funding is limited the program will first be made available to adults and children's assistance will be phased in. Due to limited funding the center will likely be available after work hours until approximately 11:00 p.m. and on weekends and holidays. Ongoing funding has been pledged to ensure that once the program is up and running it will be continued. The greatest expense is expected to be the program coordinator. Commissioner Schuldt questioned how often crisis arise. Social Services Supervisor Hunter responded that there are typically a couple each month. Commissioner Storlie questioned whether this will aid in situations where mental health patients are ending up in jail. Social Services Supervisor Hunter indicated that he expects this to address that type of situation.

HS Director Bahr commented that Youngdahl Living, in the Owatonna area was established by regional participants back in 2009. Each county involved designated \$5,000.00 in funding for the service annually. The program provided beds for those suffering from mental illness to transition back into mainstream living. A similar initiative is taking place more closely in the Winona area. The proposed "Upper Mississippi Living" housing would be more readily available to Houston County residents. This initiative has taken a significant amount of planning and preparation. Commissioner Storlie indicated that the group is close to naming the facility and determining its exact location. HS Director Bahr noted that funding will come from across the region much like the funding for the Youngdahl Living.

HS Director Bahr stated that there will be a BRASS coding seminar being hosted soon. This training is geared towards social workers. HS Director Bahr will be encouraging accounting staff to attend. Social Services Supervisor Hunter indicated that Houston County understands and utilizes BRASS coding tracking better than many counties. BRASS coding provides for detailed understanding of where funds are expended.

HS Director Bahr commented that an ongoing concern has been the shortage of psychiatrists and prescribers. Individuals with mental illness are waiting several months for an appointment with a qualified individual to help manage their illness. There has been a desire to increase the number of available prescribers for the region. As a result Lynn Skinner has visited colleges in a recruitment effort. On May 1 a nurse practitioner is expected to join current staffing. Houston County is fortunate to have I-TV which will allow patients to meet with the psychiatrist or nurse practitioner with limited travel required as the I-TV will be available in Caledonia.

HS Director Bahr reported that a Mental Health Center located in Goodhue is being closed. The center was operated by the County. HVMHC is expanding to open a location in downtown Red Wing in hopes of continuing to provide needed services across the region.

File No. 5 - Following discussion, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the following contracts: Addendum to CREST Initiative Cooperative Agreement 2014, Purchase of Transportation Services Contract with Semcac, and Delegation of Licensing Functions.

HS Director Bahr reported that Houston County anticipates the assistance of a MN Sure Navigator soon. It will be necessary to provide the navigator with a work space when he is on site.

Social Services Supervisor Hunter reported that legislative changes are impacting Disability funding and reporting. The system which has been implemented for reporting, tracking, billing, and payment is not functioning well. Rates for waiver services have been increasing substantially. This will impact the disability waiver budget and between 180 to 300 clients who are being provided services through the disability waiver programs. Social Workers are having difficulty successfully submitting claims for reimbursement. The problem is statewide and in response DHS hosts Q & A sessions each Friday in an attempt to work through the issues with county staff.

Social Services Supervisor Hunter reported that chemical dependency cases have increased and are averaging 3 to 4 per week. This increase is difficult to manage when the department is currently short one social worker.

The implementation of MN Sure which was scheduled for March has been delayed until mid-April. This software program has been established to replace older screening tools. Training for the new tool hasn't been released yet.

Social Services Supervisor Hunter reported that 3 volunteers have been identified to provide coverage for the first three months of the new crisis protocol. This protocol has been developed to provide for quicker response. It provides law enforcement with a specific contact

for crisis. Since the new protocol was put into effect there has been 1 instance where it was utilized.

Targeted Case Management reimbursement rates are low. This is the result of the State penalizing the County for having Social Workers carrying high case load numbers which is based on the premise that because case loads are high, the State believes the quality of service will be reduced. This system is being considered for restructuring. Social Services Supervisor Hunter stated that Houston County runs efficiently. Cases are provided with quality services. The State is penalizing the County through the low reimbursement rates for these efficiencies. Other county's with higher numbers of workers and lower case loads are being rewarded with higher reimbursement rates.

Social Services Supervisor Hunter reported that depending on eligibility, some services may qualify for back pay. Provider relationships are being impacted because they are unable to get paid in a timely fashion due to the complex system and errors which are occurring. All counties are experiencing the same issues and concerns. The department is working through the issues one day at a time. He stated that no rate increases are expected until next year at the soonest.

It was noted that MN Sure is not operating as it should in the Income Maintenance division either.

Commissioner Storlie expressed concern that these issues will result in the loss of providers. Social Services Supervisor Hunter indicated that the problems, along with the increase in licensing forms from 16 to 29, have already resulted in lost providers.

File No. 6 - HS Director Bahr presented information regarding delinquent accounts based on a list of criteria. She stated that the department has identified a list of 41 accounts for a total of \$69,815.62, which should be written off as uncollectible. She stated that the number and total amount of uncollectible accounts hasn't changed over the past 3-4 year period. The Accounting Division is diligent with collections. There is a need to clean up these old accounts and remove the outstanding amounts from the books. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the uncollectible accounts and authorize the amounts due be written off.

Commissioner Storlie reported that she has spoken with ABC regarding a recommendation for appointee to serve on their board, to date, no candidate has been identified.

The EDA Board has an individual who is participating in meetings who is in the process of discerning whether or not they would accept an appointment to the Board.

File No. 7 - County Attorney Hammell requested approval for cell phone per diems for 2 assistant county attorneys. She reported that assistant county attorneys are constantly contacted

after hours with regard to investigations, 48 hour holds over the weekend where bail amounts or hold over is requested and etc. They spend time responding to and answering e-mail. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve cell phone per diems for 2 assistant county attorneys .

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to recess the meeting until 10:10 a.m.

At this time the Board met with Environmental Services Director Frank for his performance review.

Discussion was held regarding strategic planning.

Chairperson Walter stated that there have been recent comments from certain members of the public asking that the Board change the policy with regard to the public comment period at the beginning of each board meeting, and allowing the public to make an appointment to be on the agenda. She inquired the rest of the Board felt about this. It was agreed that the current public comment period is working well and that the Board has no interest in changing the current policy.

Discussion was held regarding videotaping the Board meetings. Chairperson Walter stated that she discussed this with other counties and approximately 75% of counties do tape their meetings. It was agreed that the minutes would continue to be the official record. Commissioner Storlie stated that IS Director Milde has suggested having two cameras with one facing the Board and one facing the person presenting to the Board. IS Director Milde is researching the cost.

Chairperson Walter stated that she was also told by another county that when setting salaries for elected officials, a separate motion should be made for each individual.

Chairperson Walter stated that there was no county holiday party this year, and she suggested that the Commissioners plan something. Commissioner Storlie suggested that the Board host a luncheon. Discussion was held.

Discussion was held regarding the fact that commissioners are receiving phone calls from employees. It was agreed that employees need to go through the proper chain of command. They should first bring any issues to their supervisor, then their department head, and if the matter is still unresolved they should bring it to the Personnel Department.

Discussion was held regarding lean processing. The Board indicated that they would like to start with one department, but eventually work their way through all departments. It was pointed out that lean processing is about becoming more efficient, not about reducing staff. Any staff reductions would be done through attrition. Commissioner Storlie pointed out that some

departments are already doing lean processing, and could be given the opportunity to show what they have done in this regard. Commissioner Schuldt indicated that he is interested in being a facilitator for lean processing; however, he would like a refresher course first. It was felt that it may be a good idea to have a facilitator from AMC involved with the first round of lean meetings.

Discussion was held regarding filling the current assistant county attorney vacancy. Commissioner Kjome stated that Houston County needs an attorney who specializes in land use issues. It was agreed that hiring an assistant who either specializes in this area, or at least has an interest in it, would be a plus.

Chairperson Walter reported on a recent meeting she attended where discussion was held regarding emergency preparedness. It was agreed to ask Emergency Manager Kurt Kuhlert to give the Board an overview of Houston County's emergency preparedness plans.

Commissioner Zmyewski reported that the EQB has indicated that if any county is interested in totally banning frac sand mining, they would be willing to draft language in this regard. The Board stated that due to Houston County's geology, this should certainly be considered. After discussion, it was agreed that Auditor Meiners would draft a proposed letter to the EQB for the Board's consideration at their next meeting.

Commissioner Storlie indicated that she feels strongly that Houston County's EDA should promote tourism and small business. It was agreed that these are two very important priorities. It was felt that consideration should be given to promoting tourism through commercials, Facebook, etc.

Auditor Meiners reported that Houston County used to be a member of the MN Resort Association; however, due to budget cuts our membership has not been renewed. She was contacted by them indicating that they are offering a special whereby they will distribute tourism brochures at various events free of charge for members. After discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to authorize joining the MN Resort Association.

It was agreed to schedule the monthly Human Services appointment from 9:30 to 10:00 a.m. on the third Tuesday of each month.

Commissioner Zmyewski reported on the land stewardship and frac sand summit hosted in Winona this past Saturday which he attended. He stated that in spite of the inclement weather the summit was well attended. Many health related concerns were discussed. He noted that the City of Winona has recently begun air quality monitoring.

Commissioner Kjome reported on a Bee Creek Watershed meeting which he attended with representatives of the watershed from both Minnesota and Iowa.

Commissioner Schuldt reported on Planning Commission interviews which he participated in and a CJCC meeting which he attended.

Commissioner Storlie reported on the CJCC meeting she attended recently.

Chairperson Walter reported on Planning Commission interviews which she participated in.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to place on file the following items from the consent agenda:

File No. 8 – Tons delivered to Xcel

File No. 9 – 2013 Annual Report/Selco

There being no further business and the time being 12:20 p.m., motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, January 28, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, January 28, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski, Schuldt, & Moorhead; Finance Director Lapham; Environmental Services Director Frank; Zoning Administrator Scanlan; Ken Tschumper; Kelley Stanage; Donna Buckbee; Laverne and Julia Massman; Sarah Wexler-Mann (videotaped the proceedings); Bruce Kuehmichel; Steve Hartwick

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the agenda subject to an amendment to include an appointment for Environmental Services Director Frank.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the January 21, 2014 meeting.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$117,141.36
Road & Bridge Fund	44,380.07

Total	\$161,521.43
	=====

Kelley Stanage inquired whether there would be public comments allowed during the public hearing. Chairperson Walter responded that public comments will be allowed.

File No. 2 - At this time Environmental Services Director Frank met with the Board. He reported that there was a clerical error on the committees list in 2010. Accordingly, Dan Griffith's term on the Planning Commission and Greg Myhre's term on the Board of Adjustment should have expired 12/31/2013. Both members have completed their first term and are willing

to serve another term. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the reappointments, both for three year terms to expire 12/31/2016.

File No. 3 - Environmental Services Director Frank reported that Glenn Meiners' term as alternate on the Board of Adjustment has expired. Kent Holen, an applicant for Planning Commission, is agreeable to filling this position. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to appoint Kent Holen as alternate to the Board of Adjustment for a three year term expiring December 31, 2016.

File No. 4 – Chairperson Walter reported on proposed correspondence to the EQB requesting that they draft language with regard to implementing a ban on frac sand mining. Commissioner Zmyewski reported that this stems from a meeting he attended where Will Seuffert, Executive Director of the EQB, inquired whether any counties were interested in having language to this effect drafted as there may be areas of the state where banning frac sand mining is found to be the best option. Environmental Services Director Frank suggested that Attorney Squires be involved in any decisions in this regard. The Board agreed, and stated that they simply want the EQB to keep this option open if a ban is found to be in the best interest of the county. After discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the letter and to authorize the signature of Chairperson Walter.

File No. 5 – At this time the Board met with Finance Director Lapham. She requested the Board's signature on a letter of understanding of services with the State Auditor's Office in connection with the 2013 audit. Motion was made by Commissioner Walter, seconded by Commissioner Schuldt and unanimously carried to approve the letter of understanding and to authorize the signature of Chairperson Walter.

File No. 6 – Placed on file was year-end financial information for 2013.

Commissioner Storlie reported on a strategic planning workshop which she and Chairperson Walter attended in Alexandria last week. She indicated that it was an excellent session and the AMC has voted to offer this in four regions of the state. She felt it would be worthwhile for all commissioners and department heads to attend when it is offered in our region. One of the presentations focused on translating vision to reality in Minnesota counties.

Commissioner Storlie reported on a La Crescent City Council meeting which she attended last night. They are holding a meeting on February 6th regarding their vision for the future of the city which includes the possibility of a new school, an event center, senior housing, etc.

Chairperson Walter reiterated what an excellent session the strategic planning workshop was.

Commissioner Storlie reported that Houston County was not awarded the legacy grant which had been applied for to make improvements at Wildcat Park. However, EDA Director Howden will follow up and attempt to determine where the application could be improved. It is the county's intent to apply again in the spring.

Chairperson Walter reported that the board is planning to host an employee luncheon paid for by the commissioners. Commissioner Storlie stated that we have wonderful employees and the Board needs to show appreciation for their leadership and dedication.

The time being 9:40 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to recess the meeting until the 10:00 public hearing.

The time being 10:00 a.m. motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to convene the public hearing for the purpose of considering an amendment to Ordinance No. 12 in order to extend the moratorium on frac sand mining.

File No. 7 - Ken Tschumper, La Crescent Township resident, strongly encouraged the County Board to renew the moratorium for another year. He thanked the Board for the past moratoriums which has allowed time to begin carefully researching the issue. He indicated that he feels frac sand mining is incompatible in Houston County, and he hopes the Board imposes a ban. He felt this would be consistent with what the majority of the citizens want. Placed on file was information from the Land Stewardship Project's Citizens' Frac Sand Summit.

Kelley Stanage, Houston Township resident, commended the Board on their careful and serious consideration of this very important topic. She indicated that a topic of this level of importance requires leadership at the highest levels of government. She stated that the issue has not been easy for anyone involved, but that a positive result is that members of the community are becoming engaged in where the county is going. She stressed the importance of listening to community members, even if you don't agree with them. She would like to see the Board approve extending the moratorium.

Donna Buckbee, Yucatan Township resident, stated that she hopes the Board will approve the moratorium extension. She and others went door to door last fall and she indicated that 70 to 75% of the people they talked to were willing to sign a petition to ban frac sand mining immediately, while approximately 20% of the people wanted more information. She indicated that only 5% of the people they contacted are in favor of frac sand mining.

Lorraine Culver, City of Houston resident, stated that she moved here from Chicago where she lived for 45 years. In Chicago she lived in a residential neighborhood adjacent to an industrial area. She indicated that large trucks would often bang into a cement barrier going

around the corner near a restaurant where she ate lunch, and on one occasion a truck hit and killed a pedestrian. She stated that the Houston County Protectors have provided information on how heavy truck traffic will affect our area. She felt we should not ask how much we can let these people hurt us, but rather, we should state up front that we do not want to be hurt at all.

La Verne Massman, Caledonia Township resident, stated that frac sand mining is an issue that goes a lot farther than the current generation. It will affect our children, grandchildren and great-grandchildren. He indicated that we live in a beautiful area and he sees no reason why it should be torn up for a few people who want frac sand mining, while the rest of us would pay the price and suffer for it. He felt it was very wise to extend the moratorium for another year for research purposes.

Julia Massman, Caledonia, Township resident, thanked the Board for their patience and the time they have taken so far on the frac sand issue. She feels that the Board is going in the right direction. She is very concerned about frac sand mining and follows it closely on TV and in the newspapers. She felt that renewable energy is the way of the future.

Sarah Wexler-Mann, Yucatan Township resident, stated that loves everything about the county from the agricultural and tourism to the coffee shop, restaurants and the general community. In the 4 years she has lived here, she has spent 2 ½ of that time trying to stop industry from taking that away. She felt that frac sand mining was not compatible to our economy. She indicated that a tremendous amount of people are supporting the County Board and the moratorium, and they are willing to help in any way they can.

Steve Hartwick, Money Creek Township resident, asked that the Board extend the moratorium. He stated that the EQB is developing guidelines, this will be an evolutionary process, and he is hopeful that they will come up with actual regulations. He stated that Houston County needs to consider the cost of enforcement. He would like to see the Board ask the EQB to draft language in regard to prohibiting frac sand mining, and he felt a ban would be the most cost effective way to deal with the issue.

File No. 8 - There being no further public comment, motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to adopt the following resolution:

RESOLUTION 14-7
Houston County

Whereas, Houston County recognizes significant public interest and concern over the proliferation of silica sand mines and related processing and transportation facilities proposed in Houston County; and

Whereas, the Houston County Board desires to regulate the use of property in a manner that is consistent with the purpose and intent of the Houston County Zoning Ordinance; and

Whereas, the use of property for silica sand mining operations and related processing and transportation facilities may create an excessive burden on the County's infrastructure and may affect the public health, safety and general welfare; and

Whereas, Minnesota Statutes Section 394.34 allows Houston County to adopt a temporary interim Ordinance/Resolution for a period of up to 12 months from the date it is effective, to allow for such study and adoption of comprehensive plan, zoning and/or other official land-use controls in order to protect the public health, safety and general welfare. The same statute allows for the extension of a temporary interim Ordinance for an additional 12 month period; and

Whereas, the County Board has previously adopted and extended a moratorium on certain silica sand mining activity to give the County an opportunity to adopt regulations that will appropriately regulate the activity; and

Whereas, By Laws, 2013, Chapter 114, Section 105, the State legislature authorized counties to extend or renew an expiring or expired interim ordinance for one additional year, notwithstanding any provisions of Minn. Stat. § 394.34.

Whereas, continued study is required to ensure consistency with the Houston County Zoning Ordinance and Comprehensive Plan to provide a thorough analysis of potential impacts on road and infrastructure maintenance and the effect on public services, public health, safety and general welfare, generated by silica sand mining operations and supporting uses.

NOW, THEREFORE, BE IT RESOLVED that the Houston County Board of Commissioners hereby extends the moratorium an additional one year, to March 5, 2015, to allow the above referenced land use planning study to be completed and any recommended changes or requirements to Houston County Plans, Policies or Official Controls to be considered by the Houston County Planning Commission and Houston County Board of Commissioners; and

BE IT FURTHER RESOLVED that the scope of the extended moratorium shall be that set forth in Resolution #13-07, adopted by the County Board on March 5, 2013; and

BE IT FURTHER RESOLVED that the County Board of Commissioners, by this Resolution, ratifies all actions previously taken by the Board relative to the moratorium on silica sand mining activities; and

BE IT FURTHER RESOLVED that the Houston County Board of Commissioners reserves the right to end the moratorium in less than the extended term of the moratorium upon completion the land use planning study and satisfactory resolution of the issues and concerns as determined by the County Board. The County Board also reserves the right to further extend the moratorium as may be authorized by State Law.

Effective Date, This Ordinance shall take effect upon its passage and publication.

Enacted by the Houston County Board of Commissioners, this 28th day of January, 2014.

There being no further business and the time being 10:24 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, February 4, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, February 4, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski & Moorhead; Engineer Pogodzinski; Treasurer Trehus; HR Director Arrick-Kruger; Finance Director Lapham; Sarah Wexler-Mann (videotaped the proceedings); Betts Ready; Zoning Administrator Scanlan; Environmental Services Director Frank; Kelley Stanage; HS Director Bahr; Recorder Bauer

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the January 28, 2014 meeting.

File No. 1 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$78,193.36
Road & Bridge Fund	45,891.77

Total	\$124,085.13
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File No. 2 - Engineer Pogodzinski provided information following a recent review of the 5 year construction plan and associated budget. He reported that County 9 is in poor condition. The road was scheduled for improvement and paving in 2016. Engineer Pogodzinski has been considering options with regard to the road and construction project. He recommended moving the project to 2014 and scaling back the project to simple mill and overlay versus the realignment and shoulder widening that was planned. He stated that the road meets minimal DOT specifications with regard to curves. The mill and overlay would maintain 12 foot lanes and the current 2 foot shoulders. The larger project would have included increasing the shoulders

to 4 foot. Various funding options and budget implications were discussed. Discussion was held regarding unallocated fund balance, State Aid funding advancement options and opportunities and long range budget projections. Commissioner Zmyewski expressed concern that funds are not available at this time to complete even a scaled down construction project on CSAH 9. He questioned whether other construction projects could be delayed. Engineer Pogodzinski discussed the other projects and concerns with delaying them longer. He identified a couple of small projects which could be delayed, however, the cost of those would not be great enough to cover the CSAH 9 project. Engineer Pogodzinski noted that there are years when State Aid funding is available to be advanced and in other years advancing funds is not an option. There is an option to advance funds this year. He does not expect the option to be available in 2015. Commissioner Zmyewski questioned whether wheelage tax revenue could be utilized to cover the cost of the project. Engineer Pogodzinski indicated that the wheelage tax revenues would be used for equipment purchases and sealcoating projects in 2014. Chairperson Walter expressed support for utilizing advanced State Aid funds while maintaining undesignated fund balances. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the request for funding advancement and to adopt the following:

RESOLUTION NO. 14-8

WHEREAS, the County of Houston is planning to implement County State Aid Street Project(s) in 2014 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date 12/31/13	\$ <u>3,168,949.70</u>
Plus 2014 Regular Construction Allotment Estimate	\$ <u>2,463,999.00</u>
Less estimated disbursements:	
Project # <u>SAP 28-604-031</u>	\$ <u>131,507.64</u>
Project # <u>SAP 28-608-013</u>	\$ <u>20,376.79</u>
Project # <u>SP 28-606-020</u>	\$ <u>3,307.82</u>
Project # <u>SAP 28-996-018</u>	\$ <u>25,484.23</u>
Project # <u>SP 28-605-012 (Final)</u>	\$ <u>15,530.18</u>
Project # <u>SAP 28-604-31 (Eng)</u>	\$ <u>26,919.36</u>
Project # <u>SAP 28-608-13 (Eng)</u>	\$ <u>60,000.00</u>

Project # <u>SAP 28-603-022</u>	\$ <u>855,000.00</u>
Project # <u>SAP 28-610-020</u>	\$ <u>352,000.00</u>
Project # <u>SAP 28-604-022</u>	\$ <u>3,558,000.00</u>
Project # <u>SAP 28-996-010 (Csah 13)</u>	\$ <u>211,530.00</u>
Project # <u>SAP 28-609-XXX</u>	\$ <u>1,270,000.00</u>
Bond Principle (if any)	\$ _____
Project Finals (overruns-if any)	\$ _____
Other _____	\$ _____
Total Estimated Disbursements	\$ <u>6,529,656.02</u>

Advance Amount (amount in excess of acct balance)\$ (896,707.32)

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, Be It Resolved: That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Houston in an amount up to \$ 897,000 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

File No. 3 - Treasurer Trehus reported that she along with Recorder Bauer and Auditor Meiners would like to implement Point and Pay for credit card use. She provided an overview of the provider company, Point and Pay LLC. She reported that Sibley County has been working with the same vendor for over one year and is pleased with the service. Implementation would allow for credit cards to be used to make payment to County Offices for various fees and services including but not limited to payment of real estate taxes, purchase of items such as maps, and for license center transactions. A convenience fee would be assessed to each transaction. County staff would be required to make customers aware of the convenience fee prior to initiating a transaction. In addition to accepting credit cards as a form of payment, e-checks would also be an available option. Training for the system is included at no fee and may be completed at one's own pace. Treasurer Trehus explained how money would be collected and accounted for. She noted that the license center would be credited with daily receipts on the day following the transaction while other departments would be credited after 48 hours once the funds had been deposited into the County's checking account established specifically for this system. The reason the license center would be credited more quickly is due to their requirement

to submit revenues to the State on the day after collection. Recorder Bauer reported that she would accept credit card transactions for payment of services provided by her department with the exception of document recording fees. Sibley County functions in the same manner. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the 3 year E-payment Services Agreement with Point & Pay, LLC. The system will be available in Human Services, License Center, Auditor's, Recorder's and Treasurer's Office. Departments without point and pay terminals would have the option to have transactions completed in the Treasurer's Office.

Commissioner Zmyewski inquired whether NSF checks were a significant issue. Treasurer Trehus stated that the County is required to deal with an NSF check on occasion and it is common to collect on them. If her office is unsuccessful with collections the items are turned over to the Sheriff's Office for collection.

File No. 4 - HR Director Arrick-Kruger along with HS Director Bahr met with the Board to discuss HS staffing. HR Director Arrick-Kruger presented historical data related to the number of full time equivalency positions within the Human Services Department from 2001 through 2013. HR Director Arrick-Kruger requested approval to hire 2 full time social workers, the first position to fill a vacancy created as the result of a retirement and the second a new position. The search for a social worker has already begun, approval for hire would allow HR to utilize the current pool of applicants provided the pool is adequate. This would save on additional advertising expenses. Due to reimbursement rates, the additional staffing would come at minimal cost to the county.

HR Director Arrick-Kruger reported that the increase of FTE's from 2001 to 2013 is 5.65 FTE's. Four FTE's were added in 2008 when the county decided it would be more cost effective to manage mental health cases in house versus contracting for services. HS Director Bahr confirmed that it has been more cost effective to manage mental health cases in house.

The State pays reimbursement based on a formula which is impacted by the average number of cases per social worker. The State pays the highest reimbursements for child mental health workers when case loads are at 15 or fewer, and for disability workers when cases are at or below 50. Currently, caseloads in both the children's mental health and disability divisions exceed these State recommendations. If caseloads for workers were reduced to the recommended amounts the number in excess support the additional FTE's requested. Information regarding the net savings generated by a social worker in these divisions was distributed. Commissioner Zmyewski questioned why the State would provide reimbursements greater than the expense of an employee. HS Director Bahr responded that there is a formula which takes into consideration the average State wage for a social worker and other items. Houston County's wages are less than the statewide average. In addition, disability services social workers experience high reimbursement rates and reimbursement for such things as travel. Houston County is fortunate to have workers with many years of experience making them well versed and efficient. Finance Director Lapham questioned what the reimbursement rate for social workers was. HS Director

Bahr responded that it varies among divisions. The average disability services worker is reimbursed from \$86.00 to \$100.00 per hour. This rate is determined by services provided and what percentage of time for services from 6 categories. Each category has a unique reimbursement rate. Commissioner Storlie questioned whether the revenue generated through the reimbursements would result in reduced levy funding requirements. HS Director Bahr responded that it is the hope that the need for levy funding would decrease. Commissioner Zmyewski indicated it seems logical to add the staff if the cost is reimbursed 100%. HR Director Arrick-Kruger stated that in addition to the financial considerations related to the hiring request. There are community members in need of services. Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the hire of 2 full time equivalency social workers.

File No. 5 - Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to adopt the following:

RESOLUTION NO. 14-9

WHEREAS, Contract No. 1, Project No. AIP 3-27-0016-04-12 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

Commissioner Zmyewski reported that MPR contacted him and had attempted to contract Chairperson Walter regarding an interview. Following his interview with MPR, WKBT the CBS affiliate located in La Crosse, Wisconsin, KTTC, the NBC affiliate located in Rochester, Minnesota and the Winona Daily News took interest in Houston County's recent request for assistance in drafting banning language as it relates to frac sand mining. A significant amount of publicity has been generated as a result of discussion related to the ban. Commissioner Zmyewski indicated that he has received much correspondence in appreciation of the work of the Board in this regard.

Commissioner Zmyewski reported on a meeting with Commissioner Schuldt and Engineer Pogodzinski regarding the highway department building. He suggested that the board consider identifying an amount of funding it is willing to expend on the project.

Commissioner Kjome reported on a zoning ordinance study committee meeting which he attended.

Commissioner Schuldt reported on the highway department building meeting he attended.

Commissioner Storlie reported that IS Director Milde will be making the annual computer purchases soon. These items are budgeted for. In addition, Engineer Pogodzinski is ordering the new plow truck and back hoe which have been budgeted for. Costs for both pieces of Highway equipment have come in less than what was budgeted. Commissioner Zmyewski expressed concern that this expenditure is in excess of \$1,000.00 which requires Board approval and questioned when this would come before the Board. The policy was reviewed and discussion was held.

Chairperson Walter reported that she attended a meeting regarding MN DOT's removal of the Hokah "wall" along Highway 44.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 6 – Correspondence to retiree Gayle Stortz

File No. 7 – Correspondence in appreciation of years of service
to Glenn Meiners

There being no further business and the time being 10:29 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, February 11, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, February 11, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, and Teresa Walter

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski, Stotts, & Moorhead; Engineer Pogodzinski; Sheriff Ely; Finance Director Lapham; Sarah Wexler-Mann; Sheriff Ely; Environmental Services Director Frank; Glenn Kruse; Recorder Bauer; Assessor Dybing; Treasurer Trehus; IS Director Milde; Rick Howden

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the February 4, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$49,072.84
Road & Bridge Fund	191,489.05

Total	\$240,561.89
	=====

File No. 2 - Engineer Pogodzinski recommended approval of the final payment for S.A.P. 28-604-31 & CP 2013-03. These are paving projects located on CSAH 4 and County Road 249 completed by Mathy Construction. The contract amount was \$2,657,448.86. Certified to date is \$2,681,972.76. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adopt the following:

RESOLUTION NO. 14-10

WHEREAS, Contract No. 221 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 3 - Engineer Pogodzinski requested approval of Houston County Right of Way Plat No. 53 in connection with S.A.P. 28-603-22 on CSAH 3. This project is a bridge replacement which is scheduled to take place in summer 2014. Motion was made by Commissioner Schuldt seconded by Commissioner Storlie and unanimously carried to approve the plat and to adopt the following resolution:

RESOLUTION NO. 14-11
RESOLUTION TO APPROVE AND ACCEPT HOUSTON COUNTY
RIGHT OF WAY PLAT NO. 53 FOR THE RECONSTRUCTION OF
STATE AID PROJECT 028-603-022

WHEREAS; Houston County desires to improve and reconstruct County State Aid Highway No. 3, Between 200 feet Southwest of South Brownsville City Limits to 688 feet Northeast of South Brownsville City Limits, with Grading, Bridge Replacement (No. 28503 Old) (No. 28555 New), Aggregate Base, identified as SAP 028-603-022; and

WHEREAS; the Houston County Highway Department and the Houston County Surveyor have prepared Houston County Right of Way Plat Number 53 to identify and delineate the right of way and temporary slope easement required for this project; and

NOW THEREFORE BE IT RESOLVED; that Houston County approves and accepts Houston County Right of Way Plat No. 53 as designating the definite location of that part of County State Aid Highway No. 3, located in Sections 26, 27, 34, & 35 of Township 103 North, Range 4 West, as presented on this date, February 11, 2014, and authorizes it to be filed of record with the Houston County Recorder.

BE IT FURTHER RESOLVED that Teresa Walter, County Board Chairperson, is hereby authorized to execute and sign the Certification statement on said plat on behalf of Houston County.

File No. 4 - Engineer Pogodzinski reported that he would be placing orders for two budgeted pieces of equipment, being a plow truck and back hoe. The items will be purchased off the State bid. The plow truck, cab and chassis will cost approximately \$128,000.00. The box and wings will cost an additional \$102,000.00 for a total cost of approximately \$230,000.00. The plow truck being purchased is a Mack. The back hoe cost after trade will be approximately \$100,335.00. A John Deere back hoe is being ordered. The total cost for the 2 pieces of

equipment will be approximately \$330,000.00. This amount is less than the amount budgeted. The plow truck, if ordered now, will be received in fall 2014. Engineer Pogodzinski indicated that the State bid price is considerably lower than the County could have been offered elsewhere. Commissioner Zmyewski indicated that the savings may be as much as 30% less than the same equipment could have been purchased for elsewhere. Commissioner Zmyewski has been in contact with RDO regarding equipment, pricing and trade values. He indicated that used equipment pricing is high due to development in the Dakotas. In addition, the savings offered through the State bid makes buying new a more plausible option than purchasing used. He confirmed that Engineer Pogodzinski has followed county policy with regard to making this equipment purchase. Commissioner Storlie stated that she kept the Board apprised of the Highway Departments intent to make the equipment purchases which were approved during the budgeting process.

It was agreed to schedule a Wildcat Park meeting for Monday, February 24th at 10:00 a.m. Auditor Meiners will send the necessary notice to members of the committee.

File No. 5 - Sheriff Ely shared countywide statistics related to the position of drug investigator. The statistics from the county are included in the Southeast Minnesota Gang/Drug Task Force.

Sheriff Ely presented the Police Canine Agreement, which was approved December 23, 2013, for signature. He reported that verbiage was changed to make the agreement continual until terminated by either party, inability of canine to provide service, or termination of employment of canine handler.

Sheriff Ely reported that the police canine keeps very busy. He has visited many area schools, has been utilized to go through luggage of class trip participants, and private employer parking lots. The police canine spends a good deal of time on continued training and is a valuable asset. The police canine has been involved in most, if not all, drug related search warrants and arrests.

Sheriff Ely reported that the average daily inmate population has been at approximately 27. It peaked over the weekend with 31 inmates, decreased to 27 following yesterday's court activity and is expected to increase slightly today.

File No. 6 - Sheriff Ely provided statistics from activities of the SEMNGTF. These reports include county data. The regional task force includes 6 counties and approximately 11 police departments. It was reported that 28 handguns and 38 long guns have been seized over the course of a year. Commissioner Zmyewski questioned what becomes of the weapons. Sheriff Ely reported that guns used in murders are retained forever, those used in suicides may be either destroyed or returned to the owner at the owner's/family's request. Other seized firearms may be traded in or sold to local gun dealers in exchange for taskforce equipment or cash. The taskforce is the direct beneficiary of the proceeds. The county receives a stipend.

Sheriff Ely reported that his office has issued approximately 260 conceal carry permits over the past year. Applicants are charged a \$100.00 fee at time of application. \$10.00 of that fee is submitted to the State. The department secretary processes the background checks necessary prior to issuance. She is also responsible to check annually for any criminal activity of all conceal carry permit holders. This is time consuming. The proceeds from the conceal carry permits may only be used for certain expenses. One qualifying expense is salaries. Sheriff Ely has been considering adding staff to manage the growing number, and increasing workload resulting from the number of conceal carry permits. He indicated that there is approximately \$75,000.00 in the restricted permit to carry fund.

Commissioner Schuldt questioned how the drug task force is funded. The task force is funded in part by dues and also by grants. There are regularly scheduled meetings and the taskforce is present at large celebrations including annual flood runs. This is a tight group with ongoing communications among its membership. Commissioner Zmyewski questioned who makes decisions and determines who provides the necessary resources for situations. Sheriff Ely responded that lead investigators have a good handle on what resources are necessary. Investigators are in contact with task force members and resource determinations are made. Sheriff Ely provided an example of staffing utilized to carry out search warrants on suspected meth labs. This requires a minimum of 3 individuals and a specially equipped mobile unit.

Sheriff Ely reported that the County is currently renting storage space from the ag society to store forfeiture vehicles. The rented space is full as the County is currently storing in excess of 15 vehicles. He suggested that consideration be given to the possibility of holding multiple sales or listing vehicles for sale utilizing certain online services. He stated that the ag society is hosting an event in April and all stored vehicles will need to be removed from the premises.

Commissioner Zmyewski stated that there are some historical criminal record books which date back 100 years. These books are being stored in the CJC building. Sheriff Ely will check whether these old books may be given to the historical society for display purposes or whether the information is protected/private.

File No. 7 – Finance Director Lapham discussed information reflected in the financial report distributed.

Highway Accountant Schroeder reported that, according to the summary provided by Finance Director Lapham, the Highway Department has overspent its 2013 budget by \$165,000.00. She explained various things which have affected the budget. During 2013 the county suffered flooding. In addition, the county continues to receive reimbursements from FEMA related to 2008 flooding. The county paid back money which had been advanced in a prior budget cycle and never utilized. Houston Township has submitted payment for county assistance on bridge repairs dating back to the 2007 flood. Highway Accountant Schroeder removed all FEMA related revenues and expenditures and the budget appears very differently as

a result. She stated that when FEMA funding is removed from the equation it appears that the department underspent its budget by \$740,000.00. She explained how project expenses are budgeted for a single year. In reality, projects often carry over into multiple years prior to being 100% complete. Approximately 95% of funding for projects, which come from State and/or Federal sources is paid up front. In addition, the department may budget for acquisitions and in the event the acquisitions are not completed the funding is budgeted and expended in different budget cycles. Highway Accountant Schroeder reported that the 2013 flooding resulted in project worksheets (FEMA PW's) totaling \$2.3 million, however, only \$900,000.00 has been reimbursed to date. \$1.3 million in revenue is expected from FEMA. FEMA funding is reimbursed dollar for dollar with the exception of administrative costs. These variables impact the budget significantly.

Commissioners Storlie and Schuldt expressed appreciation for the hard work of department heads to keep the county within and under budget.

Chairperson Walter stated that following discussions with Environmental Services Director Frank and Attorney Jay Squires it may be in the County's best interest to continue work on an Industrial Sand ordinance. In the event a frac sand ban fails to be put in place and the current moratorium expires, the ordinance would revert back to what was in place which is essentially, very little. Drafting an Industrial Sand ordinance will ensure that tighter regulations are in place in the event a ban fails.

Commissioner Zmyewski reported that many counties have a 5 year capital improvements plan. These plans are utilized during the budgeting process. He suggested that Houston County consider 5 year capital improvement planning as this would be helpful in the budgeting process. It was noted that this was completed approximately 3 years ago. The plans could be reviewed and updated. Commissioner Zmyewski indicated that there are large expenditures on the horizon and having a plan and cost projections would help ensure that financial planning for the expenditure is taking place.

Commissioner Zmyewski reported on a negotiation meeting which he attended yesterday.

Commissioner Schuldt reported on a Semcac meeting which he attended last night.

Commissioner Storlie reported on EDA, negotiating, Emergency Communications Board and La Crescent City Council meetings which she has attended recently.

Chairperson Walter reported on extension and Associations of Township Officers meetings which she attended.

It was noted that a Joint Board of Health meeting is scheduled for March 25th at 1:00 pm. A location for the meeting is yet to be determined. The department head meeting for that day will be rescheduled for March 18th.

File No. 8 – Following discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the Equipment Grant application submitted by the Viking Ridge Riders and adopt the following resolution:

RESOLUTION NO. 14-12

BE IT RESOLVED By the Board of County Commissioners, Houston County, Minnesota, that it approves the Federal Recreational Trail Program Equipment Grant application of the Viking Ridge Riders and authorizes the Board Chairperson to sign an agreement with the Department of Natural Resources.

There being no further business and the time being 9:55 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, February 18, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, February 18, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski, Stotts, & Moorhead; Engineer Pogodzinski; Environmental Services Director Frank; HS Director Bahr; Social Services Supervisor Hunter; Financial Services Supervisor Kohlmeyer; Finance Director Lapham; Sheriff Ely; Sarah Wexler-Mann (videotaped the proceedings); Eric Johnson; Kelley Stanage; Glenn Kruse; Jail Administrator Schiltz; HR Director Arrick-Kruger; Zoning Administrator Scanlan

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the agenda with amendments discussed.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the February 11, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$71,655.73
Road & Bridge Fund	262,418.21

Total	\$334,073.94
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File No. 2 - Emily Bialkowski, Caledonia Argus General Manager and Editor, Caledonia City resident read from a prepared statement which is on file.

File No. 3 - HR Director Arrick-Kruger, Sheriff Ely and Jail Administrator Schiltz met with the board to discuss jail staffing. Bruce Muenkel has submitted a letter of intent to retire. Mr. Muenkel's retirement will create a 1.0 FTE vacancy for the position of jailer/dispatcher and

raises short term staffing concerns. HR Director Arrick-Kruger requested authorization to initiate an internal search to fill the position. A successful internal candidate would create a vacancy in the part time or 67 day employee positions. Therefore, she requested authorization to continue the internal search to backfill another vacancy in the event one was created. HR Director Arrick-Kruger is aware of internal interest and expects the pool of applicants to yield a candidate to fill the full time vacancy. There is a considerable amount of time invested in employees to learn jail policy. In the event the internal search fails to yield a candidate, the position would need to be advertised externally. HR Director Arrick-Kruger indicated that she does not anticipate this scenario. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to authorize the initiation of internal searches for a 1.0 FTE jailer/dispatcher and also a part time jailer/dispatcher in the event of an internal candidate securing the full time position.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to accept the letter of intent to retire submitted by Bruce Muenkel effective March 1, 2014.

File No. 4 - Environmental Services Director Frank reported on a wetland application for a bridge project on Charlie Drive in Sheldon Township. This project has been in the planning stages for approximately 4 years. The TEP panel has discussed the disturbance and delineation. The disturbance will be minimal. The period of notice and public comment has been completed with no comments received. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the Minnesota Wetland Conservation Act Notice of Application.

File No. 5 - Engineer Pogodzinski requested approval of Houston County Right of Way Plat No. 54 in connection with S.A.P. 28-605-18 on CSAH 5. This is an amendment to Houston County Right of Way Plat #52. The City of Caledonia has approved the plat and the impacted landowner is in agreement for the land purchase. Motion was made by Commissioner Zmyewski seconded by Commissioner Schuldt and unanimously carried to approve the plat and to adopt the following resolution:

RESOLUTION NO 14-13

RESOLUTION TO APPROVE AND ACCEPT HOUSTON COUNTY RIGHT OF WAY PLAT
NO. 54 FOR THE RECONSTRUCTION OF
STATE AID PROJECT 028-605-018.

WHEREAS; Houston County desires to improve and reconstruct County State Aid Highway No. 5, Located Between 48 feet North and 1,377 feet South of the Junction with CR 249, with Grading, Underground Utilities, Aggregate Base, and Bituminous Surfacing, identified as SAP 028-605-018; and

WHEREAS; the Houston County Highway Department and the Houston County Surveyor have prepared Houston County Right of Way Plat Number 54 to identify and delineate the right of way and temporary easements within the state of Minnesota required for this project; and

NOW THEREFORE BE IT RESOLVED; that Houston County approves and accepts Houston County Right of Way Plat No. 54 as designating the definite location of that part of County State Aid Highway No. 5, located in Section 19, Township 102 North, Range 5 West and in Section 24, T102N, Range 6 West, as presented on this date, February 12, 2014, and authorizes it to be filed of record with the Houston County Recorder.

BE IT FURTHER RESOLVED that Teresa Walter, County Board Chairperson, is hereby authorized to execute and sign the Certification statement on said plat on behalf of Houston County.

Engineer Pogodzinski reported that a cooperative agreement between the County and the City of Caledonia related to the CSAH 5 project is currently under review by the City's attorney. It was recently discovered that all of a portion of the project will qualify for State Aid funding eliminating the need for the City to cover specified expenses related to the project. Engineer Pogodzinski will return to the Board for approval of the agreement during the next scheduled meeting.

Engineer Pogodzinski explained how statute defines publishing criteria. In 1993 changes were made to statute which impacted the Highway Department allowing for bid announcements to be published online. From 1994 on it varied how individual Highway Departments advertised. Some advertised online only while others continued to utilize both print and online options. Recently, the State Auditor identified an issue with the statutes which there is a desire to clarify. MN DOT supports online publishing. Engineer Pogodzinski reported that Houston County has been advertising bridge and multi-million dollar projects both online and in print and has continued to advertise smaller value projects in print. He stated that there are no contractors within the County who build bridges. Contractors who build bridges are located out of State and outside of the County. These contractors do not subscribe to multiple newspapers to remain abreast of project opportunities, rather they seek out websites designated for this type of information. He understands that newspapers do not favor this legislation. The intent of the resolution is for the support of options and cost effectiveness to reach the desired audience. Commissioners discussed concerns with the language of the resolution and agreed to review it further and take action at the next scheduled meeting.

HS Director Bahr reported that the five East Hub counties which includes Wabasha, Goodhue, Winona, Fillmore and Houston have engaged in discussion to consider collaboration in the area of adoptions. Discussion is very preliminary regarding sharing a designated adoption worker. A few years ago, Houston County completed 12 adoptions in a year's time. Currently, Wabasha County is working on 9 adoptions, Winona County is working on 13 adoptions and

Houston County is working on 2 adoptions and has another 3 children waiting to find a forever family. The adoption process is lengthy with significant amounts of paperwork.

Commissioner Storlie questioned how adoptions are handled in Houston County. Social Services Supervisor Hunter explained how social workers provide certain information but the bulk of the adoption and permanency paperwork is completed by Jessica Reed. Ms. Reed's time spent working on adoptions doesn't qualify for State reimbursements, it is all county expense. Foster care is also a county expense while adoption assistance is state funded. The county would continue to provide case management services. It is believed that the timeframe for adoption completion could be reduced by half with a designated worker. This in turn would hopefully result in reduced foster care costs due to faster processing.

HS Director Bahr reported that e-docs will begin being utilized by child support in addition to financial services. Financial Services Supervisor Kohlmeyer stated that file prep is already taking place. File prep takes a significant amount of time and it is hoped that by starting early it will take some of the stress out of the migration. Financial Services Supervisor Kohlmeyer indicated that she is hoping to secure the same go live trainer as was here when the financial unit underwent training.

HS Director Bahr reported that recently a bulletin was issued regarding changes regarding privacy measures related to social security administration and IRS data which become effective March 1st. The Human Services Department has been responsible to maintain logs related to these types of data, how they are handled, stored, and destroyed. There will be changes to this process.

Rice County recently performed upgrades to its security procedures. Employees have proximity cards and when staff gets too far from their computer the computer automatically locks. HS Director Bahr would like to learn more about this option and the associated cost. She stated that the IRS will be spot checking and auditing counties for compliance with the new requirements outlined in the bulletin.

AMC is offering a resiliency training class for members. Sand Creek Group is providing the training. HS Director Bahr has reserved a date for the training. It will be offered to all HS staff with one session for supervisors and a second session for all staff. Commissioner Storlie questioned whether this training would be beneficial for other departments. It was agreed to gather additional information related to the training.

HS Director Bahr reported that there are approximately 10 applicants for the social worker position which was advertised. There are 3 vacancies which may be filled.

Financial Services Supervisor Kohlmeyer reported that file prep has begun for the migration to e-docs in the child support unit.

Financial Services Supervisor Kohlmeyer recently received quarterly performance standard reports. She was pleased to report that the child support unit exceeds the state average in all areas. This allows the unit to access greater reimbursements. In addition, the child support unit is working to complete the COLA review process.

Financial Services Supervisor Kohlmeyer reported that the financial services unit is meeting performance measures 100% for expedited cases. The unit is slightly below the state average for 30 day processing. The unit has a goal to maintain the expedited case measure while continuing to improve on the 30 day processing measure.

Recently, a Navigator was in the area to provide MN Sure open enrollment sessions. The sessions were advertised and interested individuals were able to make appointments to meet with the Navigator. Financial Services Supervisor Kohlmeyer stated that individuals need to be enrolled with MN Sure by March 1st to qualify for benefits. Staff continues to work through the issues with MN Sure. A listing of known problems is available however, each case entered seems to be unique with its own unique problems. Financial Services Supervisor Kohlmeyer stated that she still does not have an accurate report of case numbers.

Social Services Supervisor Hunter reported that the child protection and child welfare workers have improved their timeliness performance measures significantly from a low of 5% to the most recent quarter measure of 100%. This improvement shows that workers have been working hard towards improvement. The amount of time the workers are putting in with families is paying off. Houston County, in the most recent quarter, is below the state average for placements. Workers are successfully reuniting families in a timely manner. The family assessment team is getting good use of grant funding such as PSOP (Parent Support Outreach Program). This is resulting in families being stabilized, remaining safe and getting on a positive path. Relative placement is being utilized often and early. Monthly case worker visits are exceeding the state average of 78% with a measure of 85%. These units are busy. Social Services Supervisor Hunter stated that child welfare and protection has been busy with 22 reports of maltreatment recently. Eight of the reports met criteria, nine other reports resulted in the families being provided preventative services, and the balance of reports were addressed accordingly.

Work continues with regard to the mobile crisis unit. Some services related to the mental health initiative begin with the start of the new month. They are still working on the hours of availability and getting the toll free number established.

There are currently a high number of adult mental health cases which are benefiting from the CREST initiative.

The waiver unit is beginning to experience things falling into place. Issues seem to be resolving themselves as the new system ages. Social Services Supervisor Hunter hopes that providers will become less irritated as things settle.

Commissioner Storlie reported that HVMHC is getting closer to the proposed Winona facility coming to fruition. Social Services Supervisor Hunter indicated that the beds which the facility would add are much needed.

Following discussion, motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to approve credit cards for the PHN Director and Home Care Coordinator.

Chairperson Walter reported that in response to a letter sent to the EQB, the EQB indicated that it provides only technical support and suggested that the county continue work on an industrial sand ordinance. Chairperson Walter indicated that a committee to draft the ordinance needs to be established and should include 2 commissioners, 2 members of the Planning Commission, Environmental Services Director Frank, Zoning Administrator Scanlan, an individual from the soil and water conservation office, and the PHN Director. Commissioner Zmyewski stated that he has a great deal of history regarding this issue and would like to participate on the committee.

Pursuant to M.S. 13D.05 subd. 3(b) Attorney Squires requested the Board convene a closed session to discuss matters protected by attorney-client privilege. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to convene in closed session to discuss pending litigation. The time was 10:04 a.m.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt unanimously carried to reconvene in open session. It was stated that the reason for the closed session was to discuss matters protected by attorney-client privilege.

Commissioner Schuldt reported on the wellhead protection hearing he attended in Eitzen.

Commissioner Storlie reported on an HVMHC meeting which she attended.

Chairperson Walter reported that the Annual Association of Township Officers will be held Thursday, March 27th at 7:00 p.m. at Good Times. She reported on Workforce Development and EMS meetings which she attended. She announced that EMS may have grant funding available to assist local EMS and/or Fire Departments purchase new CPR equipment. The new equipment costs \$14,000.00. Grant funding would range between \$1,000.00 and \$2,000.00.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to place on file the following items from the consent agenda:

File No. 6 – AMC Overview of Member Benefits 2013

File No. 7 – Correspondence from Eitzen City regarding
wellhead protection plan

There being no further business and the time being 10:39 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, February 25, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, February 25, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski & Moorhead; Engineer Pogodzinski; Finance Director Lapham; HR Director Arrick-Kruger; Financial Services Supervisor Kohlmeyer; Kelley Stanage; Betts Reedy; Sarah Wexler-Mann (videotaped the proceedings); Glenn Kruse; Sheriff Ely; IS Director Milde; Nick Nichols; Environmental Services Director Frank; Rick Howden

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the agenda with amendments as discussed.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the February 18, 2014 meeting.

File No. 1 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$104,499.49
Road & Bridge Fund	58,405.67

Total	\$162,905.16
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File No. 2 – Engineer Pogodzinski reported on the following bids received until February 10, 201 at 100 p.m. for C.P. 2014-01:

Griffin Construction Company, Inc. Chatfield, MN 55923	\$123,110.00
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Zenke, Inc.

La Crescent, MN 55947	\$147,831.00
Minnowa Construction Harmony, MN 55939	\$151,000.00
PCiRoads St. Michael, MN 55376	\$269,320.00

This is a FEMA project which qualifies for 75% reimbursement by FEMA and 25% reimbursement by the State. There will be no local cost associated with the project. The low bid is approximately 15% below the Engineer's Estimate. On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to accept the low bid of Griffin Construction Company, Inc. in the amount of \$123,110.00.

File No. 3 - Last week discussion was held regarding a proposed resolution regarding publishing. After further review, motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to adopt the following:

RESOLUTION NO. 14-14

RESOLUTION SUPPORTING LEGISLATION ALLOWING COUNTIES TO DESIGNATE THEIR COUNTY WEBSITE TO PUBLISH PUBLIC NOTICES

WHEREAS, counties are currently required by law to publish public notices in a designated official newspaper for the county (Minn. Stat. § 331A); and

WHEREAS, counties are committed to providing information to citizens and increasing access to information about county operations and business; and

WHEREAS, citizens expect and demand information in an immediate format; and

WHEREAS, counties have limited resources and must utilize tax dollars in the most efficient way possible; and

WHEREAS, counties should have the authority to determine the best and most efficient method of communicating information to citizens based on citizen expectations; and

WHEREAS, counties are continuously improving and investing in technology to reach more citizens in a timely manner; and

WHEREAS, utilizing county websites to publish public notices would eliminate the time and costly burden of publishing in newspapers; and

WHEREAS, county websites are increasingly the first place citizens look for information about their counties; and

WHEREAS, the ability of county websites to provide citizens with up-to-date, detailed information exceeds that of print media;

NOW THEREFORE BE IT RESOLVED, that the Houston County Board of Commissioners supports HF 1286 and SF 1152, legislation now before the 2014 legislature that would allow counties to publish certain public notices on their websites instead of, or in addition to, in an official newspaper.

ADOPTED by the Houston County Board of Commissioners on this, the 25th of February, 2014

File No. 4 - Engineer Pogodzinski reported on an amended Cooperative Agreement between the County and the City of Caledonia. When the agreement was originally entered into the storm sewer funding split was unknown. It has since been determined that 100% of the cost of the storm sewer is eligible to utilize State Aid funding. This agreement has been amended to reflect this storm sewer cost funding. In addition, some minor language items were revised. The City of Caledonia has approved the agreement. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the Cooperative Agreement and authorize the signature of Chairperson Walter.

Commissioner Schuldt inquired as to the status of the snow removal budget. Engineer Pogodzinski stated that he is unsure of the status, however, he is aware that there has been significant overtime recently due to the weather conditions. He shared his belief that the salt supplies continue to be adequate to make it to spring. He expressed slight concern if there would be adequate supplies in the county in the event we have an early fall and salt is needed early in the next winter season. Engineer Pogodzinski indicated that he is comfortable with the position of the department at this time.

Commissioner Kjome stated that the Spring Grove Council would like to have a scenic drive designated. The person who has discussed this with him believes that it will benefit tourism and local communities. Engineer Pogodzinski will check into this and report back to the Board.

File No. 5 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to change Maria Stemper's employment status from probationary to regular effective Wednesday, February 26, 2014. Financial Services Supervisor Kohlmeyer reported that Ms. Stemper joined the county as the HS Receptionist and has since taken a position as financial worker. Ms. Stemper has performed well in her position as financial worker.

HR Director Arrick-Kruger reported that Mary Marchell joined the County recently as the PHN Director. She requested that Ms. Marchell be approved to receive a mobile computing

device (smart phone) per diem in the amount of \$50.00 per month. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to authorize a \$50.00 per month per diem for PHN Director Marchell retroactive to her hire date.

It was agreed to schedule the Board of Equalization meeting for Tuesday, June 17, 2014 at 6:00 p.m. Auditor Meiners noted that the meeting is required to go until 7:00 p.m.

File No. 6 – Auditor Meiners reported on a request for a tax abatement for Wiebke Produce, Inc. due to incorrect taxation on front footage. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the 2013 tax abatement on parcel #22.0015.001 in the amount of \$286.00.

Following discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to recess the regular meeting until the next scheduled appointment at 10:00 a.m.

The time being 10:00 a.m., the regular meeting reconvened with all members present.

Environmental Services Director Frank provided a brief history of the solid waste relationship between Houston and La Crosse Counties which has been ongoing since 1980. La Crosse County has established a regional approach to solid waste management in which Houston County participates. Nick Nichols is the La Crosse County Sustainability Coordinator, he was previously employed by Houston County. Mr. Nichols has been involved with managing several acres of woodland on the landfill. This acreage has undergone lumber harvesting and now the logging roads are being developed for hiking and biking. He also engages in sustainability practices on his own, involving a 6 acre hobby farm in the Town of Medary.

File No 7 - Mr. Nichols shared a PowerPoint Presentation highlighting the La Crosse County Sustainability Program. He explained the importance of establishing a baseline with indicators that may be measured so that it may be determined whether the desired changes are taking place. La Crosse County was awarded a sustainability grant which was utilized to install solar panels on the LEC and a county run healthcare facility and also a portion of the grant was utilized to assist Rotarty Lights in upgrading to LED lights for their annual winter display. He provided several graphs depicting various measurable indicators and how the program has impacted each. Mr. Nichols shared information related to the Landfill Gas to Energy Project. This is a project which captures methane gas created at the landfill, conditions the gas and pipes it to the Onalaska Campus of Gundersen Lutheran where a specialized generator is located and utilized the gas to generate energy to power the facility and uses the therms generated to aid in the heating of the facility. Gundersen Lutheran Onalaska Campus is the 1st facility located within the nation which is powered entirely from this sustainable fuel source. In addition, nearly all of their heating needs are met also.

Mr. Nichols discussed the Xcel Energy incinerator also. This facility generates enough electricity to power 10,000 average homes in the area.

In closing, Mr. Nichols shared information regarding tours which may be arranged to tour facilities such as the La Crosse Landfill, Xcel Energy's incinerator and Dynamic Recycling. In addition he can assist with information related to various educational opportunities available.

Environmental Services Director Frank indicated that Houston County is involved with a long term agreement with La Crosse County which extends to 2023. Mr. Nichols indicated that the first step in establishing a sustainability plan is to undergo an energy audit.

Commissioner Zmyewski reported that he expects to present Highway Department Building options via 3D during the next scheduled meeting. It was agreed that Engineer Pogodzinski should be present for this presentation.

Commissioner Kjome reported on a Planning Commission meeting which he attended.

Commissioner Zmyewski reported on a negotiation meeting which he attended.

Commissioner Storlie reported on CJCC, Wildcat Park and negotiation meetings which she attended recently.

Chairperson Walter reported on the Wildcat Park meeting which she attended.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to place on file the following items from the consent agenda:

File No. 8 – Correspondence from RRSWCD

There being no further business and the time being 10:47 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, March 4, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, March 4, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski & Moorhead; PHN Director Marchel; Betts Reedy; Sarah Wexler-Mann (videotaped the proceedings); Environmental Services Director Frank; Zoning Administrator Scanlan; Finance Director Lapham; Glenn Kruse; Jail Administrator Schiltz

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the agenda with amendments as discussed.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the February 25, 2014 meeting.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$78,475.05
Road & Bridge Fund	14,476.04

Total	\$92,951.09
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File No. 2 - PHN Director Marchel presented a Statement of Compliance for the Board's consideration. This statement will be required on an annual basis with regard to the County's operation of home health care services. Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the Statement of Compliance and to authorize the signature of Chairperson Walter.

File No. 3 – Discussion was held regarding a written request submitted by Semcac to allow the reallocation of Semcac RSVP appropriation funds to the Semcac Senior Dining

Program. Semcac was not awarded the 2014-2016 program grant for RSVP, so after 40 years of implementing the program Semcac will no longer be doing so. Catholic Charities was awarded the grant for this area. The Senior Dining program would benefit from the allocation of the funds. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to allow the reallocation of funds from the RSVP Program to the Senior Dining Program.

File No. 4 - Discussion was held regarding the removal and replacement of ash trees in the City of La Crescent along county highways. This has been an ongoing discussion in the City for approximately a year. Residents do have the option to take responsibility to treat and care for their trees. It was the consensus of the Board that they support this program of the City.

File No. 5 – Following discussion, motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to support maintaining current truck size and weight standards and to submit a letter to legislators in this regard.

Chairperson Walter indicated that there is a need to establish a frac sand ordinance study committee. She made the following committee member recommendations; SWCD District Manager Meiners; PHN Director Marchel; Engineer Pogodzinski; Environmental Services Director Frank; Zoning Administrator Scanlan; Commissioner Kjome; 2 members from the Planning Commission yet to be determined; and herself. Commissioner Zmyewski stated that he will attend the meetings to provide input since he was on the original study committee. Zoning Administrator Scanlan expressed concern that Commissioner Zmyewski's attendance would result in 3 commissioners being present and require open meeting publishing and recording of official minutes. Chairperson Walter shared the basis for her recommendations. AMC suggested that due to the fact that public hearings will be required as part of the entire process, the Chair of the County Board should be a member. Commissioner Kjome serves as the Board's representative on the Planning Commission which makes him an ideal candidate to foster open communication between the Planning Commission and the committee. Commissioner Zmyewski was adamant that he would be participating on the committee due to his background with the subject matter. Commissioner Kjome stated that Commissioner Zmyewski feels strongly about participating and that he would forego his seat on the committee so that Commissioner Zmyewski could take part. He expressed confidence that Chairperson Walter and Commissioner Zmyewski would keep the full board well informed of the study committee's progress. It was agreed that the membership of the committee would include the following individuals: SWCD District Manager Meiners; PHN Director Marchel; Engineer Pogodzinski; Environmental Services Director Frank; Zoning Administrator Scanlan; Chairpeson Walter; Commissioner Zmyewski and 2 members from the Planning Commission.

Commissioner Zmyewski recommended that Dan Griffin and Rich Shield be appointed to the frac sand ordinance study committee to represent the Planning Commission.

Commissioner Kjome reported on the department head meeting which he attended.

Commissioner Schuldt reported on the AMC legislative conference which he recently attended.

Commissioner Storlie reported on the AMC legislative conference which she attended.

Chairperson Walter reported on the department head meeting which she attended. She provided a reminder of the upcoming Association of County Township Officers business meeting which is scheduled for March 27th at 7:00 p.m. She commented on topics of recent discussion at meetings she has attended which include grant opportunities for individuals to become involved with beekeeping, information provided by the MN Horse Council with regard to the economic impact of the horse industry on Minnesota's economy and the exponential increase of unwanted horses resulting from current conditions and also courthouse security and how the Sheriff's Association is working with judges and courts regarding courthouse safety.

It was agreed that Commissioner Schuldt will attend the regular Association of County Township Officers meeting.

The March department head meeting will be held on the 18th instead of on the 25th. This will alleviate a scheduling conflict with the Joint Board of Health meeting scheduled for the 25th.

It was agreed to take a 5 minute break prior to discussing strategic planning.

The meeting reconvened following the 5 minute recess. It was agreed to reschedule the strategic planning session.

There being no further business and the time being 9:49 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, March 11, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, March 11, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski & Moorhead; Emergency Manager Kuhlers; Engineer Pogodzinski; Zoning Administrator Scanlan; Finance Director Lapham; Larry Gaustad; Randy Steinfeldt; Terry Botcher; Steve Zmyewski; Ken Tschumper; PHN Director Marchel; Health Educator Myhre; Robin Tschumper; Sarah Wexler-Mann (Videotaped the proceedings) Betts Reedy; Brian VanGorp; Joan Redig; Mike Fields; Eric Johnson; John Beckman; Chief Deputy Sheriff Yeiter; Kelley Stanage; Sheriff Ely; Jail Administrator Schiltz; Marilyn Frauenkron Bayer; Glenn Kruse; HR Director Arrick-Kruger; Environmental Services Director Frank; Yvonne Krogstad; Rick Howden; Mark Marcy, Region 1 Program Coordinator; Sheldon McElhiney; Ivan McElhiney; Dan Draskowski; Public Health Intern Katie Halbach; Listing of guests File A1

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to approve the agenda with amendments as discussed.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the March 4, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$87,785.40
Road & Bridge Fund	25,154.12

Total	\$112,939.52
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Betts Reedy, Money Creek Township resident, indicated that during a meeting held a year ago at which the present Board members were in attendance at, Jay Squires stated that Houston County could legally ban frac sand mining provided the county had good reason. She expressed

it was her understanding that it was the Board's intent to pursue a ban. She also indicated that Environmental Services Director Frank had stated that it would be easier for his office to enforce a ban. She expressed concern that a committee has been established to draft an industrial sand mining ordinance. She stated that she does not understand the situation or what has changed.

File No. 2 - Bryan VanGorp, Yucatan Township resident, read from a prepared statement which is on file.

File No. 3 - Ken Tschumper, La Crescent Township resident, read from a prepared statement which is on file.

File No. 4 - Marilyn Frauenkron Bayer, Houston Township resident, read from a prepared statement which is on file.

Kelley Stanage, Houston Township resident, spoke to clarify what services the EQB (Environmental Quality Board) would provide to local units of government. The EQB will provide reference material and sample ordinances. She cautioned that the sample ordinances have not been evaluated. The EQB will not be drafting a model ordinance. The EQB is providing materials only. As a result of last week's meeting, Ms. Stanage stated that Commissioner Zmyewski has attended more meetings with regard to frac sand than any other commissioner. In addition, he served on the previous study committee where he completed thorough research and provided new findings during meetings. She commended Commissioners Kjome and Zmyewski for staying true to their convictions.

Mike Fields, Winnebago Township resident, commented how Bob Scanlan was dismissed from serving on a previous frac sand study committee due to a perceived conflict of interest. He questioned whether there had been events which absolved that conflict. In addition, he questioned why, after County Attorney Hammell had recused herself from advising the Board with regard to frac sand issues, she was consulted recently with regard to the question whether the study groups meetings were subject to the open meeting law.

Terry Botcher, Houston Township resident, commented that he was disgusted that last week's meeting looked like a bullying session. He has heard it said that Commissioner Zmyewski is dedicated to his job, however, he feels that the rest of the commissioners are just as dedicated to their jobs and care just as much about the county's welfare. He does not think a bullying session is needed to accomplish something. Mr. Botcher stated that he also heard someone say that Commissioner Zmyewski does his research and wants to be on the study committee. But in doing his own research, Mr. Botcher has discovered that Commissioner Zmyewski attended only 8 out of the 21 frac committee meetings. He questioned if Commissioner Zmyewski is really so concerned, why didn't he attend more of the meetings? Mr. Botcher indicated that he has also heard Commissioner Zmyewski say that he has proof that Bob Scanlan doesn't want him on the frac sand committee. He also says he has proof there are things going on in the zoning office. Mr. Botcher stated that he would like to meet with Commissioner Zmyewski to see this "proof". He suggested that this be brought out in the open

and not just talked about. Commissioner Zmyewski stated that he would meet with Mr. Botcher following the meeting.

File No. 5 - PHN Director Marchel requested authorization to submit the Preconception Health in Minnesota Grant Program Grant Application. The grant application is a collaborative effort with Fillmore County. The Minnesota Department of Health will be awarding grants in the amount of \$65,000.00 over a 2 year period. The grant activities will focus on health promotion, risk identification, preventive and curative measures. The grant activities are embedded within activities that are completed in various areas of Public Health which include, but are not limited to, WIC clinics. Commissioner Schuldt clarified that Houston County already performs many of the activities and the grant will allow the County to receive reimbursement for those activities. PHN Director Marchel recognized both Health Educator Myhre and student intern, Katie Halbach who worked a significant amount in the preparation of the application. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to authorize the submission of the grant application and to adopt the following resolution:

RESOLUTION NO. 14-15

BE IT RESOLVED THAT:

1. Houston County Public Health can apply for the Preconception Health in Minnesota Grant Program from the Minnesota Department of Health.
2. Houston County Public Health can enter into a grant contract with the Minnesota Department of Health if the application is successful.
3. Houston County Board Chair is hereby authorized to execute contracts as required to implement the organization's participation in the Preconception Health in Minnesota Grant Program.

File No. 6 – Emergency Manager Kuhlers met with the Board to discuss the County's state of emergency preparedness. He distributed a map of rail lines in the state. The Bakken Oil Fields, located in North Dakota, have increased production from 200 to 300 thousand barrels per day to just under 1 million barrels per day. This crude is light weight with a high percentage of natural gas making it more volatile than certain other types of crude. Much of this crude is being transported via rail.

Emergency Manager Kuhlers reported that 97% of hazardous materials shipped by rail are arriving at their destinations safely. The oil transported out of the Bakken Oil Fields is not transported under pressure like some hazardous materials. There is currently federal legislation being discussed which would more highly regulate rail tanker cars. It was noted that certain new rail cars wear out in approximately 4 years due to the materials hauled. Trains that transport the crude from the Bakken Oil Fields are typically 110 cars in length. The trains transport the crude out of the fields and return with chemicals used in production. They move crude east and west

while pipelines are utilized to move crude products north and south. In addition to the rail line, which runs parallel with the Mississippi through Houston County, there is a natural gas pipeline.

In the event of a derailment and/or oil spill, local firefighters would be the primary responders with law enforcement assisting. Law enforcement would provide for public safety. Houston County is just as prepared as anywhere in the US to deal with a derailment and/or oil spill. Houston County has limited supplies in county to deal with a spill, however, we are networked with the region, state and neighboring state which provides us with access to everything that could possibly be needed. It would cost hundreds of thousands of dollars for a small county such as Houston to stockpile and have supplies available within county to deal with a spill. This is not feasible therefore we work with HSEM (Homeland Security/Emergency Management). HSEM has the resources and can respond within a few hours if necessary.

In the event of a derailment and/or oil spill the first priority would be public safety and the protection of life and property. There is a haz mat response team based in La Crosse, Wisconsin. There is also a team based in Rochester. Emergency Manager Kuhlers stated that there is a minimum 2 hour response time in the event we call for assistance.

Rail companies also have haz mat and clean up teams. In the event there was a derailment and/or oil spill in Houston County it is likely that the DNR, EPA, Fish and Game, and Coast Guard would all be involved because the rail line runs adjacent to the Mississippi River which are considered federal waters. Commissioner Schuldt questioned whether specific Board action is required at this time. Emergency Manager Kuhlers responded that he is simply informing the Board of the plan which is in place in Houston County and how the plan would work.

If an event occurred, he would work with the fire departments to identify what materials and/or equipment is needed to address the event and then he would place the calls for mutual aid to various agencies which may include HSEM or FEMA.

Mark Marcy, Regional Program Coordinator, was in attendance. Mr. Marcy is a firefighter. He indicated that efforts are underway to provide railway training in different agencies. Both FEMA and HSEM provide trainings periodically. For these trainings, instructors are brought in from outside the state. The trainings average between 8 and 16 hours and are typically offered on Saturdays to accommodate volunteer firefighters who may be employed full time.

Commissioner Kjome questioned where resources come from in the event Emergency Manager Kuhlers requests them. Mr. Marcy responded that it depends on the type of event and what is needed. If an event were to occur, Emergency Manager Kuhlers would support the jurisdiction in charge. Mr. Marcy would in turn provide support to Emergency Manager Kuhlers in the way of assisting to secure materials for containment or cleanup. There may be a need to ensure proper disaster declaration is made.

Houston County has 7 volunteer fire departments. Chief Deputy Sheriff Yeiter reported that, following the ethanol train derailment in Reno, the rail company brought in a mock train car for the fire departments to train with. This allowed firefighters to become familiar with the cars, valves and other features. The rail company established air monitoring in the area of the spill and the EPA (Environmental Protection Agency) contacts the rail company regarding the air quality and monitoring results. The rail company worked with local governments well and has a desire to protect.

Brownsville and La Crescent Fire Departments should have training to deal with train derailments and/or spills as they will be the first to respond and be the ones in charge of the situation. These departments are made up of volunteers. These volunteers sacrifice personal time and Saturdays to attend trainings.

Commissioner Zmyewski questioned whether Wisconsin would respond. The City of La Crescent has a mutual aid agreement with La Crosse. Sheriff Ely indicated that the county is fortunate not to be highly populated against the railroad. Commissioner Kjome questioned what the response would be in the event oil was leaking into the river. It is likely that within a couple of hours the rail company would have booms in the water to contain the spill and mitigate the spread of the oil.

There is legislation being considered which would result in assessments against the rail companies based on the amount/volume of product transport via rail. The funds collected would be used to assist local governments to respond to derailments and/or spills.

Engineer Pogodzinski indicated that Maintenance Foreman Molling was unable to be in attendance today therefore he would table discussion regarding the purchase of a John Deere Loader until next week.

File No. 7 - Engineer Pogodzinski reported that the Highway has budgeted to replace a 2006 Tahoe with 160,000 miles. This vehicle is driven, on average, 20,000 miles annually. It is used to travel to meetings, report to job sights and for viewing road damage or areas of concern. Recently the department replaced a pick up. At that time, Engineer Pogodzinski reviewed the State bid and worked with a local auto dealer to secure a bid from the local dealership. The state bid was significantly lower than that of the local dealership. In considering a vehicle for replacement he considered whether a smaller vehicle would suffice. The third row seating is utilized when multiple individuals travel to and from meetings or trainings and was beneficial when FEMA representatives were touring the county viewing flood damage. All-wheel drive and high clearance are necessary when visiting project sights and assessing storm damage. Engineer Pogodzinski stated that another option would have been the Suburban, however the added size would provide no additional benefit over the Yukon. The State bid amount is less than what was budgeted.

Commissioner Zmyewski questioned whether there is a need for a new SUV for the Highway Department. Engineer Pogodzinski indicated that there had been a significant amount

spent on the current vehicle for repairs. There continue to be some unresolved electrical issues with the vehicle. It is possible to delay the replacement of the current vehicle however, maintenance costs could be significant. Engineer Pogodzinski indicated that the reliability of the vehicle has come into question. The vehicle has been in the shop for repairs 4 times during the past 6 months. Commissioner Zmyewski suggested that the money for equipment purchases be set aside and designated towards the replacement of the Highway Department Building. He expressed concern that the County cannot afford new equipment and a new Highway Department Building. He encouraged a choice be made between replacing equipment or replacing the building. He stated that there is a need to prioritize spending which may require certain expenditures to be delayed. Commissioner Storlie stated that equipment repair costs are increasing at an alarming rate. She indicated that continually putting off the replacement of equipment costs more in repairs than what is saved. Commissioner Zmyewski expressed his expectation that purchases be made only when funds are available to cover the expense in cash. He does not support borrowing for equipment purchases or a new highway Department Building. He discussed certain financial items including \$600,000.00 which has been designated towards a new building and also the revenue being generated as a result of the wheelage tax. He shared his opinion that, with proper money management, there are funds available to pay cash for both items in due time. Commissioner Zmyewski expressed concern with not retaining adequate reserves. He further suggested that the multi-million dollar proposed Highway complex be scaled back to what can be afforded and paid for in cash and that equipment purchases should be delayed until the building has been paid for, or move forward with planned equipment purchases and delay the Highway Department Building. Chairperson Walter indicated that the equipment purchases have been budgeted. Currently, there are no approved building plans nor are costs estimates available. There are reserves which have been designated for use on the building and it is likely that there will be reductions to road projects.

Commissioner Schuldt commented that there is a need for reliable equipment. Chairperson Walter indicated that Commissioner Schuldt has been gathering information related to various Highway Department Building options. The equipment has been budgeted for. Commissioner Zmyewski reiterated that if the Board approves the equipment purchases it may be necessary to delay any action on a New Highway Department Building. He restated that he expects to maintain a 0% tax increase in the next budget cycle. Chairperson Walter indicated that a 0% tax increase is a good goal to work towards.

Commissioner Zmyewski clarified that the vehicle being requested is used by the County Engineer. He questioned where the vehicle is kept. Engineer Pogodzinski responded that the vehicle is kept at his home which allows him to travel various routes to and from work to check road conditions, and doing so reduces travel time to and from meetings since the majority of meetings are held north of the county. In addition, when several staff attend trainings they use it so that they are able to travel together in a single vehicle. Commissioner Zmyewski commented that the vehicle was a “personal” vehicle and that other employees do not have personal vehicles in which to travel to and from work. Commissioner Zmyewski requested justification for the purchase. He questioned whether there was a 2013 model available that would further reduce the cost. Engineer Pogodzinski expressed concern that this purchase exceeds the threshold where

bids are required. It would be difficult to maintain the integrity of the bid process if a used vehicle were considered as specifications would likely be different. Engineer Pogodzinski stated that the county engineer has permission to take the vehicle home. He indicated that when he first was employed with the county he did not take the vehicle home, however, he came to realize that he could save time and mileage by doing so when he considered how many meetings he attends north of the county, often in Rochester. He saves approximately 1.5 hours of travel time by leaving from his home versus if he would need to travel to Caledonia to get the vehicle he would be driving to the same meeting. Commissioner Zmyewski stated that employees receive mileage compensation for the use of their vehicles for work purposes. He questioned why the county engineer position is not subject to the same policy. It was stated that it is more expensive to reimburse for mileage than to utilize a county owned vehicle. Chairperson Walter indicated that it was her understanding that use of the vehicle is part of the agreement with the county engineer. Commissioner Zmyewski stated that, in his opinion, there is no need to provide individuals with personal vehicles to attend meetings and that the policy should be reviewed so that it applies equally to all department heads. Commissioner Storlie responded that departments have varying needs and responsibilities. She questioned whether a revised policy would prevent Sheriff's Department personnel from taking county owned vehicles home. Commissioner Zmyewski expressed his belief that there is a snowball effect with regard to spending. On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and carried with Commissioners Zmyewski and Kjome voting in the negative to authorize the purchase of a GMC Yukon off the State bid at an amount of \$35,841.30 plus tax, title, and license.

Commissioner Zmyewski suggested that the Board forego the Highway Department Building presentation until a budget for the building has been established and a funding source identified. Commissioner Storlie expressed her understanding that Commissioner Zmyewski had been working on a design to share with the Board. Commissioner Zmyewski stated that he only had the plans from the proposed \$5 million complex which he has input to his software however, there is no funding available to cover the cost of such a project. Members of the Board indicated that it was their belief that Commissioner Zmyewski had been working on a more cost effective proposal and questioned why he would have entered the old plan into his design software. Commissioner Zmyewski commented that the only option was the \$5 million complex. Commissioner Zmyewski stated that you need a budget before you start design. Engineer Pogodzinski stated that the proposed main building was priced using pre-cast concrete walls, the price could be reduced to \$2.4 million by using steel siding instead of the pre-cast. Commissioner Zmyewski stated that there needs to be a budget, the design should not start based on a "blank check". He insisted that a design cannot be developed without a budget. There is a committee which includes Commissioners Zmyewski and Schuldt which was to be gathering options and costs. Commissioner Zmyewski stated that he needs direction from the Board. The Board needs to set a limit so the committee knows what the financial constraints are so that they can prepare options which fit within the budget. This direction and the budget need to come from the Board before options can be presented. In addition, there needs to be a determination of where the building should be erected, at the current site or on the land which was purchased for the proposed complex. Commissioner Zmyewski stated that he recommended that the property

which had been purchased for the proposed complex be sold. Commissioner Zmyewski stated that there is a need to determine what is absolutely necessary, and there has been no direction from the Board in this regard. Any plan would be a “shot in the dark.” The committee was established to research and bring forward options and associated costs. The committee has not brought forth options, nor has the committee made recommendations as to location. Commissioner Schuldt indicated that there is a need to determine what is necessary, the basic footprint and the location. He questioned whether to build something that will serve the County for the next 60 years, or whether to build something that fits within the budget. Commissioner Zmyewski stated that you build something that is within the means of the County. Commissioner Schuldt stated that bonding rates are historically low, and there is a need to address the needs with regard to the Highway Department Building. The Board is not looking to build something fancy or extravagant. Commissioner Zmyewski stated that he does not support any option which would increase the tax burden on constituents. He stated that there is \$600,000.00 set aside for the Highway Department Building, an option would have been to utilize wheelage tax revenues in addition to the money already set aside, however, the Board has approved equipment expenditures and utilized the wheelage tax revenue to cover the expense of equipment. He questioned whether the Board wants to hold the line on taxes or not. Commissioner Kjome stated that he would like to have options such as steel versus concrete structure and the cost associated with each. Commissioner Zmyewski commented how those building new houses don’t design their homes without first having a budget or cap. He stated that the County needs to establish the budget or cap for the building and then the design work may begin. Auditor Meiners suggested that Commissioner Zmyewski share with the Board the plans which are entered to the design software so that they can begin to comprehend the process and what needs to take place to move the project forward.

At this time Commissioner Zmyewski presented a proposal which had been modified from the original plan. It does not include space for the surveyor and license center which were in the original plan that was drafted years ago. Also, it was fitted on the current highway department site. Commissioner Zmyewski reported that the current building is suffering from block deterioration and the maintenance bays no longer accommodate current equipment sizes. The current cold storage buildings are wood structure. Also included on the proposed plan being presented was a “hoop” building for salt storage. There are regulations regarding outdoor salt storage which are being taken into consideration in the plan being presented. Commissioner Zmyewski provided some background with regard to his work for others and the presentation today.

Eric Johnson questioned whether there has been discussion of closing the satellite shops which are scattered across the county. The satellite shops provide for quick response times. It may be possible to centrally locate equipment, however, this would increase response times. It would be inefficient not to maintain sand and salt treatment at the various satellite sites. Engineer Pogodzinski indicated that the satellite sites have been serving the County well. There has been consideration of moving the sign shop from its Hokah location to Caledonia. Engineer Pogodzinski expressed his belief that this could result in efficiencies.

Commissioner Zmyewski also shared a mockup of a proposal he had prepared which he believes would be quite cost effective. There was discussion regarding ponding area needs at the current site versus the land out by the school. Engineer Pogodzinski indicated that the new site would require a greater area for ponding where the required ponding area of the current site may be only ½ that of the alternate site.

File No. 8 – Zoning Administrator Scanlan reported on a conditional use permit which has been applied for. A similar request was denied in December. The owner revised the request and has submitted a new application for a maximum of 15 greenhouses. The owners have identified a different site than the original application. The site is better suited for the project having 4 to 8% slopes versus 12%. The owners would be required to come in as they expand for approval to add one or more greenhouses at a time. The greenhouses would be utilized to grow plants and vegetables utilizing fish in the operation. On the recommendation of the Planning Commission, motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve the issuance of the following Conditional Use Permits:

Ivan, Lois and Sheldon McElhiney – Mound Prairie Township –
Greenhouses

File No. 9 - On the recommendation of the Planning Commission, motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the issuance of the following Zoning Permits:

Roger and Lynda Meyer – Money Creek Township - Build house (60' x 30')
garage (30' x 40') porch (20' x 20') storage shed (24' x 10')

Scott DeWitt – Caledonia Township - Build house (30' x 58') garage (28' x
36') shed (52' x 80')

File No 10 - Zoning Administrator Scanlan reported that the feedlot program is funded through BWSR. Reports are prepared with regard to number of feedlots, inspections, complaints and follow up. Last year the County was awarded bonuses in the amount of \$9,000.00 for the work completed. Zoning Administrator Scanlan requested approval of the report and Work Plan. He reported that the feedlot office is busy this time of year with inspections with regard to manure spreading and runoff. The office wants to prevent manure from entering the waterways. During the spring thaw his office encourages solid manure pack versus spreading. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the 2014-2015 County Feedlot Program Work Plan and the 2013 Annual County Feedlot Officer and Performance Credit Report and authorize the signature of Chairperson Walter.

File No. 11 - Jail Administrator Schiltz reported that interviews for the vacant jailer/dispatcher positions have been conducted. Commissioner Zmyewski requested an explanation as to the vacancies. Jail Administrator Schiltz provided a history of how the vacancies came to be. On the recommendation of Jail Administrator Schiltz, motion was made by

Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to change the status of Samantha Hancock from 0.5 FTE to 1.0 FTE jailer/dispatcher and to change the status of Elissa Strobel from 67 day employee to 0.5 FTE jailer/dispatcher. Status changes are effective March 12, 2014 and both will remain at step 1 of the appropriate comparable worth band.

Rick Howden reported that Polly Heberlein, owner of The Pine Cone Place, has expressed interest in serving on the EDA and has been attending meetings. Ms. Heberlein is also involved with the Caledonia Chamber of Commerce. On the recommendation of the EDA Board, motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to appoint Polly Heberlein to the EDA Board for the term expiring 12/31/2014.

Finance Director Lapham provided information related to the current financial reports. She noted that the County has completed 17% of the year and that certain percentages are skewed because expenses such as membership dues are paid in the first quarter. In addition, January payroll numbers appear over, due to the month having 3 payroll periods. Overall, the reports appear to be in line with reports from the same time in previous years. Finance Director Lapham encouraged the Board to review their budget and alert her if they find anything that concerns them.

Finance Director Lapham reported that she recently completed a Standard & Poor's rating questionnaire and has been notified by their rating committee that the County's credit rating has increased slightly to AA stable from a prior rating of AA-.

Chairperson Walter announced that a meeting of the frac sand ordinance writing committee has been scheduled.

Commissioner Storlie expressed her desire to comment on the direction of the meeting held last week. She expressed concern that democracy was hard to identify during last week's meeting. There was bullying which took place, there was disrespect towards members of the Board and the Board Chair. At the time, she did not speak up in this regard. She admitted that she should have spoken up to stop the bullying. After reflection, she chose to prepare this statement to address her concerns regarding the conduct. Bullying has no place in County Board meetings and should not be tolerated. She explained how, with regard to the frac sand ordinance, the study committee has no decision making authority, it will draft an ordinance and make a recommendation to the Board, public hearings regarding the proposed ordinance will be held, the ordinance will need the approval of both the Planning Commission and the County Board. There will be adequate time and opportunity for the public to have input. With that being said, motion was made by Commissioner Storlie to appoint Chairperson Walter and Commissioner Kjome to serve on the ordinance writing committee. In the event Commissioner Kjome does not desire to serve on the committee, she would like to amend her motion to include Commissioner Schuldt. Commissioner Zmyewski stated that "this" is only a glimpse of what's been going on. He expressed agreement that there are issues with bullying, it is Commissioner Kjome and himself who have been bullied. He wished that someone like Commissioner Storlie had come to their aid.

He indicated that Commissioner Storlie once yelled at a member of the audience for not standing during the Pledge of Allegiance. Commissioner Zmyewski stated that he would stand up for himself. He reiterated that he has spent time researching the potential impacts of frac sand mining in the County, and the proposed mines are located within the district which he represents. He expressed his belief that he is well suited to participate on the ordinance writing committee. Until recently, Commissioner Zmyewski indicated it was his belief that there was support for a ban or tight regulation of frac sand mining. He spoke with Chairperson Walter on various occasions and was under the impression that he would be nominated to serve on the committee until she recently changed her mind and nominated Commissioner Kjome and herself. Commissioner Zmyewski stated that he freed up his schedule in order to commit the necessary time to serve on the frac sand committee and the Highway Department Building committee. Chairperson Walter stated that she didn't inform anyone of her final thoughts regarding who to nominate to the frac sand committee. Commissioner Zmyewski interjected that he appreciated her thoughts but the floor was his and he would complete his comments. Commissioner Zmyewski was taken aback at the change in nominations to the committee and claimed he was "blindsided". He commented that being Chairperson does not qualify one as an expert. He questioned why, when he has put in so much time regarding the topic, the Board would not want him nominated to the committee to share his expertise. The Board has maintained that they want expert data and information and it seems to go against that to exclude him and his expertise from serving on the committee. Commissioner Zmyewski felt there is no good excuse why he was not nominated immediately to the committee. Commissioner Storlie stated that there is no coup. Kelley Stanage blurted out that both Commissioner Storlie and Chairperson Walter were bullying and interrupting Commissioner Zmyewski. She pointed out that Eric Johnson had been allowed to speak out of turn and she should be allowed to speak also. Commissioner Zmyewski accused Commissioner Storlie and others of campaigning to keep him from serving on the frac sand study committee. He again stated that he fails to understand why the Board is overriding the one person with knowledge and who is vested in the issue from serving on the committee. He stated that there are other things playing a part in all of this. He encouraged Commissioner Storlie to go read the files that are in the Human Resources Department as they are disturbing. He stated that he does not feel the need to defend himself often but will if there is a need. He feels the need to defend himself now. He stated that he and past Commissioner and Chairperson Jack Miller are great friends, and that they recently had breakfast together. He claimed that inaccurate information is being shared in an attempt to portray things that haven't happened. Commissioner Zmyewski stated that his actions were not out of line. He admitted that he was agitated and irritated however, he along with the constituents he represents, were wronged by the attempt to deny him a seat on the frac sand study committee and he was standing up for his constituents. He stated that he is standing up for himself against the bullying.

Commissioner Storlie stated that Commissioner Zmyewski's personality creates barriers in working collaboratively. There is no place in a group for bullying and overpowering. She stated that she is tired of being falsely accused of things during public meetings. Chairperson Walter stated that she did not discuss her decisions with anyone other than the AMC representative. She took time to discern and made her position known during last week's meeting when she made the nominations. Her decision was based upon the fact that Commissioner

Kjome serves on the Planning Commission and on the recommendation from AMC taking into consideration that she, as Chairperson, will be responsible to conduct the public hearings which will be required prior to adopting the ordinance.

Commissioner Zmyewski questioned where the democracy was when Chairperson Walter made a determination with regard to who would serve on the frac sand study committee. Chairperson Walter stated that it was the Board's decision, she made a recommendation and discussion was welcome. Commissioner Kjome commented that the current proposed mines are located within Commissioner Zmyewski's district. Commissioner Zmyewski again brought up that it was interesting that all the mines are in his district, yet he wasn't nominated to serve on the frac sand committee. He also stated that Commissioner Storlie enjoys vilifying him. Commissioner Zmyewski went on to state that someone has been kicked off the committee twice and again that individual has been nominated to serve on the committee. This issue hasn't been discussed yet. He expressed disagreement that his stance and assertion of position is simply that. It is accusations that are tainting the water. He repeated to Commissioner Storlie that she should go read the documents kept in the Human Resources Office as they are very disturbing. Commissioner Schuldt suggested that the meeting move on to the next agenda item.

Environmental Services Director Frank stated that discussion was held approximately 3 weeks ago regarding potential litigation related to a mine. Since then, new information has been provided regarding that mine. The information has been forwarded to the County's land use attorney, Jay Squires and State agencies for feedback. Environmental Services Director Frank stated that he awaits their responses. He will work with the County Attorney Hammell if/when necessary. He expects to bring the matter to the Board soon. There is a permit, which is on hold and has the potential to be controversial. Therefore, Environmental Services Director Frank wants to ensure that the County has been advised and proceeds appropriately. He also wants to ensure that the Board understand implications and legal requirements. It was agreed that Jay Squires should be present when discussion is held. Environmental Services Director Frank advised the Board that it is likely that the permit will move forward, time is critical, failure to take action will result in automatic approval. Any action taken needs to happen within the procedural time constraints. It will go before the Planning Commission prior to coming before the Board. Environmental Services Director Frank wants to be certain that the County follows proper and legal procedures throughout the entire process. It was agreed that Environmental Services Director Frank will continue to work with Jay Squires and schedule Mr. Squires to be present when it is discussed with the Board. Craig Moorhead requested clarification as to which mine was being discussed, and it was confirmed that the Erickson Quarry is the subject mine.

Commissioner Zmyewski stated that there are issues with the importing of oats, wheat and rye out of Canada due to the rail lines being congested by the increased transportation of crude oil products. This is adversely impacting commodity pricing. Commissioner Schuldt commented that the Bakken Oil Fields have increased from 5,000 oil wells to 50,000 with the expectation that they will continue to increase until there are 150,000 oil wells. It was noted that Baker Hughes Company tracks oil wells both in production and dormant. Commissioner

Zmyewski reported that the United States now produces more natural gas than Russia and that legislation is being considered that would allow for it to be exported.

File No. 12 - It was agreed to forward the information regarding the acquisition of 1 acre of property in Jefferson Township to the Township Board. The County Board is unopposed to the acquisition.

Commissioner Storlie reported that IS Director Milde is prepared to provide additional training to the Board on the tablets. This training will be scheduled following appointments at the next Board meeting. Questions or topics for discussion may be sent to IS Director Milde prior to the training.

Commissioner Kjome reported on EDA and an ordinance study group meeting which he has attended recently.

Commissioner Zmyewski listed two incidents where he believed Commissioner Storlie had not exercised good judgment, one being when she admonished Bruce Kuehmichel for failing to stand during the Pledge of Allegiance and the other when she hit the panic button during discussion with Dale Omodt and Lucille Omodt Crow following a meeting.

Commissioner Schuldt reported on Semcac and Association of County Township Officers meetings which he attended.

Commissioner Storlie reported on the EDA and Tourism meetings which she has attended. During the EDA meeting, Mr. Vogel discussed ideas of how to utilize the Historic Jail. An idea that has come forward is to allow the County 4H groups to host a haunted house. This is a countywide group that is continually searching for fundraising opportunities. In addition, the group carries liability insurance for its events. It may be possible to host the event during the Hot Air Balloon Rally which may boost participation. Other inventive ideas for the utilization of the Historic Jail are still being looked for. Commissioner Storlie has had the suggestion that a written history of the Historic Jail would be beneficial. There are still locals with connections to the structure who could be interviewed and provide insight for the book.

The EDA Summit has been scheduled for May 8th and will be hosted at Corky's in La Crescent. Don Weber will be the keynote speaker.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to place on file the following items from the consent agenda:

File No. 13 – Correspondence to Senator Miller regarding truck size and weight standards

File No. 14 – Correspondence to Semcac regarding approval to reallocate appropriation

File No. 15 – Response from Representative Davids regarding resolution 14-14

File No. 16 – Purchase of Service Agreement with Anoka Metro Regional Treatment Services for case manager

File No. 17 – Tons delivered to Xcel

There being no further business and the time being 11:28 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, March 18, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, March 18, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski & Moorhead; Finance Director Lapham; Engineer Pogodzinski; Ron Meiners; VSO Gross; IS Director Milde; Tim Lange; Julie Lange; Mike Fields; Bruce Kuehmichel; Donna Buckbee; Sarah Wexler-Mann (videotaped the proceedings); Glenn Kruse; Gary Buxengard; Maintenance Foreman Molling; Zoning Administrator Scanlan; Environmental Services Director Frank; Steve Lawler; Michelle Massman; HS Director Bahr; Financial Services Supervisor Kohlmeyer; Social Services Supervisor Hunter; Ted Hanson; Sheriff Ely

Presiding: Teresa Walter, Chairperson

Call to order.

Chairperson Walter announced that this meeting would be conducted in an orderly fashion and that no outbursts would be tolerated.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the agenda.

Motion was made by Commissioner Schuldt seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the March 11, 2014 meeting. Discussion was held regarding a motion which had been made during last week's meeting which failed for lack of a second.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$145,376.35
Road & Bridge Fund	56,557.29

Total	\$201,933.64
	=====

Gary Buxengard, Wilmington Township resident, questioned why Wilmington Township residents are required to pay the township for chloride applied to roadways for dust control. He indicated that the County applies chloride and does not charge residents. He expressed concern that the County applies chloride in areas where, in Mr. Buxengard's opinion, the application is wasteful. He provided various examples of this. He stated that township residents pay taxes and expressed concern that the chloride is not provided free of charge. Chairperson Walter stated that public comment period is not a time for the Board to respond, however, she indicated that she would check into this and get back to Mr. Buxengard at a later time.

File No. 2 - Donna Buckbee, Yucatan Township resident, read from a prepared statement which is on file.

Mike Fields, Winnebago Township resident, stated that charges of bullying came up during the last meeting of the Board. He defined bullying as a "power imbalance". He stated that he felt bullied after being involved in a costly legal dispute with the County. He indicated that Commissioners are being threatened with legal action and questioned whether they would stand up to this or not. He stated that the local library has a book on the history of Houston County. He questioned how the members of the Board would be portrayed in the History of Houston County Volume 2, and whether the book will reflect them as a profile in courage or a profile in caving.

File No. 3 – Engineer Pogodzinski reported on C.P. 2013-02 which has been completed. Fahrner Asphalt Sealers LLC completed the project which included the sealcoating of a couple dozen miles of roadway. He stated that the total bid amount was \$423,521.67 and that the total costs are \$384,884.29. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adopt the following:

RESOLUTION NO. 14-16

WHEREAS, C.P. 2013-02 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 4 - Engineer Pogodzinski reported that the Highway Department is interested in purchasing a John Deere Compact skid steer. The State bid and a bid provided by SEMA Equipment have been reviewed. The SEMA Equipment bid is lower than the State bid.

Maintenance Foreman Molling explained how the department utilizes the current wheeled skid steer. The rubber tired version of the machine is used when sweeping bridge decks while steel tracks are put on when the machine is used by the pipe crew. The pipe crew has such a full schedule that the machine is seldom available to complete other projects. The steel tracks

are hard on the tires causing them to spin on the rims, and action to reduce the spinning has resulted in numerous flats. The department has had to replace 8 tires and rims as a result of damage caused by the steel tracks. The steel tracks take between 2 and 3 hours to put on. Commissioner Schuldt commented that wheeled skid steers are very different from track machines. Engineer Pogodzinski indicated that the county beds pipes deep, and the track machine will spread the pounds per square inch out over a much larger area when compared to the wheeled machine or the wheeled machine utilizing steel tracks. Maintenance Foreman Molling indicated that the wheeled skid steer is also utilized as a forklift for unloading supplies such as an order of cutting edges. Commissioner Kjome stated that he has taken time to speak with members of the Highway Department regarding this request. He learned that projects he believed were completed by contractors as part of large bids were in fact completed by Highway Department crews. Maintenance Foreman Molling stated that both the wheeled skid steer and track machine are needed. The track machine and bulldozer are not utilized during winter months and are stored. Commissioner Zmyewski stated that recently over \$430,000.00 has been expended on equipment, and he shared how much taxes have increased over time. Commissioner Kjome confirmed with Engineer Pogodzinski that this track machine has been budgeted for. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and carried with Commission Zmyewski voting in the negative to authorize the purchase of a John Deere 333E Compact Track Loader from SEMA Equipment in the amount of \$72,051.40.

File No. 5 - Ron Meiners, Soil and Water Conservation District Manager, provided an update related to the "One Watershed One Plan" project. Currently watershed plans are developed within a county to address a particular watershed. There may be multiple watersheds within a county which results in multiple plans. In addition, a single watershed may traverse multiple counties resulting in multiple plans for a single watershed. The State is currently offering grant funding for up to 3 watersheds to develop a single plan across political boundaries. Mr. Meiners stated that RRSWCD is interested in participating in this pilot project. Members of the organization believe it is better to be involved immediately and provide input as opposed to being handed information after the fact. Local input is valuable. He hopes that the Board will support RRSWCD in this regard. The greatest portion of the Root River Watershed lies within Fillmore County with 46% of the land base, making them an obvious choice to apply to be a pilot watershed. The SWCD in Houston County is prepared to make application in the event Fillmore County does not due to the importance of being involved in this pilot project. When application is made, letters of support are expected to have a significant impact. As stated earlier, there are grant funds available to support the pilot project. If the project is successful, the State may enact requirements and funding may or may not be available to come into compliance in the event requirements or mandates are enacted.

Mr. Meiners reported that Donna Rasmussen of Fillmore County has made a verbal commitment to make application. Commissioner Storlie stated that she would support either Fillmore County or Houston County's SWCD in making application to be a pilot. Commissioner Schuldt expressed his agreement.

Mr. Meiners indicated that in Houston County there are several watersheds including Root River, Bee/Duck, Crooked Creek and Winnebago. If desired, the plans for these watersheds could be incorporated with the plan for the Root River Watershed.

The Root River Watershed is 65+ miles in length, and encompasses three quarters of a million acres. In the event it is selected for the pilot it may result in greater bargaining power with legislators for clean water legacy grant funding and a more aggressive implementation plan. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to support the application process and authorize Chairperson Walter to sign necessary letters of support and or applications.

This project will streamline watershed planning. Watershed plans are required to be reviewed once every 5 years. In County's with multiple watersheds and plans, the review process depletes staff's time to implement the plans. Steve Lawler indicated that the project should result in a streamlined process reducing the number of plans and freeing up staff time for implementation instead of review and revision.

Chairperson Walter reported that HR Director Arrick-Kruger has requested a delay regarding her scheduled board appointment until next week.

File No. 6 - Veterans Service Officer Gross recommended accepting a grant in the amount of \$10,000.00. The grant will be utilized for reintegration and outreach, and does not require matching funds. VSO Gross indicated that the grant has been accepted annually over the past several years. He was pleased to report that the funding amount has increased and the grant is projected to remain annual in the future. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the Grant Contract with the Minnesota Department of Veterans Affairs and to adopt the following resolution:

RESOLUTION NO. 14-17

BE IT RESOLVED by the Houston County Board of Commissioners that the County enter into the attached **Grant Contract** with the Minnesota Department of Veterans Affairs (MDVA) to conduct the following Program: **County Veterans Service Office Enhancement Grant Program**. The grant must be used to provide outreach to the county's veterans; to assist in the reintegration of combat veterans into society; to collaborate with other social service agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans; to reduce homelessness among veterans; and to enhance the operations of the county veterans service office, as specified in Minnesota Laws Chapter 142 Article 4. This Grant should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED by the Houston County Board of Commissioners that Teresa Walter, the Board Chair, and Rob Gross, the County Veterans Service Officer, be

authorized to execute the attached Grant Contract for the above-mentioned Program on behalf of the County.

WHEREUPON the above resolution was adopted at a regular meeting of the County Board of Commissioners this eighteenth day of March, 2014.

File No. 7 - IS Director Milde reported on a proposal to set up video recording in the Commissioner's Room. He explained the various hardware required. The system will be kept simple. It will be quick and easy to operate throughout each Board meeting. IS Director Milde indicated that he had put together costs for the department to set up the system and his cost estimates exceed those submitted by Ace Communications. He expressed his belief that the quote provided by Ace Communications is cost effective. Commissioner Storlie stated that she has been a proponent of video recording Board meetings since she was elected. She believes that it will provide transparency. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and carried with Commissioner Kjome voting in the negative to accept the quote provided by Ace Communications in the amount of \$5,888.55.

HS Director Bahr stated that HS staff will be participating in a quarterly all staff meeting on Thursday. Each unit has developed a mission statement to reflect who is served, why units are here and what each unit's goals are. The all staff meeting will focus on utilizing the unit statements for formulate a mission statement for the department as a whole. This will provide a unified goal. The mission statement will be utilized to provide direction and a common goal.

The State Legislature is currently planning an "un-session." The goal of the session is to improve things and reduce red tape which bogs down progress. HS Director Bahr reported that items being considered during the un-session are the repeal of legislation subjecting MFIP recipients to random drug testing, legislation to allow for MA benefits to cover the cost of detox and legislation to make foster homes and vehicles used to transport foster children smoke free. Currently the cost of detox is born by the County who may seek reimbursement from the recipient of those services. Secondhand smoke has been linked to a possible increase in the likelihood of SIDS, increased asthma attacks and ear infections. In addition, there is renewed energy to simplifying HS and the eligibility process for income maintenance programs and the modernization of those programs. Sliding Fee Child Care is a difficult program to manage and the State is considering taking over its administration which HS Director Bahr favors. Consideration is being given to suspending the Diversionary Work Program and reallocating resources for that program to other more effective programs. There are also changes to the SNAP program being considered.

HS Director Bahr reported that Houston and Olmsted Counties remain involved with the Region X quality assurance program. This program is intended to establish quality standards for the waiver program across the Region X area.

Commissioner Storlie questioned when un-session would be taking place and when votes on the various items discussed would be taking place. HS Director Bahr responded that there are not dates available as to when the various items would be voted on. She anticipates that they will take place in the next 30 to 45 days.

Social Services Supervisor Hunter stated that during the last update he spoke extensively regarding child protection. He reported that during this meeting he will be providing an update regarding adult mental health. Recently there have been 30 intakes for chemical dependency, 20 of which were opened here, with the balance being private medical insurance referrals. He stated that the cost for chemical dependency (CD) assessments has increased from \$65.00 to \$175.00 per assessment. A CD assessment is required prior to making a CD commitment.

Roger Schwab will be providing a free training in April on proper protocol and how to process commitments for social workers.

Many individuals with chemical dependency have a dual diagnosis related to mental health. Adult mental health caseloads are averaging upper 20's to low 30's per worker. Many services for chemically dependent and adult mental health clients are managed and made available on a regional level. CREST funds are utilized for these services. There have been ongoing concerns related to the continued lack of prescribers in the region. Housing is another area of concern for the region. These are gaps in services which increase inefficiency. The region is looking into having a gap analysis completed. With regard to prescribers, the region is going to colleges, considering tuition reimbursement in exchange for a commitment to providing a service over a given period, telemedicine to perform necessary diagnostics among other things in an attempt to be able to provide necessary services where they are needed.

Social Services Supervisor Hunter reported that work continues on the crisis response project. This project will eventually provide outreach, a centralized mental health crisis call center, and mobile crisis units for response to identified hub areas. There are \$150,000.00 designated to get the project up and running and an additional \$220,000.00 to sustain the program. The project has a goal of making the crisis call center operational by June 30th, and to make the mobile response teams a reality by year end. The project continues to move forward quickly.

Social Services Supervisor Hunter stated that he has toured the Minnesota adult and teen challenge facility located in Rochester.

Commissioner Storlie questioned how legislation making foster homes and vehicles smoke free may impact Houston County's number of foster families. Social Services Supervisor Hunter responded that it is possible that we may lose a couple foster families if the legislation is passed. Houston County has struggled with maintaining an adequate number of foster home options. However, Carolyn Olson has been working diligently on outreach, orientation, etc. and hopefully the impact will be minimal.

Financial Services Supervisor Kohlmeyer reported that the child support unit will be in Winona for an EDMS kick off meeting and demo. Staff will be able to speak with Winona County staff counterparts and the timeline for implementation will be available. The child support unit is not as involved as financial workers which should result in a smooth transition. Child support is working with the County Attorney's Office and IT due to the fact that their cases go through the court system. In addition to the migration to EDMS, there are State reviews taking place related to child support. The State recently completed a self-assessment. There are circumstances when child support cases may be closed and a corrective action plan is expected. DHS completes a review of cases once every four years for cases which have gone through the judicial district. There were no cases from our district chosen for this review. Financial Services Supervisor Kohlmeyer indicated that MN Sure is impacting both the child support and financial units. There is no clear understanding of how it is impacting the child support unit at this time and the impacts will likely remain unknown until MN Sure has stabilized.

Financial Services Supervisor Kohlmeyer stated that the deadline to sign-up with MN Sure is March 31st. The financial assistance unit has had to pull staff from other areas to assist. Cases get "caught up" in the MN Sure system and a worker is required to go in and manually move the case through the process. This has significantly increased workloads. The unit continues to push enrollment. A navigator has been onsite in the county and is scheduled to return on the 27, 28, and 29th of the month. She expressed appreciation to the local libraries and media for helping to get the word out.

Financial Services Supervisor Kohlmeyer reported that EDMS has been fully operational in the financial worker unit. However, it does not interface with MN Sure. There is a meeting scheduled for Friday to discuss a possible solution, until then, the unit will continue to use and maintain certain paper records. The simplification of things doesn't always result in making things easier.

Financial Services Supervisor Kohlmeyer stated that the department anticipates changes to all systems within the next 3 years and is prepared to deal with the changes as they arise.

HS Director Bahr reported on one additional item. Resiliency training will be offered on-site. The training will be offered during multiple sessions on June 19th. The first session will be specifically for HS Department staff, 2 sessions will be offered to any interested county staff and the final session will be open to commissioners, department heads, and supervisors. These individuals are encouraged to attend one of two sessions open to all county staff as the final session will build upon information presented in the other sessions. Jeff Krause will be the presenter. He will be offering the training in Fillmore County the day before and expects to offer it at all counties in the State over the next 2 years. The training will take place in the large meeting room of the CJC and will last approximately an hour each. More information will be provided as the training date nears.

Chairperson Walter provided a reminder of the EQB meeting scheduled in Rochester from 1:00 p.m. to 4:00 p.m. at the government center. The group will meet concerning the final vote to approve the handbook to local governments.

Sarah Wexler-Mann questioned whether the Planning Commission members to be appointed to the frac sand ordinance writing group have been appointed. It was noted that Dan Griffin and Glenn Kruse have been assigned to serve on said committee.

Chairperson Walter indicated that Winona County has again extended an invitation to hold discussion with Houston and or Fillmore Counties regarding possible areas in which the group could collaborate. It was the consensus of the Board to participate in discussions. It is expected that discussion may take place at the next AMC District meeting.

File No. 8 – Following discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adopt the following:

RESOLUTION NO. 14-18

BE IT RESOLVED that the Houston County Board of Commissioners does hereby approve the Minnesota Lawful Gambling Application for Exempt Permit on behalf of Ability Building Center for gambling activities to be conducted at Wildcat Landing & Campground in Brownsville Township, on August 9, 2014, with no waiting period.

Commissioner Kjome reported that he has discussed Gary Buxengard's concerns related to the application of chloride for dust control with Engineer Pogodzinski and members of the Wilmington Township Board. Chloride application to township roadways and the cost associated are township concerns. Mr. Buxengard needs to speak with the Town Board regarding his concerns.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to recess the meeting for a period of 5 minutes.

The meeting reconvened.

Commissioner Kjome reported on the ordinance revision study committee meeting. He stated that there was good discussion with regard to several topics with progress made. The members of this group exhibit real dedication.

Commissioner Storlie reported on the Southern MN Tourism meeting which she attended.

Chairperson Walter reported that she recently attended the La Crescent Township annual meeting.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 9 – Correspondence to payroll regarding changes to employment status

File No. 10 - Correspondence to Polly Heberlein regarding appointment to EDA Board

There being no further business and the time being 10:13 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, March 25, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, March 25, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski & Moorhead; HR Director Arrick-Kruger; Finance Director Lapham; Bryan VanGorp; Sarah Wexler-Mann (videotaped the proceedings); Kelley Stanage; Donna Buckbee; Bruce Kuehmichel; David Williams; Heidi Carpenter; Jail Administrator Schiltz; Engineer Pogodzinski; Environmental Services Director Frank; Glenn Kruse; PHN Director Marchel; Social Services Supervisor Hunter; Mike Fields; Ervin Barth; Chief Deputy Sheriff Yeiter

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the March 18, 2014 meeting.

File No. 1 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$40,130.74
Road & Bridge Fund	53,677.94

Total	\$93,808.68
	=====

David Williams, land use planning consultant working with those opposed to silica sand mining, stated that he wrote the Fillmore County Ordinance related to silica sand mining. He expressed his opinion that the Houston County Board of Commissioners has been mis-informed by staff regarding its obligation as it relates to the Tracie Erickson conditional use permit request. He reminded the Board that the Erickson mine is subject to the authority of the EQB as

part of the Minnesota Sands EIS. He provided his interpretation of the law regarding the permit application submitted by Tracie Erickson and questioned the appropriateness of Environmental Services Director Frank providing assistance to Mr. Erickson in his attempt to dissolve his relationship with Minnesota Sands. He suggested that the County's Land Use Attorney, Jay Squires advise the Board in this regard instead of staff.

File No. 2 - Donna Buckbee, Yucatan Township resident, highlighted information which was e-mailed by Bryan VanGorp to members of the Board, a copy of which is on file. She shared her interpretation of Judge Terrance Walter's decision with regard to the Erickson mine site.

Bryan VanGorp questioned whether the Board has had enough of being manipulated with regard to the Erickson Mine. He expressed his belief that both the Zoning Administrator and Mr. Erickson, the mine owner, were aware that the mine was operating under an invalid permit. He indicated that the permit had been, at some point in time, denied and that Mr. Erickson had violated the conditions of the permit on 4 occasions. He stated that there are witnesses and documentation to support this assertion. He expressed his understanding that the County Board is not the regulatory governing unit and that they should deny the permit request of Mr. Erickson and put an end to the charade.

Ken Tschumper, La Crescent Township resident, reiterated and expressed his agreement with regard to information shared previously with regard to the Erickson Mine. He expressed his opinion that there have been mis-interpretations on the part of the Zoning Administrator and the situation continues to escalate. He provided an example of a mine, located in Winona County, which was operating under the pretense that it was providing sand for agricultural use/livestock bedding. Mr. Tschumper claims that the mining operations were investigated and the sand was being loaded onto rail cars and wasn't being utilized for ag purposes as claimed. He speculated that the Erickson Mine would be the same. Mr. Tschumper expressed his opposition to frac sand mining in Houston County. He stated that the Board needs to enact a sound policy without input from the Zoning Office. He encouraged the Board to deny any extension on the Erickson mine permit.

Kelley Stanage, Houston Township resident, commended Chairperson Walter for her attendance at the recent EQB meeting. She stated that during the meeting, a lobbyist representing the MN Sand Council acknowledged that prohibition of frac sand mining is option to local units of government. She stated that she is attempting to find the video clip of this statement. In addition, she hopes that those in attendance took note that Florence Township implemented an ordinance which bans frac sand mining and, to date, the township has not been subject to any legal proceedings challenging this.

File No. 3 - Heidi Carpenter made an appeal to the Board regarding debt collection. A copy of information provided by her has been placed on file.

File No. 4 - HR Director Arrick-Kruger met with the Board to discuss staffing recommendations to fill various vacancies. The hiring committee has identified 2 candidates and will continue to search for a third to fill vacancies in the Human Services Department. Social Services Supervisor Hunter reported that Lisa Arneson brings with her 16 years of experience working with adults in areas of disability and also chemical dependency. She worked for the county previously. She has progressed throughout her career. Malika Eisberner will bring with her a perspective from the provider of services side which will be beneficial to her position. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to hire Lisa Arneson at step 4 of the appropriate comparable worth band effective April 8, 2014 and to hire Malika Eisberner at step 1 of the appropriate comparable worth band effective April 21, 2014 with both hires subject to the successful completion of background check.

File No. 5 - Chief Deputy Sheriff Yeiter reported that the river season is upon us and he has been working with HR Director Arrick-Kruger to hire a roster of individuals to provide coverage for boat patrol. In addition to boat patrol duties, Chief Deputy Sheriff Yeiter indicated that the individuals may also be used to provide coverage for road deputies as they are all licensed peace officers. Following discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to hire Robert Schuldt, Mike Ernster; Rod Humble, David Breault; and Tyler Heiden as 67 day employees to assist as discussed.

Chief Deputy Sheriff Yeiter stated that he would return to the Board next week for acceptance of the Annual County Boat and Water Safety Grant Agreement. He indicated that the grants cover the cost of the boat patrol. The State Grant is in the amount of \$6,685.00 and the Federal Grant is in the amount of \$5,000.00. When asked about the number of staff assigned to boat patrol he responded that typically only a single individual is scheduled due to funding limitations however, Houston County Boat Patrol works with both the DNR and also the Federal Refuge Officer who sometimes join them on shifts. The majority of work performed by the boat patrol is assistance to boaters with mechanical failures and educating boaters. Boat patrol issues many warnings and few tickets.

File No. 6 - HR Director Arrick-Kruger along with Rick Howden recommended approval of a renewal of the Professional Services Agreement with CEDA. The renewal includes a price adjustment of 2%. HR Director Arrick-Kruger stated that Rick Howden, CEDA staff, has been energetic, cost effective and does a very good job. His efforts have contributed to the County having been awarded a grant in the amount of \$10,000.00 in addition to the issuance of 2 revolving loans. In addition, Mr. Howden is currently working with a local business to secure a loan from DEED which will provide for \$200,000.00 in business expansion within Houston County. HR director Arrick-Kruger reported that Mr. Howden has been instrumental in ushering the Capital Bonding Request through the legislative channels. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the Professional Services Agreement with CEDA to expire December 31, 2014.

Commissioner Zmyewski reported that the initial frac sand ordinance writing committee meeting went well. The committee discussed how the committee will conduct its business, the format, the process of reaching consensus, and the committee's desire to have notes taken so that they have a record to refer back to and also to have an outside meeting facilitator to ensure the committee remains on track. The committee has a desire to have Naomi Fruechte facilitate the meetings and it was agreed that Environmental Services Director Frank would speak with her in this regard. The committee has a list of maps depicting various topographical features that it would like to secure from GIS Coordinator Krzoska. The committee agreed that it would enlist the assistance of professionals when necessary to resolve differences and gain consensus and that recommendations coming out of committee would be based on scientific data. The membership agreed to utilize the EQB document and also documents from neighboring counties.

Commissioner Zmyewski reported that it was the consensus of the committee that a parallel committee be established to further explore the option and/or formulate language to ban frac sand mining. Commissioner Schuldt questioned whether the current committee could perform this task. Commissioner Kjome indicated that there is a need to work on the ordinance and that the committee should focus on this to ensure we have a strong ordinance enacted prior to the expiration of the moratorium. Chairperson Walter expressed agreement that the meeting was productive. She expressed a desire to table discussion regarding establishing a second committee at this time. She suggested that the idea be presented to Jay Squires for his opinion on the second committee and also further discussion on the membership of the committee. Mr. Squires has been previously directed by the Board to further research the possibility of implementing a ban on frac sand mining. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome to establish a committee to pursue banning language. A roll call vote was taken: District 1 – no; District 2 – yes; District 3 – yes; District 4 – no; District 5 – yes. The motion carried.

File No. 7 – Auditor Meiners reported on a request for a tax abatement from Grant Olson. Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve the 2013 tax abatement in the amount of \$86.00 and a 2014 tax abatement in the amount of \$114.00 on parcel #11.0284.000 due to incorrect/overstatement of acreage.

It was agreed that the Board has several questions for Jay Squires. Environmental Services Director Frank will schedule a phone conference with Mr. Squires. The Board's desire is to schedule the conference during one of the next two regularly scheduled meetings.

File No. 8 - Auditor Meiners reported that she has been advised by County Attorney Hammell to post the tour of Alan Stankevitz's building as a public meeting. Commissioner Storlie questioned whether the tour could be scheduled for a Tuesday and would it be acceptable to make the tour a continuation of the regular meeting. It was agreed that Auditor Meiners would schedule the tour on a Tuesday and that it would be an extension of the regular meeting.

It was noted that a Highway Department Committee meeting is scheduled for April 3rd.

Commissioner Kjome reported on the department head meeting which he attended last week.

Commissioner Zmyewski indicated that he provided a report earlier in today's meeting on the frac sand ordinance writing committee meeting which he attended.

Commissioner Schuldt reported that he had attended public health appreciation events last Thursday.

Commissioner Storlie reported on department head and Wildcat Park meetings which she has attended and also on public health appreciation events which she attended recently.

Chairperson Walter reported on Wildcat Park, Solid Waste, and frac sand ordinance writing committee meetings which she has attended in addition to having attended the home health aide appreciation event.

Commissioner Zmyewski questioned whether other Board members were aware of what Ms. Carpenter was talking about and referencing during her public comment. It was noted that the packet of information she distributed contains the answer.

Chairperson Walter provided reminders regarding today's 1:00 p.m. Joint Board of Health meeting which will take place in the CJC and also the Association of County Township Officers meeting scheduled for this Thursday.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 9 – Correspondence to Winona and Fillmore county
regarding discussion on possible collaboration

File No. 10 – Agreement for Collections of Lamps

There being no further business and the time being 9:45 a.m., motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, April 1, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, April 1, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski & Moorhead; Engineer Pogodzinski; Sheriff Ely; HR Director Arrick-Kruger; David Williams; Kelley Stanage; Donna Buckbee; Sarah Wexler-Mann (videotaped the proceedings); Betts Reedy; Julia Massman; LaVern Massman; Glenn Kruse; Finance Director Lapham; Yvonne Krogstad; Jail Administrator Schiltz; IS Director Milde; Ken Tschumper; Glenn Kinneberg

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the agenda.

Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the March 25, 2014 meeting.

File No. 1 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$69,148.20
Road & Bridge Fund	17,975.79

Total	\$87,123.99
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At this time Chairperson Walter provided a good order reminder that during public comments, individuals should refrain from using specific individual's names. Public comment is a time when members of the public may express their opinions however, it is not appropriate to personally attack individuals.

Julia Massman, Caledonia Township resident, indicated that she has been following ongoing discussions at the County. She expressed her confusion that the pie is being cut in little pieces. She shared her understanding that the majority of Houston County doesn't want to be

part of the frac sand industry. She stated that Houston County is farm country, not frac country. She commended the Board for the care they take with regard to the health of citizens. She provided examples of times when the Board stepped up to the plate with great leadership to address issues before it. She reminded commissioners that they have been elected by farmers. She provided examples of the strong agricultural community by referring to recent “ag day” events. She stated that some of the equipment on parade during the event cost 6 to 8 times the amount of her farm when it was originally purchased. She commented that there are millionaires all around us – they are the local farmers.

File No. 2 - Engineer Pogodzinski requested authorization to participate in the State bid for winter road salt. He reported that Houston County has been participating on the State bid for the previous 5 or 6 winter seasons. It has provided a competitive price and assured availability. He stated that Houston County began purchasing salt supplies off the State bid following a year when there was a shortage which ended up costing the County double the State price to purchase the necessary salt. He reported that he will order the same amount of salt as he has ordered in each of the previous two seasons being 32,500 ton. He expects the price to be less than \$65.00 per ton with the likely price being between \$62.00 and \$63.00 per ton. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to allow participation on the State bid for the purchase of road salt.

File No. 3 – Engineer Pogodzinski reported on the following bids received until March 31, 2014 at 1:00 p.m. for S.A.P. 28-605-18:

TJ's Trucking & Excavating, Inc. Winona, MN 55987	\$568,807.34
Zenke, Inc. La Crescent, MN 55947	\$587,325.55
A-1 Excavating Inc Bloomer, WI 54724	\$593,804.35
Pember Companies, Inc. Menomonie, WI 54751	\$656,220.03

Engineer Pogodzinski reported that the City of Caledonia was present at the bid opening. TJ's Trucking & Excavating, Inc. has performed work for Winona County but not for Houston County. The company employs several individuals from Winona Excavating. The Engineer's Estimate was \$503,552.37, the low bid was 12.96% over the estimate and the next 2 bids were within 5% of the low. The breakdown of funding is as follows: \$83,000.00 City, \$397,000.00 State Aid, and \$88,000.00 County. The amount over the engineer's estimate is in the area that is covered by State Aid funding. On the recommendation of Engineer Pogodzinski, motion was

made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to accept the low bid of TJ's Trucking & Excavating, Inc. in the amount of \$568,807.34.

File No. 4 - On the recommendation of HR Director Arrick-Kruger and on behalf of PHN Director Marchel, motion was made by Commissioner Zmyweski, seconded by Commissioner Schuldt and unanimously carried to hire Laura O'Heron as a 1.0 FTE Public Health Nurse effective April 28, 2014 contingent upon successful completion of a background check. Ms. O'Heron has a bachelor's degree from Viterbo, 2 years experience at Gunderson Lutheran along with 1.5 years experience working as a public health nurse for La Crosse County.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to hire Kathleen Franklin as a fixed term employee, said term through December 31, 2014. Ms. Franklin has six years experience and is licensed in Minnesota.

File No. 5 - HR Director Arrick-Kruger requested approval of a scissor lift rental agreement with ISD 299. The use of the lift is needed in order to perform various maintenance such as replacing light bulbs and ballasts, and window washing. It has been agreed that the lift will be utilized quarterly. HR Director Arrick-Kruger reported that use will be covered by MCIT at no additional cost provided we notify them 2 weeks prior to using it. The annual cost of the agreement is \$400.00 or \$100.00 per day four times annually. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the Scissor Lift Rental Agreement with ISD 299.

HR Director Arrick-Kruger stated that a request has been made to increase Jail Administrator Schiltz's cell phone per diem from \$30.00 to a smartphone per diem of \$50.00 per month. Jail Administrator Schiltz is on call around the clock and often needs to access information contained in electronic files. HR Director Arrick-Kruger attested to numerous communications with Jail Administrator Schiltz where this type of communication was necessary during non-office hours. The expense has been budgeted for. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to authorize the \$50.00 smart phone per diem per month. This is consistent with per diems offered to other supervisors.

Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to appoint Commissioner Schuldt to replace Commissioner Storlie on the Personnel Committee. Commissioner Storlie supports this action and stated that she is very busy with EDA and Tourism at this time.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to authorize Auditor Meiners to negotiate a 25 year lease extension with the Corp of Engineer's for Wildcat Park. It is believed that a longer lease will benefit the County when making application for various grants for improvements.

File No. 6 - Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the State Boat and Water Safety Grant and to authorize the signature of Chairperson Walter.

Chairperson Walter reported that there is a frac sand ordinance writing committee meeting scheduled for next week. The question was raised whether 2 committees are needed. Commissioner Zmyewski stated that Jay Squires has been authorized to perform research regarding the defensibility of a ban on frac sand mining. A conference call with Mr. Squires is scheduled for next week. In the event it is determined a ban is the Board's intent, it may be the responsibility of Mr. Squires to write said ban. Commissioner Schuldt expressed his opinion that we need Mr. Squire's opinion whether or not a ban is defensible. Commissioner Zmyewski commented that the Board could hire Mr. Squires to write a ban that is most defensible. It was agreed to table the appointment of members to a committee to research banning frac sand mining until after having spoken with Mr. Squires. Commissioner Zmyewski pressed the Board to make a decision regarding its direction whether it be a ban or a highly regulative and restrictive ordinance. He wants a decision based on facts, not speculation. Chairperson Walter expressed her understanding that the Board wants to put a regulatory ordinance in place. Commissioner Zmyewski indicated that it was his understanding that the Board intended to ban frac sand mining and not pursue an ordinance to regulate it. Commissioner Schuldt expressed a desire to discuss this with Mr. Squires to determine whether or not a ban is defensible before making further decisions. Commissioner Kjome stated that he favors a ban. He expressed his feelings that there is enough sand in Wisconsin and there is no need to mine it in Houston County. Commissioner Schuldt indicated that he would be supportive of a ban in the event it was very defensible, otherwise, he supports tight regulation. He stated that land rights are involved and someone will challenge a ban. The question to him is whether a ban is defensible. He reiterated his desire to speak with legal counsel in this regard prior to making further decisions. Chairperson Walter stated that she highly recommends a restrictive and tightly regulatory ordinance. Frac sand mining desires are not going to go away, and they need to be addressed. Commissioner Kjome expressed skepticism with the track record of regulation. Chairperson Walter urged everyone to consider the rights of land owners in addition to rights of others. Commissioner Kjome questioned whether we can make it known to Jay Squires that the Board would prefer a ban. He stated that he has a copy of the Florence Township ban on frac sand mining on his e-mail. To date, Florence Township has not been sued regarding the ban, however, it has only been in place since March 2014.

Commissioner Kjome reported on the Association of Houston County Township Officers and the Joint Board of Health meetings which he attended. He expressed appreciation for the good order reminder provided by Chairperson Walter prior to the public comment period.

Commissioner Schuldt reported on the Joint Board of Health and Association of Houston County Township Officers meetings which she attended.

Commissioner Walter reported on the Joint Board of Health and Association of Houston County Township Officers meetings which she attended.

Commissioner Zmyewski expressed concern regarding an e-mail received from Matt Klug regarding the letting of a recent bid for equipment. Commissioner Zmyewski questioned whether it was a legal bid since several area skid steer suppliers had not been invited to submit a bid. He has looked into the bids which other suppliers may have submitted and believes that the County could have saved as much as \$20,000.00 in the event the bids had been submitted and considered. He questioned whether the order for the equipment needs to be cancelled and a new bidding process conducted. He indicated that a similar machine from Caledonia Implement would have been bid at approximately \$53,000.00, and a Bobcat would have been bid at approximately \$60,000.00. Commissioner Schuldt urged that consideration be given to the fact that a John Deere machine was available on the State Bid and SEMA was able to bid the exact same machine and specifications. This would allow for apples to apples comparison. He expressed surprise that SEMA was able to beat the State Bid amount. Commissioner Zmyewski questioned why the County is being brand specific. Commissioner Schuldt indicated that this should have been placed on the agenda as a discussion item so that individuals could come prepared for discussion. Commissioner Zmyewski indicated that he is not on committee with Engineer Pogodzinski so brought up his concerns now. It was noted that this was discussed during committee and that Commissioner Kjome was under the impression it was taken care of. Commissioner Kjome met with staff from the Highway Department in this regard. Commissioner Zmyewski stated that not all of the additional equipment is necessary and he feels they could have purchased a more economical piece of equipment. It was agreed to phone Engineer Pogodzinski who will be asked to return to the meeting for discussion.

Engineer Pogodzinski joined the Board for discussion. Commissioner Zmyewski stated that he has met with two local implement dealers who were not afforded the opportunity to bid the skid steer equipment purchased during last week's meeting. Both of the dealers claim they would be able to beat the price paid for the equipment. Commissioner Zmyewski questioned why identical machines of varied brands were not considered. Engineer Pogodzinski stated that he had the option not to go for bid and purchase off the State Bid. He identified a specific piece of equipment being the John Deere 333E which would meet the needs of the department. He did solicit bids from area suppliers of identical machines. The Rochester dealer was unable to sell the County the specified piece of equipment as the County is outside their territory. SEMA in Caledonia was able to sell the equipment and submitted a bid which was less than that of the State bid. Engineer Pogodzinski stated that the department has gone through the process legally and in the correct manner. He stated that he has reviewed the e-mail submitted by Mr. Klug and compared the equipment. He stated that the John Deere 333E has 15% more power, the same ground pressure and weighs more than the comparable Case machine. In addition, the John Deere offers hand and foot controls. The staff operating this equipment varies and there are staff who prefer hand controls and staff who prefer foot controls. In addition, the John Deere machine has more reach and a 25% higher tipping threshold over the comparable Case model. These things are imperative to the pipe crew who will be utilizing the equipment. Engineer Pogodzinski

stated that they do have a New Holland skid steer in the department which serves them well for the applications which it is used for. Commissioner Zmyewski indicated that the Bobcat model has more reach than the John Deere, yet it wasn't considered. Engineer Pogodzinski stated that he'd be happy to meet with Commissioner Zmyewski to review the specifications on the Bobcat machine, warranty and etc. Commissioner Zmyewski indicated a strong dislike for business conducted behind closed doors. He stated that the highway Department has several pieces of John Deere equipment. He questioned why John Deere is purchased so frequently when it appears there are other, more cost effective and comparable brands of equipment available. He wants an answer and wants to save taxpayer money. Engineer Pogodzinski again stated that he would be happy to place the John Deere equipment order on hold while reviewing the Bobcat specifications and pricing. He repeated that he considered Case and New Holland and the John Deere was better suited to meet the needs of the department. He has no reason to conduct business behind closed doors, however, he questions the efficiency of debating every single option that may be available during open session. He expressed that he will gladly meet with commissioners to discuss options. Commissioner Zmyewski stated that he wants the best value for the taxpayer and will not tolerate things like this being slipped by. Commissioner Zmyewski stated that the Bobcat pricing is \$61,659.00 which is less than what was spent on the John Deere. Engineer Pogodzinski indicated that the Bobcat pricing does not include warranty. The John Deere machine was only \$58,531.00 before warranty making the John Deere approximately \$7,000.00 less than the Bobcat. Engineer Pogodzinski again encouraged Commissioner Zmyewski to meet with him. Commissioner Zmyewski indicated that there was no need to meet with Engineer Pogodzinski and that Engineer Pogodzinski could review the specifications alone. Engineer Pogodzinski agreed to review the Bobcat specifications and compare them to the John Deere.

It was agreed to schedule a Highway Department Building Committee meeting for 9:00 a.m. on Thursday April 10th.

There being no further business and the time being 10:11 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, April 8, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, April 8, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski & Moorhead; Finance Director Lapham; Engineer Pogodzinski; Bryan VanGorp; Susan VanGorp; Mike Fields; Sarah Wexler-Mann (videotaped the recordings); David Williams; Betts Reedy; Health Educator Myhre; PHN Director Marchel; Kelley Stanage; Donna Buckbee; Yvonne Krogstad; Naomi Fruechte; Steve Hartwick; Sheriff Ely; Environmental Services Director Frank; Zoning Administrator Scanlan; Chief Deputy Sheriff Yeiter; Arlin Peterson; HR Director Arrick-Kruger;

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the agenda with corrections as discussed.

Motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to approve the minutes of the April 1, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$81,404.75
Road & Bridge Fund	7,126.09

Total	\$88,530.84
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File No. 2 – Mike Fields, Winnebago Township resident, read from a prepared statement which is on file.

File No. 3 - Bryan VanGorp, Yucatan Township resident, read from a prepared statement which is on file.

File No. 4 - Sue VanGorp, Yucatan Township resident, read from a prepared statement which is on file.

Donna Buckbee, Yucatan Township resident, reported that she has been going door to door to learn how the majority of Houston County residents feel with regard to frac sand mining. She stated that she stopped at one location which had large excavation equipment and that seven individuals there expressed favor of the mining industry. She stated that the individuals were employed by frac sand mining companies located in Wisconsin. She met 20 individuals who signed her petition and stated that many requested she stop back when spouses or neighbors returned so that they too could sign the petition. She indicated that she would continue to gather names on her petition supporting a ban on frac sand mining.

Steve Hartwick, Money Creek Township resident, stated he has lived in the County for more than 30 years. He stated that a ban on new auto dealerships has been implemented along a roadway which goes by ValleyFair and Canterbury Downs. The area considers there to be enough auto dealerships. He stated that there are several bars located throughout Houston County. The bars aren't allowed to have strip tease acts. He expressed his opinion that the County Board should be able to direct Jay Squires on how to proceed with regard to frac sand mining. He expressed his opinion that the manual provided to guide local units of government regarding frac sand mining is a smorgasbord for attorneys and corporate interests. He stated that there are costs associated with enforcement of ordinances. Wisconsin has regulations in place with regard to frac sand mining which in Mr. Hartwick's opinion are not being followed. Mining companies in the area figure this into the cost of doing business.

David Williams, Fillmore County resident, stated that in a few moments the Board will be consulting with Jay Squires. He urged the Board to inquire whether they have the legal authority to permanently prohibit the mining of silica sand provided they have adequate facts on which to base prohibition.

Kelley Stanage, Houston Township resident, shared her understanding that the Board would be discussing two areas of concern with Jay Squires. The first area of concern is with regard to the possible permitting of the Erickson Mine, the second is whether the Board has the authority to implement a ban on frac sand mining. She provided an excerpt regarding the open meeting law and provided her opinion as to what is subject to the law. She encouraged the Board to remain in open session. She expressed her belief that the discussion which would be taking place would not be exempt from the open meeting law.

Engineer Pogodzinski met with the Board to discuss the purchase of a John Deere 333E loader. He brought with him David Bauer and Joe Allen who work with the skid steer in the field and test drove the models which Commissioner Zmyewski suggested and acquired quotes for. Engineer Pogodzinski reviewed the specifications for the John Deere, Case and Bobcat models. He identified 3 differences being: number of rollers per track; breakout force; and visibility.

Engineer Pogodzinski expressed that his greatest concern was the difference in breakout force between the John Deere 333E at 13,815 pounds and the Bobcat with only 7,025 pounds. He contacted John Deere to confirm the breakout force was correct. John Deere informed him that they have had tines and forks bent due to this high breakout force. Engineer Pogodzinski stated that he is aware of Bobcat machines having difficulty when working with frozen manure.

The price of the John Deere machine, less the warranty and limiting controls to either foot or hand controls is \$66,288.96. The cost of the Bobcat machine is \$61,957.48 which is a difference of just over \$4,300.00. If the machine purchased can't do the work it's been purchased to do it will cost the County more than this amount over time.

David Bauer and Joe Allen indicated that the John Deere has better visibility than the Bobcat. They expressed that this is an important aspect with regard to safety. These machines are used on job sites where several staff members are working and it is important to the machine operator to be able to see their co-workers. Engineer Pogodzinski reiterated his continued support of the recommendation he made to purchase the John Deere machine. He encouraged the Board to ask questions of either Mr. Bauer or Mr. Allen who use the machines for their jobs. Commissioner Zmyewski questioned what the most important aspects are. One of the gentlemen responded that the ability to lift the concrete structures they are placing, not tipping, safe, and not tearing up the prepared base are important. He stated that if the machine purchased can't lift, carry and set the pipe, the department may be required to rent a crane at a rate of \$250.00 per hour. Commissioner Zmyewski stated that Bobcat holds the market share and that many individuals purchase them and believe they are adequate to do the work they were purchased for and that they are safe. He expressed his understanding that with regard to lift capacity, the Case and Bobcat machines are comparable. He believes that the PSI of the hydraulics is also comparable. Commissioner Zmyewski stated that the machines are all capable of performing the necessary work, taking that into consideration he feels that if one machine is less expensive that is important. There is an opportunity to save the taxpayer some money. He stated that the Highway Department still needs to make equipment purchases and is considering building a new maintenance facility. He questioned the need for both joy stick and foot controls and expressed his opinion that to have both is unnecessary. Mr. Bauer expressed concern that this is a short sighted opinion as there is a significant difference in breakout force between the machines. It may be possible to save \$4,300.00 however, that amount will not go far when a crane is required to perform work that the skid steer machine was intended to complete. The lack of breakout force on the Bobcat machine will impact the machines ability to set pipe. Commissioner Zmyewski questioned how much the pipes the department typically work with weigh. He went on to state that John Deere is only rated for 3,300 pounds and has a breakout force of considerably more. He expressed concern that if the department exceeds the rating and the machine suffers damage the warranty will be void. The pricing and specifications can be compared on paper, however, the operators are the individuals utilizing the machines and performance in the field is another side of this which should be considered. The safety strobe and dual controls are safety options. This machine is operated by different individuals and those working with the machine operator want the machine operator to be adept with the machines

operation. One of the men stated that he doesn't want to be on a job sight with an individual who has never operated joy sticks or foot controls but is subject to doing so due to machine limitations. Commissioner Zmyewski stated that operators can learn to safely operate using either type of controls in between 4 and 6 hours. Having only one type of controls would save money. Chairperson Walter indicated that it was time to wrap up the conversation. She stated that the motion passed last week to accept the quote for the John Deere 333E, the money had been budgeted and the cost was less than what had been budgeted. Commissioner Zmyewski stated that Bobcat offers a program which would allow the Highway Department to trade in their machine on an annual basis and the cost would only be a few thousand dollars. The SEMA Representative indicated that they offer a similar program also. With the SEMA program the machine has dealer specifications. Commissioner Zmyewski reiterated that quotes for 2 other brands are less than that of the John Deere. Chairperson Walter reiterated that the department has performed due diligence through their research and the purchase was approved last week. Commissioner Zmyewski repeated that the machines are comparable and there is no need to buy top notch when something more cost effective would be adequate.

At this time Environmental Services Director Frank contacted Jay Squires via telephone. Mr. Squires was informed of individuals present. Mr. Squires stated that there are two separate issues to be discussed during the phone conference. The first being the Erickson Mine and the second being the future frac sand ordinance. He indicated that there have been a number of threats of litigation with regard to the Erickson Mine, he desires to speak candidly with the Board regarding the strengths and weaknesses and it is proper that this discussion be closed and subject to attorney client privilege. Discussion regarding the future frac sand ordinance is general in nature and should be open to the public.

On the recommendation of Jay Squires, motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to go into closed session pursuant to M.S. 13D.05 subd. 3(b) to discuss matters protected by attorney-client privilege.

Motion was made by Commissioner Schuldt seconded by Commissioner Kjome and unanimously carried to convene in open session.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to direct the staff to work with Mr. Erickson in processing his renewal request and extend any applicable 60 day rule period an additional 60 days. In addition, the board concludes that processing of this renewal request is not prohibited by the express language of the moratorium thereby any pending EAW or EIS process; the Board further directs staff to provide notice of the Board's determination to affected property owners and the EQB.

File No. 5 – Motion was made by Commissioner Zmyewski seconded by Commissioner Kjome and unanimously carried to make public the privileged correspondence from Jay Squires.

Commissioner Zmyewski questioned whether the frac sand ordinance writing committee should continue, and whether the committee to research banning frac sand mining should be running parallel. Jay Squires indicated it is the County's prerogative to consider all options. It was agreed that Commissioners Schuldt and Kjome would work with Mr. Squires to continue research on a possible ban. Commissioner Storlie expressed concern that priority be given to developing a regulatory ordinance. She expressed concern with putting energy into both options. Commissioner Zmyewski questioned whether the number one priority of the Board was banning frac sand mining or regulating it. He expressed a desire to prepare both for the public to consider. Jay Squires indicated that justification to ban frac sand mining will likely be a result of the work performed by the committee established to write a regulatory ordinance. Concerns about frac sand mining will be addressed through regulation. In the event, adequate regulation cannot be developed, this is the information that would flow through as a portion of the justification to ban frac sand mining.

Mr. Squires indicated that this research may be conducted concurrently. He expressed that the inability to develop regulation to address concerns would become the foundation for a ban. A ban is relatively simple to draft and would not take a significant amount of time. However, the justification for the ban requires significant research which would be carried out while the ordinance drafting was taking place. He didn't advise allowing options to expire and hastily attempting to get something in place. Jay Squires indicated that a ban doesn't need to be studied, as it's not an ordinance. It is easy to draft. The regulatory analysis taking place to develop an ordinance will result in the reasons and justification. In the event adequate regulations may not be reached, a ban may be necessary. Commissioner Kjome recommended establishing a deadline for a draft ordinance and suggested October 1st be the deadline. Commissioner Storlie expressed agreement that this was reasonable. Environmental Services Director Frank and Zoning Administrator Scanlan were queried to determine whether they believe this is a reasonable deadline to establish. They agreed that a draft may be developed by this time. It may require more frequent meetings. They expressed belief that a final draft could be made available by December 1st. It was the consensus of the Board to move forward with drafting a frac sand mining ordinance. Environmental Services Director Frank indicated that the committee will keep the Board informed of progress. Commissioner Zmyewski questioned whether Mr. Squires was aware of those assigned to the frac sand ordinance writing committee and whether he had concerns. Mr. Squires indicated he was not privy to the membership listing of the committee.

Donna Buckbee requested clarification regarding the action taken related to the Erickson mine. Reporters requested a copy of the motion made by Commissioner Schuldt in this regard and also a copy of the letter from Jay Squires to Board members which was made public by motion.

Environmental Services Director Frank stated that Naomi Fruechte is present and is willing to mediate the frac sand ordinance writing committee meetings. He questioned whether Ms. Fruechte needed to work with HR Director Arrick-Kruger on anything prior to assuming

duties. It was agreed that HR Director Arrick-Kruger would work with Ms. Fruechte if necessary.

Finance Director Lapham stated that she had e-mailed the financial reports to Commissioners. She has reviewed the reports and finds the County's expenditures for the same period are considerably less than last year. She reminded commissioners that several departments have many annual expenditures which are paid during the first quarter and balance out as more of the year passes. She noted that all salary budgets appear over due to the extra pay period in the first quarter. This will balance out following the June reports. She stated that the County does not have the staff to perform accrual accounting and instead do accounting on a cash basis. This type of accounting results in some odd things such as December expenses which are paid for via credit card which get expensed in January when the credit card billing is processed.

Commissioner Zmyewski questioned whether the county is on target with the budget. Finance Director Lapham stated that a \$31,000.00 deficit is expected. From what she has available to her and reviewed, the County is on target with projections. She stated that she will know more following the June reports. Budgeting for next year will begin soon.

Discussion was held regarding a specific request for a Board appointment. It was agreed that the individual making the request would be directed to speak with Human Services.

Yvonne Krogstad questioned how the public will be made aware of the frac sand ordinance writing committee meetings so that members of the public may attend. It was noted that the study committee has no decision making authority and that the recommendations coming out of that committee will be discussed during a public hearing prior to any decision being made in their regard. There will not be a quorum of commissioners in attendance. Chairperson Walter stated that the public is welcome to attend however, they will not be allowed to participate. Members of the public may contact either Commissioner Zmyewski or herself to find out when the meetings would be taking place.

Commissioner Storlie expressed disappointment that Representative Greg Davids was not working to usher the County's bonding request forward. Representative Davids informed her that the County's request is a local concern, not a partisan issue. Commissioner Storlie indicated that she had hoped the County would receive adequate representation from its elected officials in this regard.

Commissioner Kjome reported on a meeting of the zoning ordinance revision committee which he attended where discussion was held regarding the ordinance establishing term limits for the Planning Commission. He also reported on Water Planning and Extension committee meetings which he attended.

Commissioner Zmyewski reported on a union negotiating meeting which he attended.

Commissioner Storlie reported on CJC, Emergency Communications Board, and Hiawatha Valley Mental Health meetings which she recently attended.

Chairperson Walter reported on an Extension committee meeting which she attended.

Commissioner Zmyewski reported on a call he had received from a man desiring to establish a program/farm for troubled youth. Discussion was held.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 6 – Correspondence to payroll regarding hires

File No. 7 – Correspondence to BWSR in support of One Watershed One Plan pilot

There being no further business and the time being 11:19 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, April 15, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, April 15, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Bialkowski & Moorhead; Engineer Pogodzinski; HR Director Arrick-Kruger; Finance Director Lapham; HS Director Bahr; Social Services Supervisor Hunter; Financial Services Supervisor Kohlmeyer; Kelley Stanage; Donna Buckbee; IS Director Milde; Ken Tschumper; Yvonne Krogstad; PHN Director Marchel; Lisa Arneson, social worker; Jail Administrator Schiltz; Automated Systems Manager Dollar; Brady Ambrose

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the agenda.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the April 8, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$101,404.35
Road & Bridge Fund	28,309.58

Total	\$129,713.93
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File No. 2 - Donna Buckbee, Yucatan Township resident, expressed concern regarding legal counsel since said legal counsel recused itself previously.

File No. 3 - Ken Tschumper, La Crescent Township resident, read from a prepared statement which is on file.

File No. 4 - Engineer Pogodzinski reported on quotes received for Calcium Chloride. Quotes were received from Freeborn County Coop Oil, Envirotech Services Inc, and Tri-City Paving Inc. The low quote was provided by Freeborn County Coop Oil. Their quote was \$0.02 higher per gallon over the cost paid in 2013. This is an increase of approximately 2.5%. Commissioner Schuldt questioned how many gallons of calcium chloride are purchased. Engineer Pogodzinski responded that between 82,000 and 84,000 gallons are purchased, a portion of which is for townships and which cost is reimbursed to the county by the townships. On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to accept the quote of Freeborn County Coop Oil in the amount of \$0.86 per gallon delivered to either Caledonia or Spring Grove and \$1.06 delivered and applied to various county roads.

File No. 5 – Auditor Meiners reported on a set up permit application for Lawrence Lake Marina, LLC. She provided a brief history of this type of permit in Houston County. The permit is issued by the State, however, County approval is required. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the Application for Consumption and Display Permit of Lawrence Lake Marina, LLC.

File No. 6 – Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve an abatement for Richard Carr Sr on parcel #24.0436.000, being a reduction of \$496.00 due to incorrect classification.

HS Director Bahr introduced Lisa Arneson. Ms. Arneson has been hired as a social worker to work cases involving mental health and disability services for children. Ms. Arneson reported that she was previously employed by Houston County and has, for the past 13 years, worked in Olmsted County in adult mental health and chemical dependency. She stated she is happy to be returning to work in Houston County.

File No. 7 – HS Director Bahr reported on how each unit within her department developed a unique mission statement. Once the units had completed their mission statements, the department as a whole met and developed a departmental mission statement. This statement will be printed and displayed in various locations throughout the department. The goal of the statement is to “center” the department. This statement is in addition to a State developed Human Services mission statement.

HS Director Bahr stated that Houston County moved to EDMS along with 5 other counties under Winona County’s umbrella. Since this decision, MN Sure has gone live and it was discovered that MN Sure and EDMS did not communicate well with one another. eDocs, the vendor for EDMS has developed a “fix” to the communication problems which will cost \$45,000.00. Based on population, Houston County’s portion of the cost will be approximately \$5,000.00.

HS Director Bahr has reviewed the HS budget for the first quarter. She indicated that the department has received only 16% of revenues and expended 26% of budgeted amounts. She stated that the HS budget is approximately \$4.5 million, the department provides mandatory services only and the bulk of State reimbursements are not received until the 4th quarter. She stated that having received only 16% of revenues at this point is typical and in line with history.

She expressed concern that commitments are currently at a record braking pace with 5 already this year. On a positive note, out of home placements are down significantly.

HS Director Bahr wanted to make the Board aware of a significant concern for the department which is the expiration of leases on HS vehicles. Three vehicles are leased from the State. The leases have changed since 2005 when the County originally participated in the program. Originally the cost to lease a vehicle was \$13.00 per day and included maintenance and fuel. The most recent lease costs approximately \$11,000.00 annually for all three vehicles but no longer includes fuel. Included mileage is capped at 75,000. HS Director Bahr stated that this mileage has already been exceeded on 2 of the 3 vehicles. She reported that 2014 lease prices have increased approximately \$200.00 to \$250.00 per month per car. The annual cost is expected to increase by \$7,500.00 to \$9,000.00 annually. In reviewing lease costs, HS director Bahr believes it may be more cost effective to purchase vehicles from the State Bid rather than continue to lease them.

There is a significant demand for the HS vehicles. There are many times when all vehicles are being utilized and the department is required to pay mileage to staff for the use of personal vehicles. The budget for mileage reimbursement is approximately \$20,000.00. HS Director Bahr expressed concern that in the event staff transport clients in their personal vehicle, the staff's insurance is the responsible insurance in the event of an accident, and the county's coverage would be secondary. Some clients do not respect the vehicle they are transported in and there have been rare occasion where a client damaged a vehicle.

Commissioner Zmyewski questioned the lease length and whether there was a buyback program available to the county in regard to the vehicles. HS Director Bahr responded that the lease period is 5 years and that it is her understanding that lease returns are sold on an online listing. When asked if the vehicles transport staff only, HS Director Bahr responded that the vehicles are often transporting staff in addition to one or more clients and at times multiple staff members carpool to trainings. Commissioner Zmyewski confirmed that over the life of a lease the cost would exceed \$30,000.00 and it may be more cost effective to purchase vehicles. HS Director Bahr reported that lease terms have been changing and fewer counties are participating. Commissioner Zmyewski stated that cars often remain mechanically sound well past the 75,000 miles allowed by leases. Social Services Supervisor Hunter reported that he encourages staff to utilize the County vehicles to reduce the amount paid in mileage.

HS Director Bahr reported that both Engineer Pogodzinski and Sheriff Ely have purchased multiple vehicles from the State Bid. The State Bid provides such competitive pricing

that local dealerships usually can't compete with it. In addition, HS qualifies for a certain percentage of reimbursement on the cost of the vehicle. HS Director Bahr estimates that the reimbursement would amount to an additional 24 to 25% off the bid price. She is busy researching options such as county wide use opportunity after the period of time when use must be exclusive to the HS Department. This could allow the County to supply a fleet of vehicles.

Commissioner Zmyewski indicated that local dealerships want to have an opportunity to submit a bid even though they are quite aware that their prices probably will not be competitive with the state bid.

HS Director Bahr reported on one additional detail regarding the HS Departmental vehicles. They have Fleet Cards which provide savings on the fuel over what individuals pay because of tax benefits.

Social Services Supervisor Hunter expressed concern with the number of adult commitments which have taken place since the beginning of the year. He explained how often law enforcement transports individuals to hospitals in La Crosse, Wisconsin for care. There is no interstate agreement. Wisconsin does not follow Minnesota Statute with regard to commitments making the commitment process difficult. Individuals treated in Wisconsin must be committed following Wisconsin Statute. Social Services Supervisor Hunter stated that it is not practical to expect a La Crescent City officer to transport an individual requiring care to Rochester when they are only minutes from facilities in La Crosse, Wisconsin, therefore, he will be working to draft an interstate agreement and getting it put in place. He expects to work with Winona and Wabasha County in this regard and that the process of getting an agreement in place will take a minimum of 90 days.

Social Services Supervisor Hunter reported that training on proper procedure for commitments was hosted yesterday. It was open to Houston County staff and staff from neighboring counties and was well attended. He stated that placement in the Anoka facility costs in excess of \$1,000.00 per day. He is hopeful that prevention may help reduce the number of commitments, however, this will be an ongoing process.

Social Services Supervisor Hunter was pleased to announce that child placements are down in the single digits for the first time since 1996. He credits this to preventative work being conducted. He stated that vehicle use and mileage reimbursement are high which is due to staff being out in the field working with clients. He stated that currently he is the only individual performing certain tasks and he has a goal to get more staff trained to perform the tasks within the next 6 months. There is a maltreatment conference being hosted in La Crosse which he anticipates sending staff to attend.

Medica will be meeting with the County. There is an expectation that TCM (targeted case management) reimbursement rates will be increasing. This could result in substantial increases to reimbursements.

There is a need for varied living arrangements for adults. Some individuals are transferred among available beds in different settings in an attempt to find a proper and beneficial fit. Additional beds with varied living arrangements may help alleviate the transfers and provide greater stability to the individuals.

Financial Services Supervisor Kohlmeyer is out of the office today attending Blue Zone training. Blue Zone has been developed to replace various HS software systems currently in use.

File No. 8 - HR Director Arrick-Kruger provided an overview of the Historic Jail flood event which took place on Friday, April 11th. Water which flooded the Historic Jail traveled through conduit into both the Historic Courthouse and Criminal Justice Center. The maintenance department along with IS Director Milde, and Jail Administrator Schiltz have been busy trying to assess the damage. On Saturday morning and adjutor toured the Historic Jail.

HR Director Arrick-Kruger explained that the Historic Jail is subject to a replacement value policy and a \$2,500.00 deductible. In the event the Board would choose not to replace, the non-replacement provision would provide \$0.50 on the \$1.00 reimbursement.

Automated Systems Manager Dollar has been working diligently to get electricity and heating restored to the building. Cleaning companies require electricity and heat prior to commencing cleanup activities. The building needs to be dried out and a company will need to be hired to properly dispose of damaged fiber material such as ceiling tiles and sheetrock. Pathfinders has been notified and will at some point prepare a historical salvage report. Hoskin's is working to provide temporary lighting. Heating will be via furnaces that are vented out through the windows.

HR Director Arrick-Kruger reported that the building has been vacant for some time. The plumbing was drained and winterized, and the building was heated. The sprinkler system was not drained. This was all good procedure. Research is being performed to determine whether the heating system malfunction resulting in the freezing and bursting of sprinkler system piping which caused water damage throughout the entire building.

Once the cleanup crew has completed work a general contractor will be hired to assess the extent of damage and cost for repairs. The Board will use this information in determining further course of action.

HR Director Arrick-Kruger reported that as a result of this event, Dan Krzoska has made digital copies of blueprints for County owned buildings so that staff on hand at the time of any potential future incidents will have the data necessary to respond quickly. With this event, paper copies of blueprints had to be tracked down prior to action being taken.

HR Director Arrick-Kruger reported that Don Moore was in the Historic Jail as recently as March 23rd. He noted nothing out of the ordinary. Prior to the flooding, the building was entered about 1 time each month. Early last week the boiler system which supplies heat to both the Historic Courthouse and Historic Jail had to be restarted. On Monday, it was believed this was required as a result of a power outage. On Tuesday the boilers were required to be restarted again leading to speculation that there may be a breach in the return loop. Winona Controls is performing testing to determine whether there is a breach.

IS Director Milde reported that water leaked into both the Historic Courthouse and CJC through conduit connecting the buildings. The conduit filled with water. Following the incident the fiber suffered sporadic malfunction. Ace Communications is on site testing the fiber. IS Director Milde will keep the Board apprised of findings as they become available.

Jail Administrator Schiltz commented that the testing, clean up and assessment of damage and estimation of repair costs are all part of the insurance claim. When asked he assured the Board that water which leaked through conduit was in rooms having drains, and the water did not leak across carpeting or under doors so there was little or no interior damage to the adjacent structures.

IS Director Milde reported that he has moved some IT equipment until the fiber could be tested. In the event the fiber was damaged removal of fiber, repair of conduit and replacement of fiber may be required.

HR Director Arrick-Kruger indicated that even though the damage to the adjacent buildings may be the result of a single event, there may be a unique deductible for each building. This is a detail that has not been researched at this time. Commissioner Zmyewski confirmed that damage assessment will continue and that staff will continue to provide regular reports to the Board. It is expected that next week cleanup costs and a cleanup timeline will be available.

HR Director Arrick-Kruger reported that there is no conjecture whether or not the building has suffered structural damage which would require condemnation. However, the building is not currently inhabitable. A general contractor will need to assess to what degree, if any, structural damage has resulted.

File No. 9 - HR Director Arrick-Kruger provided information related to a proposed rekeying project in the Historic Courthouse. Automated Systems Manager Dollar stated that lever door handles are being required on all suite doors in new construction. It was agreed to perform additional research to determine the cost to install lever door handles in addition to the rekeying and return to the Board for further discussion.

This project is the result of concerns raised following an afterhours Fire Department response which brought to light concerns with building access and safety. HR Director Arrick-Kruger reported that when she was hired approximately six years ago, a key audit was attempted.

Discussion was held regarding 4 entrance doors. Consideration is being given to making the north and south entrance doors egress only.

File No. 10 – The CJC Security System requires a maintenance agreement. SGTS has been providing maintenance for the system. SGTS has provided a quote to continue providing maintenance. The cost for the renewal agreement comes with an approximate 4% increase. Jail Administrator Schiltz has been pleased with the timely service provided by SGTS. Following discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the On Call Maintenance and Service Agreement with SGTS, Inc. in the amount of \$3,466.67 which will expire December 31, 2015.

Commissioner Zmyewski reported that during a meeting with Engineer Pogodzinski it was agreed to solicit an updated estimate for prints developed several years ago, and an opinion on site location and building materials. Engineer Pogodzinski expressed concern that the current site would need to be 3 acres larger in order to meet the needs of the department and maintains that the site by the school would be the better option. Discussion was held during the meeting regarding the proposed complex and possibility of building it in stages as funding is generated and made available. It was noted that sometimes discounts are offered by contractors to complete an entire project at one time as opposed to completing the project in stages over time. Commissioner Zmyewski indicated that \$600,000.00 has been set aside for the project. It may be possible to allocate the next 2 years' worth of wheelage tax to the project which would be an additional \$400,000.00. In addition, he proposed allocating any MCIT refunds to the project over the same period to the project. He encouraged the Board to provide financial direction to the committee by establishing a not to exceed budget. Commissioner Zmyewski expressed strong support for establishing a budget prior to developing a proposed blueprint for a building. He expressed his desire to develop a plan which fits within financial constraints. Chairperson Walter expressed concern that the cost required to meet the needs of the department are not known. She felt that more cost information is required prior to establishing a budget for the project. Commissioner Storlie expressed agreement with Chairperson Walter. Lengthy discussion was held. Discussion was held regarding when and at what cost an architect would become involved with the project. It was agreed that a maintenance facility is needed. Commissioner Zmyewski stated that the needs are for maintenance bays, chemical storage, etc. He seriously questions the need for heated and cold storage. The question is what it will cost to meet the needs. Commissioner Schuldt indicated that the County is not a revenue generating entity. It is not practical to state that a project will be completed when extra money is available because in this scenario, there should not be extra money. All money levied is levied for a specific purpose. The only time when there would be a perception of extra money is in the event the County was under budget at the close of the fiscal year. These extra funds would go into the general fund. Commissioner Zmyewski stated that there is a saying "debt is dumb", and he felt cash is always the best option. He wants to ensure that the Board operates within its means. He confirmed that until the CJC was built the County had been debt free. Commissioner Zmyewski wants to establish a budget and to work within that budget. Commissioner Storlie expressed concern that it is unknown what it will cost to meet needs, and that should be determined prior to establishing

a cap. Commissioner Kjome stated that a budget would establish what the county can afford for this project. Commissioner Zmyewski expressed concern that if you don't have a budget and have an architect develop a plan, the county may not be able to afford the resulting plan. Motion was made by Commissioner Zmyewski, and seconded by Commissioner Kjome to place a \$1 million cap on spending to build a Highway Department maintenance building. A roll call vote was taken: District 1 – no; District 2 – yes; District 3 – no; District 4 – no; District 5 – yes. The motion failed.

Commissioner Zmyewski reported on frac sand ordinance writing study group meeting which he attended on Monday.

Chairperson Walter reported on the frac sand ordinance writing study group, EMS and Workforce Development meetings which she attended during the past week.

Commissioner Schuldt reported on a Semcac meeting which he recently attended.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to place on file the following items from the consent agenda:

File No. 11 – Correspondence from SMIF in appreciation for financial support

File No. 12 - Houston City notice of Hearing on Conditional Use Permit

There being no further business and the time being 10:39 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, April 22, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, April 22, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Deputy Auditor Quinn; Reporter Moorhead; Rick Howden; HR Director Arrick-Kruger; Mike Fields; Bruce Kuehmichel; Kelley Stanage; Glenn Kruse; Sheriff Ely; Jail Administrator Schiltz; Engineer Pogodzinski; Chief Deputy Sheriff Yeiter; PHN Director Marchel; IS Director Milde; Finance Director Lapham

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the April 15, 2014 meeting.

File No. 1 - Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$50,171.68
Road & Bridge Fund	21,197.73

Total	\$71,369.41
	=====

Mike Fields, Winnebago Township resident, indicated that recent online and statewide polls being conducted show that approximately 90% of constituents do not support frac sand mining. One of the polls was conducted by the Land Stewardship Project based here in southeast Minnesota. He questioned why, in light of the poll results, commissioners appear to “quake in their boots” at the threat of being sued. If the Board were to take action to ban frac sand mining in the County it is speculation that a lawsuit would result and it is further speculation to assume that the County would lose such a suit. He surmised that the true costs would be to regulate frac sand mining. There would be costs associated with regulation. He stated that air monitoring

equipment is very expensive. He shared his opinion that banning frac sand mining would have less cost. Mr. Fields appealed to Commissioner Kjome to take action to require cost studies related to the regulation and monitoring of frac sand mining. He further requested that costs be verified by a third party.

File No. 2 - Rick Howden reported on a business subsidy package for Crest Precast of La Crescent. The subsidy, if approved, would include a \$192,000.00 loan at 2% interest paid over 10 years from the Minnesota Investment Fund and DEED and a \$65,000.00 loan at 2% interest paid over 10 years from the County's Revolving Loan Fund. Recently owners of Crest Precast met with representatives from the EDA and Merchants Bank regarding the proposed expansion project and financing. The project is expected to generate 8 new jobs over the next 2 years. If approved, this expansion may lead to additional expansion in the future. Mr. Howden stated that Crest Precast operations impact the local economy due to the relationships it has with local over the road truckers and parts suppliers. The expansion would further benefit all of these local entities. Motion was made by Commissioner Storlie seconded by Commissioner Kjome and unanimously carried to approve the application and adopt the following resolution

RESOLUTION NO. 14-19
RESOLUTION AUTHORIZING THE HOUSTON COUNTY ECONOMIC
DEVELOPMENT AUTHORITY TO SUBMIT AN APPLICATION TO THE
MINNESOTA INVESTMENT FUND LOAN PROGRAM ON BEHALF OF CREST
PRECAST, INC.

WHEREAS, Houston County established an Economic Development Authority (EDA) to promote and enhance the business community and quality of life in Houston County; and,

WHEREAS, the Minnesota Investment Fund was established by the State of Minnesota and is administered by the Minnesota Department of Employment and Economic Development (DEED) to support business growth in Minnesota by providing affordable financing for qualified businesses; and,

WHEREAS, the EDA, after taking public comment at a duly noticed public hearing, has reviewed a Minnesota Investment Fund application and supporting documentation from Crest Precast Inc., a manufacturing business in La Crescent township; and,

WHEREAS, the EDA adopted a resolution to submit a Minnesota Investment Fund application on behalf of Crest Precast Inc; and,

WHEREAS, the EDA has the capacity to implement such activities; and,

WHEREAS, the submission of the Minnesota Investment Fund application on behalf of Crest Precast, Inc. is in the best interest of Houston County;

THEREFORE BE IT RESOLVED, that Houston County hereby authorizes the Houston County Economic Development Authority to submit a Minnesota Investment Fund application on behalf of Crest Precast, Inc. and execute any necessary documents.

Following discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the revolving loan fund contribution of \$65,000.00 at 2% interest paid back over a 10 year period be provided to Crest Precast contingent upon DEED's approval of the application for the balance of financing of the project.

Rick Howden provided a reminder of the upcoming Economic Summit being hosted at Corky's in La Crescent on Thursday, May 8th. There will be a guest speaker and representatives from DEED, the USDA etc. He hopes that community members will be in attendance to share updates and discuss barriers.

File No. 3 - HR Director Arrick-Kruger reported on a draft of a proposed paid internship program for students who are nursing and public health education majors. SHIP grant funding has been identified and can be used to cover the cost for the program. Qualifying students would be hired as 67 day employees and paid \$11.62 per hour.

PHN Director Marchel provided details of the proposed paid internship program. The program would be available to students between their 3rd and 4th years. Specific duties have been identified which may be assigned to students. The duties provide opportunities and expectations. Metrics have been developed to measure contribution. This program is expected to energize staff also. It is expected that students will bring with them new views and best practice insight. Commissioner Zmyewski questioned funding for the program. It was reiterated that SHIP grant funds are available at this time to cover the cost. The program will be contingent upon external funding.

Historically, the internship opportunities at the County have not been paid. HR Director Arrick-Kruger stated that higher education institutions have been working to engage students in paid internship opportunities which offer a different level of accountability and opportunity over those which offer no compensation. The schools inquire as to the duties and level of responsibility the students will be given during internships. HR Director Arrick-Kruger stated that PHN Director Marchel has worked hard to develop the program parameters to provide an exceptional learning opportunity for students and to meet the increasing requirements of the higher education institutions while benefitting Houston County.

HR Director Arrick-Kruger noted that she would be meeting to discuss the program with AFSCME representatives to ensure that there are no conflicts.

Commissioner Storlie inquired whether the hiring process would be similar to other 67 day employee positions. HR Director Arrick-Kruger stated that it will be unique in that PHN

Director Marchel will work with schools to identify students followed by an application and interview process. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the Paid Internship Program for Health Education and BSN Nursing Students contingent upon external funding.

File No. 4 - HR Director Arrick-Kruger provided additional information related to the re-keying project. She stands by her recommendation to accept the quote provided by Bob's Lock & Safe Inc. to re-key the Historic Courthouse for \$7,339.00 plus keys. She stated that the replacement of door knobs to lever action would increase the project cost to approximately \$12,000.00, the lever action knobs are not required and she does not have the funds available to cover the added expense. In the event the Board feel strongly that the knobs should be replaced she suggested they identify a funding source for the added cost. HR Director Arrick-Kruger has a building improvements line item which she will utilize to cover the cost of the project. Her office has worked to reduce the building improvements line item from \$45,000.00 a couple of years ago to just \$30,000.00 this year. These funds need to last the entire year. She evaluates building improvement projects and this year the rekeying project was top on her list. Last year the alarm systems were improved. HR Director Arrick-Kruger stated that the re-keying project is a major security concern. Over time keys have been issued and it is possible that they were never returned. There is a need for a grand master and subs so that in the event of a fire or major security event emergency response is not hindered by the inability to enter locked areas. In addition, if keys cannot be located the County could suffer increased loss if, for example, the fire department is forced to break down doors instead of just unlocking them to gain entry. Motion was made by Commission Storlie, seconded by Commissioner Schuldt and unanimously carried to accept the quote provided by Bob's Lock and Safe Inc. in the amount of \$7,339.00 plus keys to complete the re-key project and also to make the north door egress only.

HR Director Arrick-Kruger provided an update regarding the status of the cleanup of the Historic Jail. The humidity has been reduced from 89% on Friday to 44% in the basement, from 86% to 36% on the main floor and from 79% to 34% on the second floor during the same period. The MCIT representative along with a structural engineer will be onsite today to assess whether there has been damage to the structural supports and/or foundation as a result of the flooding event. The Board will, at some point and time, be required to determine whether the building will be repaired or razed. Mitigation will be ongoing until enough information can be gathered in order to make that decision. There may be funding available through the Historical Society if the Board makes the determination to repair the Historic Jail. In the event the structure is to be razed those funds would not be available. On Friday an asbestos testing report was provided to the project manager for ServiceMaster. Regardless of whether the structure is repaired or razed, further asbestos testing will be required as materials of concern have been exposed as a result of the flooding. Concerns have been raised whether there is lead in paint in the building. These are materials which require proper disposal.

Commissioner Storlie questioned whether it is known what caused the flooding to occur. HR Director Arrick-Kruger stated that there is a loop from the Historic Courthouse to the

Historic Jail and back which supplied the Historic Jail with low pressure hot water heat. As a result of the severe winter weather suffered here, the loop froze. She expects that the freezing happened sometime in March. The boilers did not call for water until the Friday of the flood. It is unknown how long the building was without heat. HR Director Arrick-Kruger stated that on March 23rd the sprinkler system appeared intact and a week ago Friday the damage was suffered.

HR Director Arrick-Kruger reported that the sprinkler system was inspected the year the building was vacated and that the building was routinely entered on a monthly basis. The call for water went to dispatch at the Historic Jail which is no longer operable. The call did not get directed to dispatch in the Justice Center. The plumbing for the Historic Jail had been drained and winterized. Discussion was held.

HR Director Arrick-Kruger reported that there is microbial growth in the building. This is to be expected after the building sustained the damage and a week had elapsed. It is important to reduce the moisture levels so that the microbial growth may be treated. Today cleanup crews will be removing walls to ensure the interior of the stone gets properly dried and to ensure that microbial growth does not take place in wet insulation. During this mitigation process it has been learned that there are as many as 5 layers of flooring on the second level. A single layer of flooring is being removed at a time and damage and dryness are being assessed with each layer.

To date, mitigation costs are being covered by insurance. Commissioner Storlie expressed concern that only those things covered by insurance be completed until further decisions have been made.

HR Director Arrick-Kruger stated that copies of the structural report will be provided to commissioners once the report has been completed and is available to the County.

HR Director Arrick-Kruger reported that Public Health is considering smoke-free campus policy, which would include sidewalks, areas near to outside doors, the space around the building, and the parking lot. She would like to consider this policy for adoption by the County as a whole and to be made applicable to all County campuses. She indicated that e-cigarettes would be included in the policy. The proposed policy was prepared for public entities by a school of law.

During the time when the smoke-free campus policy is being considered, HR Director Arrick-Kruger will include other personnel policy updates. The proposed policy and changes will be presented at a department head meeting which is expected to generate feedback which will be incorporated to come up with the final draft and further presented to the Board for approval and/or adoption.

It was noted that the frac sand ordinance writing committee meets again next Monday.

Commissioner Kjome reported on EDA meeting he attended last Wednesday.

Commissioner Kjome chose to respond to Mr. Fields' public comment and asked for clarification. Air monitoring equipment costs were discussed. Mr. Fields stated that there is no free lunch. Commissioner Zmyewski assured Mr. Fields that costs of regulation will be thoroughly reviewed and discussed. Mr. Fields shared his opinion that individuals are assuming that allowing frac sand mining through regulation would be "free" and that banning it would be costly as a result of lawsuits but in reality would be quite the opposite.

Commissioner Schuldt reported on a Caledonia EDA meeting which he attended. He also reported on an article which appeared in the Star Tribune recently which spoke favorably regarding Houston County with regard to child abuse statistics.

Commissioner Storlie reported on the EDA meeting she attended.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to place on file the following items from the consent agenda:

File No. 5 – Section 8 Vouchers by County Report

File No. 6 – Minutes from Bluff Country MN Multi-County
HRA Annual Meeting

There being no further business and the time being 9:57 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, April 29, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, April 29, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporter Moorhead; Kelley Stanage; Bruce Kuehmichel; Donna Buckbee; Susan VanGorp; HS Director Bahr; Rick Howden; Engineer Pogodzinski; Finance Director Lapham; Environmental Services Director Frank; Glenn Kruse

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the April 22, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$65,799.05
Road & Bridge Fund	121,307.00

Total	\$187,106.05
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File No. 2 - Susan VanGorp, Yucatan Township resident, read from a prepared statement which is on file.

File No. 3 - HS Director Bahr presented for consideration a Proclamation to designate May 8, 2014 as Children's Mental Health Day. Motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to adopt the following Proclamation.

PROCLAMATION

WHEREAS, addressing the complex mental health needs of children, youth and families today is fundamental to building the health, resilience and future of Minnesota; and

WHEREAS, children and youth may have or be at risk of developing mental health conditions requiring therapeutic supports and clinical services.

WHEREAS, state and local agencies have partnered to implement the Minnesota Comprehensive Children's Mental Health Act for 25 years to create a mental health system that will more effectively and efficiently care for the mental health needs of children, youth, and families.

WHEREAS, the need for comprehensive, coordinated mental health services for children, youth and families places upon our community a critical responsibility; and

WHEREAS, it is appropriate that a day should be set apart each year for the direction of our thoughts and actions toward how essential our children's positive mental health is to their development from birth; and

WHEREAS, the Houston County Human Services and Houston County Public Health, in its policy and planning roles, supports effectively caring for the mental health needs of children, youth and families in our community;

NOW, THEREFORE, I, Teresa Walter, Chair of Houston County Board of Commissioners, do hereby proclaim May 8, 2014, to be Children's Mental Health Awareness Day throughout Houston County and urge our citizens and all agencies and organizations interested in meeting every child's mental health needs to unite on that day in observance of such exercises as well acquaint the people of Houston County with the fundamental necessity of nurturing the social and emotional well-being of children from birth and providing effective, accessible services and supports for children and youth with mental health needs and their families.

Commissioner Zmyewski reported on the frac sand ordinance writing committee meeting. He expressed that he is pleased with how the committee is functioning and what it is accomplishing. He stated that all sides are considered and the group compromises. Lengthy discussion was held regarding various setbacks from waterways, wells, feedlots etc. This discussion will be continued during the next scheduled meeting.

Commissioner Zmyewski indicated his desire to clarify the Board's intent prior to the Planning Commission discussing the possible renewal of the Erickson CUP. He expressed concern that questions remain regarding the applicability of Judge Walter's ruling on action being considered and also on whether the County has any authority to take action in this regard.

He would like clarification regarding both of these concerns prior to the Board taking action. Motion was made by Commissioner Zmyewski, and seconded by Commissioner Kjome to require clarification with regard to the court ruling and LGU determination prior to action being taken with regard to the renewal of the Erickson CUP.

It was stated that the renewal of the permit isn't required to come before the Board. Commissioner Storlie recalled having read information regarding this issue. It was noted that Environmental Services Director Frank has been in contact with Will Seuffert and others to provide clarification. Both Commissioners Zmyewski and Kjome expressed concern that Houston County be certain that they are the appropriate RGU (regulatory government unit) in this regard.

Commissioner Zmyewski specifically questioned whether the EQB has relinquished its RGU authority. He also questions whether the court order impacts the County's decision making authority. Commissioner Zmyewski reasserted that he wants to ensure that the proper procedure is followed with regard to the application for renewal.

Environmental Services Director Frank stated that when the dissolution between Mr. Erickson and Minnesota Sands took place his office received notification of this and also a request to proceed. At this point the 60 day rule was put into play. He has had discussion with Jay Squires regarding the concerns and the proper procedure. There is a need for the Judge to clarify his ruling and that is being done. However, the 60 day clock continues to run which requires the County to proceed with making a decision. According to Mr. Squires, the judge may have gone above and beyond or outside the scope of the request when he made his ruling. It is the recommendation of legal counsel to proceed. Commissioner Zmyewski questioned why the 60 day rule is applicable again. Commissioner Zmyewski has had several discussions with Mr. Erickson. He doesn't want decisions made that would land the County or individuals in legal hot water. Environmental Services Director Frank provided a timeline of events and how they play into the decision making process at this time. Mr. Erickson requested a CUP renewal in November 2012, prior to the CUP's expiration which was scheduled for February 2013. Shortly thereafter, he provided proof that the contract with Minnesota Sands which he had been party too was null and void. Mr. Erickson proceeded with excavation under the pretense that a sand pit was a sand pit. By this time the County had put in place the moratorium and followed up with two stop work orders. The disagreement ended up in court, failed to move forward and eventually the County petitioned the suit be dismissed with prejudice. The request was granted. Currently, Mr. Erickson seeks the requested renewal for his CUP which will allow for 8,000 to 10,000 yards of construction sand to be removed annually. The request is no longer a matter of frac sand mining. Environmental Services Director Frank restated that the 60 day rule is in play and as of today, we are working in the 60 day extension period. If the County fails to take action, the 60 day rule will expire and result in automatic approval/renewal.

Environmental Services Director Frank reported that the renewal request for Mr. Erickson is on the Planning Commission's agenda along with renewal requests for 2 additional

mines owned by others. Commissioner Zmyewski clarified that the renewal requests will come before the County Board. Environmental Services Director Frank stated that the renewal requests fall under the “other business” portion of the Planning Commission’s agenda. There is no public hearing required. The Planning Commission will discuss and make a recommendation to the County Board.

Concern was expressed that Rick Frick, who represents Minnesota Sands, has made inquiries regarding the Erickson Mine renewal. Environmental Services Director Frank indicated that when Mr. Erickson dissolved his business agreement with Minnesota Sands there were requirements. Mr. Frick was required to notify the County of the dissolution in addition to Mr. Erickson having done so. Mr. Frick has also discussed the position of Minnesota Sands with the EQB. Environmental Services Director Frank stated that the EQB is dealing with the citizens’ petition for EIS on a project which originally included several mines across a 3 county area and now has been altered. Environmental Services Director Frank stated that he is working diligently to meet legal obligations with regard to the applications. He reiterated that the renewal application is for 8,000 to 10,000 yards of construction sand annually. It may be true that Mr. Erickson would like to expand however, at this time the request is for a renewal only. Any expansion would require Mr. Erickson to make application for a new CUP and would subject the application to new State requirements.

Commissioner Zmyewski rescinded his previous motion. Environmental Services Director Frank reiterated that there is a motion in the courts for the judge to clarify his ruling. The EQB will be considering the situation, however no timetable for doing so has been established. He is speaking with the DNR to determine whether the renewal is subject to the State’s new requirements. There are several steps which need to be completed prior to the 60 day rule time period expiration. Mr. Erickson has a desire for this to be settled in a timely fashion.

Commissioner Kjome reported that he held lengthy discussion with Environmental Services Director Frank and Zoning Administrator Scanlan last Friday. He expressed his appreciation for their taking the time to meet with him. He questioned whether the original CUP was allowed to expire. Environmental Services Director Frank stated that the request or application for renewal was submitted prior to the permit’s expiration. He explained the events which transpired and impacted the request/application. The timeline included the following events: extension applied for in November 2012, 2 months prior to the CUP’s expiration; a discretionary EAW was requested; citizens petitioned the EQB for a cumulative EIS; the State EQB determined that they were the RGU causing the 60 day rule to stop.

Commissioner Kjome questioned whether Mr. Erickson would make application for a new CUP. Environmental Services Director Frank stated that an application for a new CUP would be subject to the new guidelines and state requirements. There would be further time delays and additional expenses. Mr. Erickson is seeking only to renew the original 1992 CUP and to operate under the original terms. Historically, the type of mining activity being requested for renewal has resulted in few complaints. Any complaints are taken seriously. Craig Moorhead

requested clarification regarding the scope of operation and how that impacts either the renewal or requirement for a new CUP. Again, Mr. Erickson is not seeking a change in the scope of the operation which was originally permitted in 1992. If he were to request to remove a greater quantity from the mine the scope would be considered to have changed and a new CUP would be required.

File No. 4 – Following discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and carried with Commissioner Storlie abstaining to adopt the following:

RESOLUTION NO. 14-20

BE IT RESOLVED that the Houston County Board of Commissioners does hereby approve the Minnesota Lawful Gambling Application for Exempt Permit on behalf of ABLE Foundation, Inc. for gambling activities to be conducted at Ma Cal Grove Country Club in Caledonia Township.

File No. 5 - Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the La Crescent Snowmobile Club Maintenance and Grooming application and to adopt the following resolution:

RESOLUTION NO. 14-21

BE IT RESOLVED By the Board of County Commissioners, Houston County, Minnesota, that it approves the Maintenance and Grooming application of the La Crescent Snowmobile Club and authorizes the Board Chairperson to sign an agreement with the Department of Natural Resources.

Auditor Meiners provided optional times to tour Alan Stankevitz' property. It was agreed to schedule the tour for May 20th at 1:00 p.m.

Commissioner Kjome reported on a video conference on health and policies hosted in Fillmore County which he attended.

Commissioner Zmyewski reported on the frac sand ordinance writing committee meeting which he attended.

Chairperson Walter reported on the frac sand ordinance writing committee meeting which she attended.

Chairperson Walter provided a reminder that the Public Health Open House is being held today from 3:00 p.m. to 6:00 p.m.

There being no further business and the time being 9:43 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, May 13, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, May 13, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporter Moorhead; Engineer Pogodzinski; HR Director Arrick-Kruger; Zoning Administrator Scanlan; Finance Director Lapham; Jail Administrator Schiltz; David Williams; Kelley Stanage; Betts Ready; Mike Fields; Donna Buckbee; Susan VanGorp; PHN Director Marchel; Health Educator Myhre; Ken Tschumper; Sheriff Ely; Glenn Kruse; Financial Services Supervisor Kohlmeyer; Kurt Walter

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the agenda.

Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the April 29, 2014 meeting.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$114,892.56
Road & Bridge Fund	91,212.77

Total	\$206,105.33
	=====

File No 2 - Kelley Stanage, Houston Township resident, exercised her right to free speech to call attention to the conduct of County staff. She stated that since there is no administrator, the Board has the authority to address concerns. She provided a copy of a series of e-mails which she referenced. She stated that it is the Board's responsibility to manage employees and she expects members to take swift action.

File No. 3 – David Williams, representative of Williams Consultancy, read from a prepared statement which is on file.

File No. 4 – Betts Ready, Money Creek Township resident, read from a prepared statement which is on file.

Mike Fields, Winnebago Township resident, expressed concern that an ordinance allowing some degree of frac sand mining will result in multiple costly lawsuits much like the one involving the Erickson Mine and that an outright ban may not result in any lawsuits or a single suit at most. The County could focus its resources on defending against a single suit by enacting a ban. He indicated that as a taxpayer, he would prefer to focus resources to defend against a single lawsuit versus multiple.

Susan VanGorp, Yucatan Township resident, indicated that individuals who have voiced opposition to the Erickson Mine have had action taken against them. She stated that she received notice of a feedlot violation after having spoken out against the Erickson Mine and that her farm has been operating in essentially the same manner for 20 years. She indicated that she will be meeting with HR Director Arrick-Kruger regarding what she believes are violations of county policy. She expressed her expectation that the County will discipline staff or risk having citizens go the Press with the story.

Donna Buckbee, Yucatan Township resident, stated that she has collected hundreds of signatures in Commissioner Districts 1 and 4 in support of a petition to ban frac sand mining. She repeatedly questioned members of the Board whether those individuals had been labeled also.

File No. 5 - Engineer Pogodzinski reported that only a single bid was received for S.A.P. 28-604-33. This is for the paving of CSAH's 4 and 9. The bid submitted was 4.08% below the engineer's estimate. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to accept the bid provided by Mathy Construction in the amount of \$4,282,167.59.

File No. 6 - Engineer Pogodzinski reported on the following bids which were received until May 5, 2014 for S.A.P. 28-599-73:

VanGundy Excavating LLP Houston, MN 55943	\$210,303.00
Generation X Construction LLC Rushford, MN 55971	\$214,879.26
Zenke, Inc. La Crescent, MN 55947	\$225,773.40
Minnowa Construction, Inc.	

Harmony, MN 55939

\$241,506.00

The engineer's estimate for the project is \$291,323.00. On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to accept the low bid submitted by VanGundy Excavating LLP in the amount of \$210,303.00.

Engineer Pogodzinski reported that the CSAH 5 project will begin soon. Activities being completed in association with the project include resurfacing, installing curb and gutter, and city utilities work. The contractor hopes to keep the roadway open through the Memorial Day Holiday and then close it for a period of up to 3 weeks. There will be detours available. Depending on the weather, it may be possible and it is the goal to reopen the intersection of CSAH 5 and County 249 in less than 3 weeks.

File No. 7 – On the recommendation of the Planning Commission, motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the issuance of the following Conditional Use Permits:

AT&T/Ken Ranzenberger – Houston Township - Expand an existing Verizon Wireless telecommunications facility

File No. 8 - On the recommendation of the Planning Commission, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the issuance of the following Zoning Permits:

Nick and Robin Thesing – Money Creek Township - Build house (48' x 28') and garage (26' x 24')

Dylan and Melissa Burrow – Sheldon Township - Build calf barn (50' x 100')

LeRoy Kohlmeyer – Caledonia Township - Build grain bin (55,000 b.u.)

Art Doering – Brownsville Township - Build pole shed (58' x 72') and calf shed (48' x 64')

Peter and Jessica Wiese – Caledonia Township - Extension on permit #4064 to build house (44' x 34') garage (44' x 30') deck (20' x 20')

David and Susan Breyer – Sheldon Township - Build dwelling (36' x 32') storage shed (36' x 32')

Rick Sime – Houston Township - Build decks (4' x 44' and 12' x 26')

Duane Peterson – Yucatan Township - Build pole building (32' x 48')

Jason Melde – Union Township - Build pole building/garage (30' x 36')

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the following: CUP #187 renewal for Bonanza Grain/David Pieper for mineral extraction and land alteration in Section 17 of Mayville Township; CUP #298 renewal for Milestone Materials for mineral extraction in an ag district in Section 22 of Jefferson Township; CUP #338 renewal for Leonard Jr. and Holly Wieser for an exhibition permit in Section 12 of Yucatan Township.

File No. 9 - HR Director Arrick-Kruger met with the Board to discuss a proposed tobacco free campus policy applicable to the County Community Services Building. If adopted, she would like to see the policy used as a template to be considered for countywide adoption. William Mitchell School of Law drafted the initial policy. PHN Director Marchel supports adopting the policy to apply at the 611 Vista St campus. Public Health believes that smoking and tobacco use are detrimental to the health and safety of employees, visitors and the general public. She stated that WIC clinics are hosted at their location. Participants include pregnant woman, infants and children. The policy would apply to the entire campus including those private vehicles parked in campus lots. Public Health offers smoking cessation and is willing to assist employees, clients, and the public at large with quitting. Compliance and enforcement will be a shared responsibility of staff. PHN Director Marchel stated that there are currently no extinguishing receptacles/ashtrays at the CCSB nor are butts of cigarettes strewn about the grounds. Action towards the increase of smoke-free environments is part of SHIP Grant requirements. This is a significant grant for Houston County. Commissioner Zmyewski clarified where the policy would be applicable. HR Director Arrick-Kruger reasserted her desire to implement the policy county-wide and across all campuses. She stated that the super majority of staff are non-tobacco users. Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adopt the Houston County Community Services Tobacco-Free Campus Policy.

Discussion was held regarding the draft of an e-cigarette ordinance. County Attorney Hammell has been reviewing information and discussing concerns, such as compliance checks, with impacted departments such as Law Enforcement. The final draft is forthcoming and will be followed by the required public hearing. Language in the recently adopted Tobacco-Free Campus Policy include e-cigarettes.

Sheriff Ely questioned how the Tobacco-Free Campus Policy will be enforced. PHN Director Marchel indicated that there will be signage posted and staff will politely address visitors who may be unaware of the policy and smoking. She expects both staff and visitors to be respectful of the policy. In the event a member of the public refuses to abide by the policy, she

expects that they will move along and exit the property and grounds. Similar policies have been implemented elsewhere with little problem.

Commissioner Storlie stated that she has had individuals indicate to her their belief that e-cigarettes are not harmful. It is her understanding that this belief is false and that e-cigarettes are harmful. She questioned whether public health has information in this regard that can be shared with individuals. PHN Director Marchel stated that they do have information available and that e-cigarettes are harmful.

File No. 10 – On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to accept the resignation of Jesica Melde and to send a letter in appreciation of her years of service. Ms. Melde worked 0.3 FTE in Public Health and her resignation was effective May 9, 2014. The department is not requesting to backfill the position vacated by Ms. Melde at this time.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the change of status of Kirby Fitzpatrick from probationary to regular effective her anniversary date. As part of this status change, Ms. Fitzpatrick's compensation will change to Step 2 of the appropriate comparable worth band.

HR Director Arrick-Kruger requested authorization to initiate a search for a financial worker due to the recent passing of an HS employee. HR Director Arrick-Kruger stated that there may be internal candidates interested in the vacancy. In addition, she would like authorization to post for the position of case aide if necessary. She has spoken with advisors regarding Merit Testing requirements and she has permission to administer a single test for the financial worker position and to use the same pool in the event a case aide hire is necessary. This will be competitive equal opportunity search. In the event an internal candidate is hired for the financial worker position, the County will utilize the same pool to back fill the case aide position. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to authorize the initiation of a search for financial worker and/or case aide.

File No. 11 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Schuldt seconded by Commissioner Zmyewski and unanimously carried to accept the letter of intent to retire of Duane Beckman and to send a letter of appreciation for his years of service.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to authorize posting for a lead worker and to authorize the initiation of a search to back fill any vacancy which may result.

HR Director Arrick-Kruger reported that she has been working with the Sheriff's Office and Finance Director Lapham to consider staffing needs for the Sheriff's Department. The study will determine the most cost effective combination to provide for adequate staffing utilizing a mix of full and part time staff and 67-day employees. This information will be brought forward in the weeks to come.

HR Director Arrick-Kruger stated that a group meeting which had been scheduled to discuss the status of the Historic Jail has been delayed. The Engineer's report hasn't been received yet, however, early indications reflect no significant structural damage. A contractor's report is also outstanding. The contractor's report will provide cost estimates for repair. The Board will need to make a decision whether to raze or repair the structure. This decision impacts MCIT's response. In general, the building is nearly dry, a significant portion of main floor walls and partial walls from the second floor were removed as a result of damage, and the second level flooring was also removed. Discussion was held regarding unique aspects of the multiple levels of second story flooring which were removed. Certain items discovered during the clean-up have been set aside for possible display at a later time. The Historical Society would like to schedule a meeting with the Board to discuss the Historic Jail.

File No. 12 - Finance Director Lapham requested approval of 3 budget amendments for departments including Wildcat, Sheriff's Department, and Public Health. The Wildcat budget amendment is being requested in order to account for funds designated and being carried forward for use on future projects. Discussion was held regarding the balance of the affected line item. The Sheriff's Department budget amendment is being requested to move funds into the current fiscal year which were designated to purchase vehicles in the previous year. The new vehicles were unavailable for purchase in the previous year and there remains a need to make the purchases. The Public Health budget amendments are being requested to accurately reflect various grants which were awarded following the budgeting cycle and to make health insurance adjustments to reflect a decrease in costs which was unknown when the budget was adopted. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the agenda amendments as requested.

Finance Director Lapham stated that since it is the second week of the month she sent out financial data and is prepared to provide an update. She reported that there are no surprises or abnormal activity reflected in the financial information. The cash balance has been depleted and will be replenished with tax receipts. The June reports will reflect that the cash balances have been increased.

Auditor Meiners recommended the County Auction be scheduled for the Wednesday of Fair Week. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to authorize Auditor Meiners to schedule the auction and to move forward with sending the necessary letters and etc.

File No. 13 – Following discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve 2 tax abatements. The first for David Halbakken on parcels #10.0385.000 and #10.0391.000 due to classification error for 2014 taxes being a reduction of \$548.00 and the second for a parcel located in Houston City which should have been classified as Military Veteran Disabled being a reduction of \$1,648.00 for 2014 taxes payable.

File No. 14 - Motion was made by Commissioner Storlie, seconded by Schuldt and unanimously carried to adopt the following proclamation;

PROCLAMATION

WHEREAS, emergency medical Services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, first responders, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, I, Teresa Walter, Board Chair, Houston County, Minnesota in recognition of this event do hereby proclaim the week of May 18 – 24, 2014, as Emergency Medical Services Week.

With this theme, EMS: Dedicated. For Life, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

File No. 15 - Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the Gopherland Trails Snowmobile Club Maintenance and Grooming application and to adopt the following resolution:

RESOLUTION NO. 14-22

BE IT RESOLVED By the Board of County Commissioners, Houston County, Minnesota, that it approves the Maintenance and Grooming application of the Gopherland Trails Snowmobile Club and authorizes the Board Chairperson to sign an agreement with the Department of Natural Resources.

Commissioner Zmyewski reported on the most recent frac sand ordinance writing committee meeting. The next meeting is scheduled for Monday, May 19, 2014.

Commissioner Kjome reported on Planning Commission, EDA Summit and SE MN Water Resources meetings which he has attended recently.

Commissioner Zmyewski reported on a Personnel Committee meeting which he participated in and also that he attended a recent Planning Commission as observer.

Commissioner Schuldt reported on a Personnel Committee meeting which he participated in via telephone.

Commissioner Storlie reported on her attendance at the Public Health Open House and a La Crescent City Council meeting and also on the Hiawatha Valley Mental Health and EDA Summit meetings.

Commissioner Walter reported on EDA Summit and Association of County Township Officers meetings which she attended and also the Public Health Open House.

It was agreed that both Commissioner Kjome and Chairperson Walter would be attending the May 21st meeting being conducted by the EQB.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to place on file the following items from the consent agenda:

File No. 16 – Correspondence regarding reimbursement for county probation services

File No. 17 – Correspondence to Hank Koch regarding tons delivered to Xcel

File No. 18 – Correspondence dated May 14, 2013 from Rupp, Anderson, Squires & Waldspurger, P.A. distributed to Commissioners anonymously

There being no further business and the time being 10:19 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, May 20, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, May 20, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporter Moorhead; Dr. Ross Reichard; Monica Kendall, P.A.; HS Director Bahr; Financial Services Supervisor Kohlmeyer; Social Services Supervisor Hunter; Rick Howden; Sheriff Ely; Engineer Pogodzinski; HR Director Arrick-Kruger; Yvonne Krogstad; Mike Fields; Bruce Kuehmichel; Glenn Kruse; IS Director Milde; Finance Director Lapham; Sarah Beimers; Bob Herskovitz; Jail Administrator Schiltz

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the May 13, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$50,898.00
Road & Bridge Fund	16,891.12

Total	\$67,789.12
	=====

File No. 2 - Chairperson Walter provided an overview of the Policy for Public Comment Period. She recommended that the policy be amended and read from a prepared statement which is on file. It was the consensus of the Board to include this item for discussion and action on the agenda for the next scheduled meeting.

Mike Fields, Winnebago Township resident, expressed concerns with information which came out during the last meeting. He indicated that many individuals who successfully stopped a tire burning plant from being constructed in Preston, Minnesota are the same individuals who are speaking out against frac sand mining. He stated that each day, when the wind blows from the northwest, thanks is due to those individuals who worked to prevent that tire burning plant.

File No. 3 - Dr Reichard of the Southern Minnesota Regional Medical Examiner's Office presented the 2013 Houston County Report. Dr. Reichard expressed appreciation of the local assets which provide invaluable assistance to his office. He stated that the local resources handled the plane crash which resulted in 3 deaths expertly. Commissioner Zmyewski questioned why it appears that there are a growing number of Parkinson's related issues in the local communities. Dr. Reichard responded that Parkinson's issues increase with age however, it typically is not the reason for death.

File No. 4 - Sheriff Ely met with the Board to discuss a Toward Zero Deaths grant application his department is making in conjunction with Public Health. If his department is awarded the grant, funds would be utilized to cover the overtime expense for officers who conduct 4 hour shifts to participate in seat belt, speed, distracted driving and driving while under the influence enforcement events. He has discussed this during the chiefs' meetings and the city law enforcement offices within the County are also interested in partnering with the County in this regard. Sheriff Ely indicated that some training would be required. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the grant application of the Sheriff's Department and to adopt the following resolution:

RESOLUTION NO. 14-23
RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that Houston County Sheriff's Department enter into a grant agreement with the Minnesota Department of Public Safety, for traffic safety projects during the period from October 1, 2014 through September 30, 2016.

The Houston County Sheriff is hereby authorized to execute such agreements and Amendments as are necessary to implement the project on behalf of the Houston County Public Health and to be the fiscal agent and administer the grant.

File No. 5 - Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the grant application of the Public Health and to adopt the following resolution:

RESOLUTION NO. 14-24
RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that Houston County Public Health enter into a grant agreement with the Minnesota Department of Public Safety, for traffic safety projects during the period from October 1, 2014 through September 30, 2015.

The Public Health Director is hereby authorized to execute such agreements and Amendments as are necessary to implement the project on behalf of the Houston County Public Health and to be the fiscal agent and administer the grant.

Social Services Supervisor Hunter shared a video depicting the struggle of children living in situations which results in being placed in foster care and the positive impact foster care homes/parents can provide. He noted that May is Foster Care Appreciation month.

HS Director Bahr stated that 245D standards have been revised and implemented. There have been significant changes to disability services. Houston County works closely with Olmsted County. Chairperson Walter questioned whether Olmsted County overshadows Houston County. HS Director Bahr responded that it has been beneficial to work with Olmsted County despite the size inequality.

HS Director Bahr reported that the LCTS hasn't been active during recent years holding a only a single meeting annually. Both she and PHN Director Marchel are aware of funds held by LCTS which could be utilized for beneficial projects and they are committed to increasing the activities of the LCTS in order to get projects moving forward. The administrative fee for the LCTS will be shared equally between Human Services and Public Health.

HS Director Bahr reported that during 2013 the County collected on a \$100,000.00 estate however, the State receives 75% of such collections. The State was reimbursed for their portion of the collection during the 2014 fiscal year which has caused the 2014 budget reports to appear as if the budget has been exceeded significantly.

HS Director Bahr invited commissioners to attend a video conference which will be held in the Justice Center later today. Discussion will be held regarding a recent report and more specifically on 4 reported outcome measures. These measures rate the safety and security of adults, the stability of youth living situations, economic security, quality of life of vulnerable adults, access to healthcare and use of services and etc. The entire report will be forwarded to commissioners. The initial indications reflect that Houston County ranks well with regard to several of the indicators.

The time being 10:00 a.m., motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to convene the scheduled public hearing.

Rick Howden reported that the purpose of this Public Hearing is to consider a tax abatement for a proposed expansion of Crest Precast, Inc. Steve Mader of Crest Precast reported that he is working to expand his business to better meet the needs of customers. Crest Precast, Inc. is making application for a Minnesota Investment Fund loan through DEED. In addition to the loan, he hopes that the Board will consider a tax abatement which is for 75% over a ten year period. This will amount to approximately \$6,900.00 annually and will allow the business to grow while maintaining stability. Mr. Mader indicated that 8 new jobs will be created. These jobs will provide an average wage of \$17.00 per hour plus benefits and require technical experience. This expansion will impact not only Crest Precast, Inc. but also local contractors and businesses with whom Crest conducts business. Mr. Mader was proud to share that his business is in its 50th year. This expansion has been largely driven due to increased sales. In 2010, Crest Precast, Inc. expanded to offer pre-stressed products and since that time, sales have doubled. With that expansion the company was able to add a quality control position and also a drafting position. The company experiences low turnover and 80% of those employed own their homes. The proposed expansion is a \$1.25 million project including equipment. The expansion will take place on land owned by the company and located in La Crescent Township. Recently, the company bid a job for Sun Prairie to provide the interstate sound proofing concrete panels and was awarded the project. One challenge for the company has been that the product for projects such as Sun Prairie need to be manufactured and ready for shipping. However, they may sit for several months prior to being shipped due to project delays and the fact that the product may be manufactured during slower times. Mr. Mader commented how the County has provided them with financial assistance in the form of flood recovery loans following a 2008 flood event. He stated that the flood essentially put the business out of commission. The loan allowed them to quickly restore operations. The required reports and payments have been made timely. In addition, the company has been paying in excess of the minimal required. Commissioner Storlie stated that she is impressed with the business, the benefits it offers to the County and proudly supports the request for tax abatement. Commissioner Kjome expressed agreement with Commissioner Storlie. Mr. Mader provided examples of the diverse products his company offers such as storm shelters to protect 250 individuals, sound proofing panels, and pre-stressed precast. He stated that they no longer have a paper catalog as all products are advertised online. Mr. Mader indicated that he never would have imagined that one could sell precast over the web.

The time being 10:07 a.m., the public hearing was adjourned.

File No. 6 - This expansion is expected to increase staffing by 8 employees over the next 2 years. It will increase the market value of the real property to \$715,270.00. The abatement will be granted over a 10 year period. Following discussion, motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve said tax abatement and to adopt the following resolution:

RESOLUTION NO. 14-25
Approving a Property Tax Abatement for Certain Property

**in the Township of La Crescent, Houston County, Minnesota, following Completion of a
Commercial Facility by Crest Precast, Inc**

WHEREAS, pursuant to Minnesota Statutes, Sections 469.1812 to 469.1815, the Minnesota State Legislature has authorized cities, school districts, counties and towns to rebate all or part of their respective portions of a parcel's property tax as an incentive to economic development provided the designated project meets criteria as established; and

WHEREAS, the Houston County Board of Commissioners believes that a strong economy is critical to the continued comprehensive growth and health of Houston County; and

WHEREAS, the Houston County Board recognizes that many complex factors influence the economic climate of the area and the Board has and will continue to support diverse efforts to foster a positive environment for both small and large business growth, attract and retain new corporate residents, and encourage development of the local labor force; and

WHEREAS, the Houston County Board has established the Houston County Economic Development Authority (EDA) which has been designated as the body responsible for reviewing and acting upon economic development abatement requests and other business subsidies, thereby replacing the original Abatement Committee; and

WHEREAS, the Houston County Board of Commissioners held a public hearing on **May 20, 2014**, following due notice as required by law and a recommendation by the Houston County EDA in favor of the abatement application of Crest Precast, dated February 21, 2014; and

WHEREAS, the Houston County Board of Commissioners has found and determined that:

1. It expects the benefits to Houston County of the proposed abatement agreement to at least equal the costs to the County of the proposed agreement;
2. The proposed abatement is in the public interest because it will:
 - a. Increase the County tax base by creating a new market value of **\$715,270**;
 - b. Create new and retain existing businesses and their employment opportunities in the County;
3. The proposed tax abatement otherwise meets or exceeds the County's Business Subsidy Criteria because:
 - a. The project will provide needed space for the expansion of Crest Precast, that has sufficient other financing to complete the project in a timely manner;

- b. It will encourage a high quality of construction and promote the highest and best use of land, consistent with the County's Comprehensive Plan, the Township's zoning ordinance, and other local regulations;
- c. The project will not significantly and adversely increase the demands for service needs in the County;
- d. The project will create and retain jobs which pay desirable wages and provide support for other local business.

NOW, THEREFORE, BE IT RESOLVED that the Houston County Board of Commissioners hereby approves the abatement request of **Crest Precast**, subject to the following stipulations:

- 1. The abatement will be payable to **Crest Precast** on the appreciated tax capacity in accordance with a development agreement which will specify the terms of such payments over **ten** (10) years beginning with the first year that taxes are due following substantial completion of the **Commercial Facility**.
- 2. After full payment of the taxes as due each year:
 - a. In years one (1) through ten (10), **Crest Precast** will receive a 75% abatement of the appreciated tax capacity;
- 3. In year eleven (11) and thereafter, **Crest Precast** will pay 100% of the real estate taxes without tax abatement.
- 4. Total abatement granted for the **ten** (10) years.

Rick Howden reported that the first EDA Summit was held on May 8th at Corky's in La Crescent. There were in excess of 30 attendees and the guest speaker was Don Weber.

File No. 7 - HS Director Bahr discussed the financial implications of the leased Human Services vehicles. She reported that the department currently leases two Chevy Malibu's and an HHR. If the department continues to operate the Malibu's as they have been HS Director Bahr projects over mileage penalties to equal approximately \$40,000.00. The department has the option to return the cars and cancel the leases. She stated that the cost to purchase the Malibu with new tires and breaks is \$10,250.00. She referred members of the Board to information complied and previously e-mailed. She stated that the vehicles need to be extremely dependable. Commissioner Zmyewski indicated that in the event vehicles are purchased he expects departments to drive them to certain mileage thresholds. HS Director Bahr stated that she would like to end the leases for both Malibu's, purchase the one with new tires and brakes and enter into a lease for a 2014 Malibu through the State. In 2014, the lease on the HHR would expire and

a new vehicle would be purchased to replace it. In 2015 the remaining lease would expire and a 3rd vehicle for the department would be purchased. During this review it has become evident that a 4th car would be utilized and would reduce the approximate \$20,000.00 annually paid to employees for mileage. Commissioner Storlie expressed appreciation for this well thought out presentation and consideration given to this proposal. Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the request of HS Director Bahr to terminate the leases for 2 Malibu's, purchase 1 Malibu with new tires and brakes at a cost of \$10,250.00 and to enter into a new lease through the State for a 2014 Chevy Malibu. Commissioner Zmyewski reiterated his desire to keep county owned vehicles in service until they've exceeded 150,000 miles.

Financial Services Supervisor Kohlmeyer provided information on updated privacy requirements related to SSA and IRS data. Both the child support and financial units receive this data from Federal hubs. Implementation of policies to protect and track who has access to the data is being required. The data is required to be stored under "double lock", paper copies must be tracked and computer monitor privacy screens need to be utilized in areas where this data is utilized by staff in the performance of their job duties. The necessary policies are being drafted and will be implemented.

Financial Services Supervisor Kohlmeyer reported that the child support unit is scheduled to go live with EDMS in July.

File No. 8 - Engineer Pogodzinski requested approval of Houston County Right of Way Plat No. 56 in connection with S.A.P. 28-996-10 on CSAH 13. Following approval of the plat, the County may begin acquiring the necessary property and easement. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the plat and to adopt the following resolution:

RESOLUTION NO. 14-26

RESOLUTION TO APPROVE AND ACCEPT HOUSTON COUNTY RIGHT OF WAY PLAT NO. 56 FOR THE RECONSTRUCTION OF STATE AID PROJECT 028-996-010.

WHEREAS; Houston County desires to improve and reconstruct County State Aid Highway No. 13, Between 2.3 miles West of the City of Houston, MN and 1.5 miles West of the City of Houston, MN, with Grading, Concrete Curb and Gutter, Aggregate Base and Surfacing, identified as SAP 028-996-010; and

WHEREAS; the Houston County Highway Department and the Houston County Surveyor have prepared Houston County Right of Way Plat Number 56 to identify and delineate the right of way and temporary easements required for this project; and

NOW THEREFORE BE IT RESOLVED; that Houston County approves and accepts Houston County Right of Way Plat No. 56 as designating the definite location of that part of County State Aid Highway No. 13, located in Section 31, Township 104 North, Range 6 West and Section 6, Township 103 North, Range 6 West, as presented on this date, May 20, 2014, and authorizes it to be filed of record with the Houston County Recorder.

BE IT FURTHER RESOLVED that Teresa Walter, County Board Chairperson, is hereby authorized to execute and sign the Certification statement on said plat on behalf of Houston County.

File No. 9 – Engineer Pogodzinski reported on quotes received for crack filling on county roads and also at the airport. The cost for crack filling decreased since quotes were solicited last season. The airport project includes crack filling on the runway and apron. These areas received an asphalt overlay last year. Due to the condition of the base, a mill and overlay could not be completed. Crack filling will prevent water from seeping between the layers of asphalt and further deteriorating the pavement quality. The project at the airport will qualify for 50% reimbursement. Motion was made by Commissioner Zmyewski, seconded Commissioner Kjome and unanimously carried to accept the low quote in the amount of \$1.71 routed or \$1.51 not-routed for blown clean, heat dried filled with hot rubber with a 2” wide overband on County roadways provided by Four Season Maintenance and the low quote in the amount of \$1.69 for routed, blown clean, heat dried, filled with hot rubber with a 2” wide overband for the airport runway and apron provided by B & D Sealcoating.

Engineer Pogodzinski reported that several years ago the County purchased two used electronic signs used to notify residents of road work. The cost was \$5,000.00 for the pair purchased from the State. One of the boards is not working and preliminary diagnostics have yielded no results. He has been advised that further diagnostics will be costly and it may be more financially beneficial to replace the sign. The cost for new electronic signs is \$40,000.00 and upwards. Similar flip panel technology boards are available used costing \$5,750.00 for a 2002 model to \$5,900.00 for a 2005 model. The models were discontinued in 2006 when manufacturing was ended. Engineer Pogodzinski has been unable to get in contact with the in-state business which provides maintenance for such signs. There are also Bearmack signs available which utilize updated technology and were manufactured until December 2013. The cost for a 2005 Bearmack is \$7,300.00. Parts are available for the Bearmack signs. This expense was not budgeted for, however, Engineer Pogodzinski has funding available from within his budget to cover the cost. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to authorize purchase of a 2005 Bearmack electronic message board in the amount of \$7,300.00. Commissioner Zmyewski stated that the County can continue to utilize the flip board technology sign and replace the non-functioning sign with an updated LED technology sign. He expressed that he does not favor an option to purchase 2 LED signs so that one may be kept as a spare.

File No. 10 - At this time HR Director Arrick-Kruger introduced Bob Herskovitz and Sara Beimers, representatives from the Minnesota Historical Society. She reported that ServiceMaster completed clean-up of the Historic Jail this past Sunday. She is working with MCIT to determine insurance coverage for restoration/repurposing or payout in the event the decision is made to raze the structure.

HR Director Arrick-Kruger reported that she has not received the structural report to date. Early indications reflect little, if any, structural damage as a result of flooding in the Historic Jail.

Mr. Herskovitz stated that he did not prepare a presentation, rather he was present and available to answer questions. He assured the Board that reuse is eminently available. There would be latitude available regarding the interior to make it functional. He advised the exterior remain intact and "as is". He encouraged maintenance and retention of character defining features. Mr. Herskovitz last toured the building when the contractors were drying the building out. There was more demolition required than the Historical Society would have preferred, however, due to the circumstances. The demolition does not take away the historic value of the property. There was wallpaper, some flooring, and molding preserved. Much of the same was lost. Concerns regarding mold growth required that 100% of contamination be removed.

HVAC equipment was removed. This may be beneficial in the event the building is restored. It would be highly likely that the equipment would have required removal and replacement. Mr. Herskovitz advised maintaining the structure as much as possible until a determination regarding the future of the structure is reached. He indicated that there are a few months before the building will require heat. Commissioner Zmyewski stated that he considers himself a history buff. He likes the old building. He expressed concern that it will require time, resources and funding to repurpose the structure. As a commissioner, he is cognizant of how taxpayer money is spent. A decision regarding the building should be based on costs. He questioned whether there are provisions available that would allow for the structure to be razed. Sarah Beimers confirmed that provisions are available. An EAW would be required. She noted that the Historic Sites Act is contained within Chapter 138. State Agencies and political subdivisions are required to cooperate with the Minnesota State Historical Preservation Office. The office would provide consulting regarding cost studies etc. Commissioner Zmyewski questioned whether the structure would remain on the Historic Registry in the event a buyer could be found who would relocate the structure. Mr. Herskovitz stated that relocation of the structure would cause a significant loss of integrity. The Historic Courthouse and Jail combined make up a single listing on the Historic Register. He indicated that there would be several funding streams available to aid in the cost of rehabbing the structure. These would include grants and/or bonding funds. Rehabbing the building would result in a large project with funding likely coming from a mix of sources. It is likely that in order for certain grants to be successful, matching funds would be required. There are small grants such as Legacy Grants which may not require matching funds. Matching funds may not be solely monetary but may include or be in kind services. Technical assistance may be provided by Sarah Beimers office and come as part of

a grant. Matching funds show community support and are viewed favorably to certain grant evaluation committees when considering awards. Grants such as medium and large Legacy Grants are competitive and often have requests which exceed available funds by 2 to 3 times. Applicants benefit from providing matching funding. It was asked whether insurance proceeds could be used as matching funds. Mr. Herskovitz stated that in the event the funds were not expended prior to the grant approval, it is likely that they could be considered as matching funds.

HR Director ArrickKruger has been working with MCIT to determine coverage. There are replacement and depreciation provisions to take into consideration. It isn't official, although it may be that the replacement of hardwood floors would be covered by Insurance. In the event the decision is made to raze the structure, the County would receive 50% of the determined value of the building. There are other costs to consider prior to making any decision. At one time, quotes for demolition were solicited. The cost for demolition which included asbestos abatement was \$96,000.00. As part of the flood clean-up, asbestos has been mitigated. This cost may reduce the overall demolition costs. There was also Mercury and lead paint abatement completed as part of the cleanup. Commissioner Zmyewski expressed a need to gather costs so that a decision can be made and a plan developed to move forward. Jail Administrator Schiltz stated that as a result of damage, temporary walls within the building have been removed and suggested that a tour may be beneficial. Sarah Beimers indicated that an adaptive reuse study may be required. This type of study would qualify for Legacy Grant funding. Discussion was held regarding the frequency which small, mid and large Legacy Grants are available for application. Small grants are awarded quarterly. These are grants not exceeding \$10,000.00. Application for mid size (under \$50,000.00) and large (exceeding \$50,000.00) will not be available until the next State fiscal year.

HR Director Arrick-Kruger stated that a structure study is currently being compiled for the Historic Courthouse. This will allow for application to be made when the next grant cycle opens. It would be difficult to complete the necessary study for the Historic Jail in time for the next grant cycle. It would be possible to apply for a small Legacy Grant when those applications open again. Discussion was held regarding the need to provide MCIT with a decision regarding the future of the structure. Jail Administrator Schiltz questioned whether quotes for the cost of repairs is required. Those estimates are being addressed. Commissioner Zmyewski stated that action taken regarding the Historic Jail will likely impact decisions made related to the Highway Department Building. Mr. Herskovitz and Ms. Beimers stated that they advocate for preservation.

HR Director Arrick-Kruger recommended projecting needs and costs out for the next 5 or 10 years. This is difficult to do. Commissioner Zmyewski indicated that he has been encouraging this type of future and financial planning during his entire 4 year tenure. HR Director Arrick-Kruger believes that in addition, the life expectancy and costs need to be determined whether a structure is being constructed to last 20, 50 or more years. These costs are difficult to project. There are many cost calculations needed prior to taking action or making a decision.

Mr. Herskovitz encouraged the reapplication of grants if requests are denied. He reported that for mid and large Legacy Grants, pre-application is mandatory. The pre-application is reviewed and suggestions are made to improve the submission. Those making application will be provided with comments so that they can improve the application prior to the final submission. Mr. Herskovitz considers this his organizations way of helping applicants make successful application.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Zmyewski, seconded by Commissioner Storlie and unanimously carried to confirm the hire of Samuel Kratt as a student assistant to the Surveyor's Office to work as needed at an hourly rate of \$11.45, as of July 1 this rate will increase to \$11.62.

The regular meeting recessed for participants to tour the Historic Jail. Following the tour the regular meeting was again on recess until the scheduled 1:00 p.m. tour of Al Stankowitz's property.

Commissioner Kjome reported in the EDA meeting which he attended.

Commissioner Zmyewski commented that Kurt Roverud recently inquired with him whether the County was continuing to consider his building as part of the Highway Department Building discussion.

Commissioner Storlie reported on an EDA and city & school meeting in La Crescent, which she has recently attended.

Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to place on file the following items from the consent agenda:

File No. 11 – Section 8 Vouchers by County Report

File No. 12 – Correspondence regarding Part II of Wellhead
Protection Plan for Eitzen City

There being no further business and the time being 2:15 p.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Storlie and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, May 27, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, May 27, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporter Moorhead; Engineer Pogodzinski; Zoning Administrator Scanlan; HR Director Arrick-Kruger; Sheriff Ely; Barb Kirchoff; Ernie Sloan; Finance Director Lapham; Chief Deputy Sheriff Yeiter; County Attorney Hammell; Sheriff Ely; Yvonne Krogstad; Betts Reedy; Kelley Stanage; Ernie Sloan; Barb Kirchoff; Jake (Ed) Lonkoski

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the May 20, 2014 meeting.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$40,252.16
Road & Bridge Fund	16,975.86

Total	\$57,228.02
	=====

File No. 2 - Chairperson Walter presented proposed amendments and/or additions to the Public Comment Policy. She read aloud the proposed items. Commission Zmyewski expressed concern with how the Board could enforce a single person speaking regarding a specific topic. Following discussion, motion was made by Chairperson Walter, seconded by Commissioner Storlie and unanimously carried to adopt the proposed #2 and #3 amendments and/or additions.

File No. 3 - Betts Reedy, Money Creek Township resident, read from a prepared statement which is on file.

File No. 4 – Engineer Pogodzinski reported on quotes received for stockpile aggregate. Quotes are solicited annually and typically the Board accepts all quotes. This allows the Highway Department to utilize the nearest quarry with the lowest price taking into consideration transportation costs. The stockpile aggregate quotes are used when completing small projects. For larger projects, bids or quotes are prepared. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to accept all quotes for stockpiles.

File No. 5 – Engineer Pogodzinski reported on quotes received for equipment rental. These are utilized for small projects if there is a need and also in times of emergency/disaster. The practice of soliciting quotes for equipment rental started following the 2007 flood and on the recommendation of FEMA. In emergency instances, if the County has numbers already solicited, work may commence, if they do not, they must first solicit the quotes. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to accept all quotes for equipment rental.

Engineer Pogodzinski reported that the CSAH 5 project will be delayed 1 week. Signage will go up this week.

File No. 6 – Sheriff Ely reported that in addition to the State Boat Grant, there is also a Federal Boating Safety Patrol Supplement Grant Agreement. The Federal Grant provides for an additional \$5,000.00 to support the boat patrol. The federal grant funds must be used for enforcement, search and rescue, and educational expenses do not qualify. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the Federal Grant and authorize the signature of Chairperson Walter and Auditor Meiners.

File No. 7 - Zoning Administrator Scanlan presented the final plat of Hanson Subdivision for approval. Hanson Subdivision is a single lot sub division located in Yucatan Township. The preliminary plat was approved last fall. Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to approve the final plat for Hanson Subdivision.

File No. 8 - Ernie Sloan, Wildcat Park Committee member, provided a brief history and requirements with regard to revenues and the development and operation of the park. In the lease it states that revenues not utilized for park improvements are to be paid to the Corp of Engineers. Currently there is \$49,160.24 available for park improvements. The Committee proposes the following improvements: purchase and installation of playground equipment in the amount of \$25,331.00 and purchase and installation of a security light to be located near the south restrooms by Hoskin's Electric in the amount of \$2,995.00. Motion was made by Commissioner

Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the proposal and expenses totaling \$28,326.00.

Discussion was held regarding Hoskin's quote which included the cost for a pole to mount the security light on. Commissioner Storlie indicated that Tri-County Electric would provide the pole. It will be necessary to contact Hoskin's regarding this and to obtain an adjusted quote. The Wildcat Park budget line was discussed. The funds are contained within the cash balance for the County. The revenue is supposed to go back into the park or be paid to the Corp of Engineer's. Park Manager, Jake Lonkoski, commented how excited the children camping at Wildcat are that there is a possibility that playground equipment will be installed.

The Wildcat Park Committee intends to continue trying to secure grant funding for bathroom and sewer improvements. Campers have expressed that bathroom facilities would be a significant improvement. Ernie Sloan questioned whether the Board would support the committee in making application if matching funds were required. Commissioner Schuldt responded that support is determined on a case by case basis at the time of request. It is believed that park revenues could be utilized as matching funds. Ernie Sloan stated that the Board supports the Fair Board and Historical Society and questioned why it couldn't support the Park. It was pointed out that the Board doesn't make appropriations to departments. Support for departments is raised through the tax levy. He alluded that it may be necessary to levy support to make necessary improvements and bring the park to a certain level before expecting it to be self-sustaining. There are campers who have expressed concern that the park doesn't offer sewer hookups. This is becoming more and more a factor in their decision of where to camp. Mr. Sloan also questioned why the Highway Department charges for any work performed when they are also a county department.

File No. 9 – HR Director Arrick-Kruger provided jail staffing information. She reported that recently she met with Sheriff Ely, Jail Administrator Schiltz and Finance Director Lapham to discuss the information supplied in the reports distributed. A few years ago jail staffing was discussed and recommendations from the DOC (Department of Corrections) were considered. Finance Director Lapham has gathered and prepared the numbers to show cost trends related to premium pay, compensatory time and benefits. With the implementation of the Affordable Care Act qualification thresholds requiring full time benefit offerings has changed. Part time staff is often exceeding their 20 hours per week guarantee of time. There is a need for the department to provide adequate coverage for vacations, sick leave, family emergencies etc. The Public Employees Relations Act places strict restrictions on the use of 67 day employees. There are concerns if temporary staff is being used and it can be shown that there is a need for full time staffing. This has caused the City of Rochester to find itself in arbitration. Currently there are 13 FTE's employed in the Jail. Consideration is being given to increasing that number to 16. The costs show that essentially, the County is funding 16 FTE's. Increasing staff would provide greater scheduling flexibility. Jail Administrator Schiltz has indicated that the market is there for part time positions. HR Director Arrick-Kruger stated that she has requested a Board appointment next week to further discuss this. She is comfortable requesting four 0.5 FTE

positions. The numbers reflect that 6 may be more inline, however, she is more comfortable with fewer at this time and phasing in the balance as needed. When the organization pays premium pay they do not get the staffing bang they could if they converted the premium pay into straight pay. One concern is that in the event the part-time positions are approved, the pool for on-call staff may dwindle because there would be fewer hours given to on-call staff. Commissioner Zmyewski questioned whether current scheduling is as efficient as it can be. HR Director Arrick-Kruger assured him that it was adding that the County will gain increased staffing for the same cost. The changes will be neither a cost savings nor a cost increase, rather it will result in more efficient use of available funding. Staffing at the Jail has been a topic of discussion over the past two years.

HR Director Arrick-Kruger stated that interviews are currently underway to fill the lead worker vacancy. She expects to be able to present a name for consideration next week. This would result in a vacancy.

Chief Deputy Sheriff Yeiter commented that Houston County is licensed to hold 30 inmates. This maximum number of inmates is often exceeded on a temporary basis. An example would be over the weekend until those arrested may be arraigned on Monday morning and released. Since this is not a long term occurrence, the DOC has not had issue with it. The County continues to work with the City of La Crosse and is now considering an agreement with the State of Minnesota to house some of their prisoners also. This may require the county to seek licensing to increase the maximum number of inmates to 40. The staffing proposal currently under consideration may fit closely with the increased licensure requirements. Meetings with the City of La Crosse are ongoing. It was noted that training is expensive and it is more prudent to spend training dollars on regular employees as opposed to temporary staff members. There has been turnover which has resulted in temporary employees moving into part time positions, and part time employees moving into full time ones. Chief Deputy Sheriff Yeiter expressed concern that part time staff may leave and it is his belief that additional full time positions would aid in staff retention. HR Director Arrick-Kruger expressed agreement that increasing the inmate housing threshold could result in additional full time positions. This will be discussed at greater length during meetings scheduled. Commissioner Zmyewski expressed concern that full time positions cost significantly more due to benefits expenses. HR Director Arrick-Kruger indicated that money can be lost due to turnover. She also commented that if you have full time hours available, full time positions should be utilized to fill those. There are many considerations with regard to staffing and the consequences of staffing decisions and methods could result in labor issues. Discussion is taking place regarding proposed "floating" positions. Staffing is a complex issue. Part time staff qualify for pro-rated benefits. Chief Deputy Sheriff Yeiter stated that uniform and training expenses for two part time staff are more than that of a single full time staff person. He expressed his opinion that over the long term, full time positions will be less costly with regard to training and equipment/uniform expense and result in lower turnover. Commissioner Zmyewski clarified that Houston County, as a result of recent Wisconsin legislative action, would be able to accept both municipal and county inmates for housing. Sheriff Ely stated that in Houston County the position of jailer/dispatcher is unique. In Olmsted

County, these positions are independent of one another allowing Olmsted County to close a pod at its jail and furlough staff if census counts are low. In Houston County, this cannot be done. The Wisconsin legislation which passed has opened up the possibility for much collaboration with regard to housing inmates.

Commissioners agreed that a timeline needs to be established regarding decision making impacting the Historic Jail. HR Director Arrick-Kruger still has not received the structural report and contractor estimates for refurbishment/repurposing have not been made available either. The temporary heating sources that were purchased to allow for clean-up would be adequate sources to heat the structure during the winter months if necessary. Automated Systems Manager Dollar is working to get the exhaust system moving air in the building now that it has been cleaned and mitigated. The Board indicated that weekly status reports are necessary to keep the decision making moving forward.

File No. 10 - Auditor Meiners reported on the beer and liquor license renewals. Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to approve the issuance of the following Liquor, Wine and Beer Licenses effective July 1, 2014 through June 30, 2015, and to authorize the signatures of Auditor Meiners and Chairperson Walter:

LIQUOR LICENSES, WINE AND STRONG BEER

Rushford Golf Club, Inc. dba Ferndale Country Club with Deck
Amanda's Back Forty, LLC dba Amanda's Back Forty
Reed MCG, LLC dba Ma Cal Grove Country Club
Valley High Golf, Inc. dba Valley High Golf Club
Rick A. Kowalewski. dba Little Miami
Denstad Enterprises, Inc. dba Shellhorn Roadhouse
City of La Crescent dba Pine Creek Golf Course (Wine & Strong Beer)

ON SALE BEER LICENSES

City of La Crescent dba Pine Creek Golf Course
Lawrence Lake Marina LLC dba Lawrence Lake Marina
Gopher State Sportsmans Club
La Crescent Snowmobile Club

OFF SALE BEER LICENSES

City of La Crescent dba Pine Creek Golf Course
Lawrence Lake Marina LLC dba Lawrence Lake Marina
Houston Food Mart
La Crescent Snowmobile Club

File No. 11 – Following discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the Maintenance and

Grooming Application submitted by the Houston - Money Creek Snowriders Snowmobile Club, Inc. and adopt the following resolution:

RESOLUTION NO. 14-27

BE IT RESOLVED By the Board of County Commissioners, Houston County, Minnesota, that it approves the Maintenance and Grooming application of the Houston-Money Creek Snowriders Snowmobile Club and authorizes the Board Chairperson to sign an agreement with the Department of Natural Resources.

File No. 12 – Following discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the Maintenance and Grooming application submitted by the Viking Ridge Riders and adopt the following resolution:

RESOLUTION NO. 14-28

BE IT RESOLVED By the Board of County Commissioners, Houston County, Minnesota, that it approves the Maintenance and Grooming application of the Viking Ridge Riders Snowmobile Club and authorizes the Board Chairperson to sign an agreement with the Department of Natural Resources.

File No. 13 – Following discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the Capital Improvement Request submitted by the Viking Ridge Riders

File No. 14 – On the recommendation of Auditor Meiners, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the PRISM Grant Contract.

A brief recess was taken prior to convening the closed session.

Pursuant to M.S. 13D.05 subd 2 (b) which allows the Board to convene in closed session for the preliminary consideration of allegations or charges against an employee subject to its authority, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to convene a closed session.

The time being 11:24 a.m. the Board reconvened in open session. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to return to open session. HR Director Arrick-Kruger stated the purpose of the closed session was to consider allegations against an employee subject to Board authority.

Commissioner Kjome reported on the EQB meeting which he attended.

Commissioner Zmyewski stated that an EAW related to the Erickson Mine is nearly 90% complete. Environmental Services Director Frank will bring this in for discussion next week. It was agreed that the EAW should be completed. There will be a cost associated with completion.

Commissioner Storlie reported on Wildcat Park Committee and CJCC meetings which she recently attended.

Chairperson Walter reported on the tour of the Al Stankowitz property and the EQB meeting which she attended.

Chairperson Walter provided a reminder of a District 9 meeting scheduled to begin at 8:00 a.m. on Monday, June 9th in Kasson, Minnesota. Winona County would like to meet with Houston County representatives following said meeting.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 15 – Correspondence to payroll regarding
confirmation of hire of Sam Kratt

There being no further business and the time being 11:25 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, June 3, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, June 3, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead and McGonigle; Don Nelson; IS Director Milde; HR Director Arrick-Kruger; Emergency Manager Kuhlers; Environmental Services Director Frank; Zoning Administrator Scanlan; Engineer Pogodzinski; PHN Director Marchel; Bruce Kuehmichel; Mike Fields; Kelley Stanage; Steve Hartwick; Ken Tschumper; Donna Buckbee; Betts Reedy; Glenn Kruse; Yvonne Krogstad; Robin Tschumper; Chief Deputy Sheriff Yeiter; Bryan VanGorp; Liz Wanschura; Brian Lavelle; Recorder Bauer (see listing of additional guests File A1)

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the agenda.

Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the May 27, 2014 meeting.

File No. 1 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$53,539.07
Road & Bridge Fund	139,471.67

Total	\$193,010.74
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File No. 2 - Mike Fields, Winnebago Township resident, stated that he had served each commissioner with a Writ of Mandamus. Chairperson Walter advised Mr. Fields that, per the public comment policy, there would be no discussion regarding ongoing litigation, the Erickson Mine or the County Zoning Office. Mr. Fields stated that it may be the position of the

commissioners not to speak regarding the ongoing litigation but it was his right to do so. Chairperson Walter excused Mr. Fields from speaking.

Motion was made by Commissioner Storlie to recess. Motion failed for lack of a second.

Donna Buckbee interjected herself in conversation and expressed that this is an attempt to silence the Press. It was noted that the Press is welcome to a copy of the Writ of Mandamus.

Bryan VanGorp, Yucatan Township resident, expressed his opinion that study group members and zoning staff have interest in mining, sell mined materials and/or are involved with sand related business. He shared his belief that these individuals need to recuse themselves. He pointed out that the wrong question has been asked from the beginning and that is resulting in the wrong answer. Chairperson Walter reminded Mr. VanGorp of the Public Speaking Policy. Mr. VanGorp raised his voice in disagreement. Commissioner Zmyewski indicated it may be Mr. VanGorp's 1st amendment right to continue with his statement. At this time the room grew loud.

The time being 9:06 a.m. motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to take a brief recess in order to consult with the County Attorney.

The Board reconvened with all members present.

Commissioner Zmyewski requested clarification regarding the papers he was served with.

It was noted that the County Attorney was in court. However, per the Public Comment Policy the Board is allowed to place restrictions on content and the Board is not required to allow any public comment. Chairperson Walter again provided the listing of topics that would not be allowed during the public comment period.

Bryan VanGorp was allowed to continue with his comment. He restated his opinion that individuals serving on various committees and boards stand to financially benefit if sand mining is allowed in the County. He expressed concern with the entire process and who is or is not the special interests in this situation. He stated that individuals are sacrificing their time to protect the County. These individuals have nothing to gain. Citizens are simply asking for justice. He indicated that three neighbors of a particular site stand to suffer decreased property values as the result of mining if it is allowed. He questioned why this would be allowed.

Robin Tschumper, La Crescent Township resident, expressed appreciation to Commissioners Zmyewski and Kjome for standing up for 1st amendment rights. She is confused by the type of county Houston has become. She indicated that recent tendencies towards fascism and totalitarianism require residents to keep watch over what the Board is doing. She expressed her opinion that certain policies have been enacted to make it difficult for the public to keep

watch or participate. She also questioned who the special interests were. She appealed to the Board to act in a more democratic manner.

File No. 3 – Don Nelson, DNR Area Wildlife Supervisor, provided information regarding a land acquisition. The 287 acre tract is located in Mound Prairie and Union Townships, and is primarily flood plain, wetland or wet pasture. There is no tillable land or building site included. The tract includes approximately 1 mile of railroad bed which is being purchased with other funds so that, in the event the bike trail is extended to Hokah, the rail bed could be utilized for the trail as wildlife areas don't allow trails. The tract will be for public use including, hiking, bird watching, and berry and mushroom picking. No use of motorized vehicles such as ATV's will be allowed nor will horseback riding be allowed. The land will qualify for PILT payments which he expects to be approximately 20-25% more than the current tax amount. The family would like the lands to be public to honor Mrs. Arnet's legacy. Craig Moorhead questioned how long before the land was open to the public. Mr. Nelson explained the process which needs to take place prior to public use. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the land acquisition and adopt following resolution:

RESOLUTION NO. 14-29
REVIEW OF PROPOSED STATE LAND ACQUISITION

In accordance with; Minnesota Statutes 84.944, Subd. 3, 97A.145, Subd. 2, and 97C.02 the Commissioner of the Department of Natural Resources on June 3, 2014, provided the county board with a description of lands to be acquired by the State of Minnesota for Wildlife Management Area purposes.

Lands to be acquired are described as follow: (See attached description)

IT IS HEREBY RESOLVED, by the Board of County Commissioners of Houston on June 3, 2013 that the State's proposed acquisition of the described property be approved.

File No. 4 - Engineer Pogodzinski reported that CSAH 2 pavement at the intersection of Main and Winnebago streets located within Eitzen City limits is in poor condition. This past winter there was a water main break which required repair. The City has requested the County participate in a 50/50 cost share to replace the CSAH 2 pavement. The City of Eitzen solicited quotes for the pavement patch. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and carried with Commissioner Schuldt abstaining to agree to the 50/50 cost share with the County's portion being \$8,584.00 for a pavement patch on the specified area of CSAH 2 located within Eitzen City limits.

File No. 5 - Engineer Pogodzinski reported that CSAH 5 is officially closed. The detour has been marked. It is the goal to reopen the intersection of CSAH 5 and County 249 by this weekend. Engineer Pogodzinski stated that he has met with the Caledonia City Mayor, Police

Chief and Administrator to discuss the tentative project schedule. The detour utilizes South Prairie Drive, a Caledonia Township road. The Township has requested and approved a formal detour agreement. The beginning condition of the roadway has been well documented by photo, video log, core measurements and traffic counts. The County will ensure that the road is in the same condition following the detour period. Engineer Pogodzinski explained that the County will bear costs to apply chloride near residences, grade and apply rock to the detour route. These costs are expected to be minimal. Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the Houston County Department of Transportation Detour Agreement with Caledonia Township.

File No. 6 - Engineer Pogodzinski reported that trees located near the airport on the Barth property are creating a high risk category hazard and need to be removed. Until the obstruction is removed, the airport and those flying in and out of it are under restriction from conducting night procedures. Quotes to remove the trees, stumps and fencing have been solicited. The removal of these items qualify for 80/20 cost share with MN DOT Aeronautics. Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to accept the low quote provided by Steel Construction & Landscaping, Inc. in the amount of \$6,490.00, after the cost share is applied the County portion will be \$1,298.00. Following removal, the airport restriction will be lifted.

File No. 7 - Engineer Pogodzinski distributed copies of the 2013 annual highway department report.

File No. 8 - HR Director Arrick-Kruger and Jail Administrator Schiltz met with the Board to discuss Jail staffing. HR Director Arrick-Kruger stated that recent reports reflect that the County is currently covering the cost for 16 FTE's; however, it is not receiving the full benefit of that number of FTE's. Upon further review of a recent proposal, HR Director Arrick-Kruger along with Jail Administrator Schiltz believe the department will be better served by hiring 2 full time staff members as opposed to the proposed 4 part time staff persons. These float positions will provide coverage for the various kinds of leave. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to authorize a search for 2 FTE jailer/dispatchers.

Commissioner Zmyewski stated that over time, there have been numerous requests for technology. The argument has been used that it will increase staff efficiency however, requests to hire additional staff continue. He questioned when the county will see the savings from the increase in technology expenses. He stated that in addition to the request for jailer/dispatchers he is aware of requests coming forward from Human Services as well. HR Director Arrick-Kruger clarified that the HS request for a social worker is to fill a vacancy resulting from a retirement. This position is not increasing the overall FTE's. The request for jailer/dispatcher positions is not in an effort to save on costs. Rather, it is a way to more efficiently use the monies already being spent. It will result in a more effective use of staff.

HR Director Arrick-Kruger stated that her department recently requested new technology. The technology doesn't replace staff. It can make staff more efficient allowing them to take on additional duties. The fact that technology doesn't replace staff has been studied extensively. Since HR Director Arrick-Kruger joined the County she has monitored HS FTE's. There has been minimal increase in FTE which can be attributed to an increase in services requested. She admitted that technology can be utilized to replace clerical staff. It provides other staff with the ability to complete their own support work. Commissioner Zmyewski expressed his understanding that there are outside requirements such as those of the DOC which mandate a certain level of staffing. HS regulations also impact staffing needs. Further discussion ensued. HR Director Arrick-Kruger stated that it is difficult to compare one county with another. She indicated that if staffing is lean, attrition may not result in savings, however, it may realign staff. In the event staffing is flush, attrition and contract buyout can be beneficial options to reduce staffing.

HR Director Arrick-Kruger explained that there is an ongoing internal search for a lead position in the jailer/dispatcher position. In addition, it is possible that with the posting of 2 full time positions, individuals currently working part time may be successful in securing one of the full time positions resulting in part time vacancies. HR Director Arrick-Kruger recommended advertising for both full and part time positions. This will result in a modest savings and will reduce the time in which it takes to backfill and vacancies which may result. Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to authorize the advertisement to include a posting for both full and part time positions.

HR Director Arrick-Kruger reported that she will continue to monitor staffing in the jail on a quarterly basis in order to remain in compliance with DOC regulations.

File No. 9 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to change the employment status of Jason Quandahl from probationary to regular effective June 15th.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to approve the hire of Jennifer Daley-Oakes for social worker at step 1 of the appropriate comparable worth band contingent upon successful completion of a required background check. Ms. Daley-Oakes comes to Houston County with experience working as a social worker in Iowa.

PHN Director Marchel was pleased to report that the paid internship offering garnered a huge response. She stated that there were 5 well qualified candidates identified from the pool. On the recommendation of PHN Director Marchel and HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried hire Katie Halbach and Renee Fuller as 67 day employees to fill the paid student intern openings. HR Director Arrick-Kruger reported that these ladies will be working on the TZD (Toward Zero

Deaths), SHIP (Statewide Health Improvement Program), and Pre-conception Grants. The positions are externally funded.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to hire Derrick Yohe as a 67 day employee to assist as need as a dropsite supervisor.

HR Director Arrick-Kruger stated that she still has not received the Historic Jail structure report following the flood event. She has met with both the structural integrity study engineer and Jerry Conway, MCIT representative. She relayed the Board's concerns that the appropriate reports are needed prior to any decisions being made. She reported that the study remains incomplete, however, Encompass was able to revisit the Historic Jail following the mitigation. Due to the extensive mitigation, they were able to view joists and support walls more fully which will allow them to provide greater detail in the structure report and further reduce the discovery of latent defects. There are minor concerns such as some joists have cuts in them which should be repaired and the fact that joists are hung in the stone as opposed to metal joist hangars. Otherwise, the structure is in good condition for possible repurposing. The final report can be expected in mid-June.

HR Director Arrick-Kruger indicated that the structure may be suited for 4 large office spaces not including the basement or cell block. She has inquired about the need for ADA compliance. It is believe that compliance would be required and an area has been identified for a small elevator. Commissioner Schuldt stated that it is his expectation that a decision should be made soon after receiving the structure report. HR Director Arrick-Kruger stated that it will be necessary to know what insurance coverage there will be in the event the structure is repurposed with regard to the interior work.

File No. 10 – Emergency Manager Kuhlars provided a history of how the Hazard Mitigation Plan came to be. In order to qualify for FEMA funding, the plan must be kept updated. A current plan also allows the various units of government to apply for hazard mitigation funding to perform projects such as erecting a community center that would also be utilized as a storm/tornado shelter, or burying overhead lines to reduce damage resulting from wind or tornadoes. The Houston County plan is due for the 5 year update. The County has the opportunity to enter into an agreement for a 75/25% cost share to update the plan. The County's share may be in the form of cash or in-kind services. Emergency Manager Kuhlars stated that the cost of his wages spent on the update will qualify as in-kind services. It is necessary for cities and townships to be on board with the plan also and requires the cities to complete letters of interest. This is not required of the townships. It could take up to one year to complete the plan update. The County's share of cash and in-kind services will be \$8,750.00. Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the Letter of Commitment of Funds and adopt the following resolution:

RESOLUTION NO. 14-30
RESOLUTION AUTHORIZING PARTICIPATION IN PLANNING PROCESS AND
EXECUTION OF SUB-GRANT AGREEMENT

WHEREAS, the County of Houston is participating in a hazard mitigation planning process as established under the Disaster Mitigation Act of 2000; and

WHEREAS, the Act establishes a framework for the development of a multi-jurisdictional hazard mitigation plan; and

WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and business; and

WHEREAS, the plan must include a risk assessment including past hazards, hazards that threaten the county, maps of hazards, an estimate of structures at risk, estimate of potential dollar losses for each hazard, a general description of land uses and future development trends; and

WHEREAS, the plan must include a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the plan must include a maintenance or implementation process including plan updates, integration of plan into other planning documents and how the county will maintain public participation and coordination; and

WHEREAS, the draft plan will be shared with the State of Minnesota and the Federal Emergency Management Agency (FEMA) for coordination of state and federal review and comment on the draft; and

WHEREAS, approval of the hazard mitigation plan will make the county eligible to receive Hazard Mitigation Assistance grants as they become available; and

NOW THEREFORE, Be it resolved that Houston County will enter into a sub-grant agreement with the Division of Homeland Security and Emergency Management in the Minnesota Department of Public Safety for the program entitled Hazard Mitigation Assistance (HMA) for the development or update of the Houston count Hazard mitigation plan. Kurt Kuhlert, Houston County Emergency Management Director is hereby authorized to execute and sign such sub-grant agreements and any amendments hereto as are necessary to implement the plan on behalf of Houston County.

File No. 11 – On the recommendation of IS Director Milde, motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to accept the estimate provided by Vanguard Appraisals, Inc. for remote client licensing of CAMA Vision for use by Assessor's Office staff, in the amount of \$7,700.00 with annual maintenance fee of

\$1,875.00. In addition, Microsoft Surface tablets will be purchased at a cost of approximately \$1,000.00 each for a total project cost of \$9,750.00. The cost for the remote client licensing and maintenance will be covered by the use of compliance funds. Recorder Bauer stated that there are adequate funds available however, in the event the compliance fund was ever dispensed with, the Board would be responsible for the future costs. This will provide Assessor's with the ability to complete data entry in the field as opposed to taking hand written notes and entering them upon their return to the office. This will not be a live connection, rather it will sync once in the office.

File No. 12 - On the recommendation of the Planning Commission, motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve the issuance of the following interim use permit:

Adam and Arlene Augedahl – Caledonia Township - Non-commercial family cabin in an agricultural protection district

File No. 13 – On the recommendation of the Planning Commission, motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve the issuance of the following Conditional Use Permits:

Joshua and Dayva Goetzinger – Jefferson Township - Build a dwelling on less than 40 acres in an agricultural district

Darin Meyer of De-Su Holsteins – Wilmington Township - Expand a feedlot from 494.5 animal units (a.u.) to 550 a.u. and add 2 manure storage structures

SBA/AT&T and Dylan Becker – Caledonia Township - Construct a telecommunications tower in an agricultural district

File No. 14 - On the recommendation of the Planning Commission, motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the issuance of the following Zoning Permits:

Mark Goetzinger – Caledonia Township - Build storage shed (50' x 90')

Kevin and Karen Kruse – Winnebago Township - Build shop (54' x 60')

Richard Amundson – Wilmington Township - Replace and extend existing deck with cover (10' x 18')

Lester and Donna Banse – Caledonia Township - Build shop (46' x 72')

Tim Carpenter – Houston Township - Build hay shed (48' x 72')

Harlan Ingvalson and Mike Ingvalson – Caledonia Township - Build addition on existing pole shed (60' x 100')

Jac Shimshak – Mound Prairie Township - Build storage building (30' x 40')

Herman Gady – Mound Prairie Township - Replace home destroyed by fire (24' x 56')

Matt and Lorrie Weinbender – Brownsville Township - Build shed (32' x 40')

David and Michelle Ellingson – Mound Prairie Township - Build horse barn (36' x 54')

Harold Stoen – Spring Grove Township - Build shed (40' x 64')

Charles Frandsen – Union Township - Build pole shed (26' x 48') – (location was administratively denied)

Commissioner Zmyewski reported on the frac sand ordinance writing committee meeting held yesterday.

Engineer Pogodzinski will be coordinating a meeting with HSR to discuss options related to the Highway Department Building.

File No. 15 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve a Peddler's License for Charles Swartz.

File No. 16 - Following discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to schedule a public hearing to discuss a proposed amendment to Houston County Ordinance #13 (Peddler's Licensing) to allow for same year renewals on Tuesday, June 24th at 9:30 a.m.

File No. 17 – Auditor Meiners reported on a request for a tax abatement from Bruce M and Sandra A Eddy. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the 2014 tax abatement in the amount of \$724.00 on parcel #12.0381.000 due to being incorrectly taxed.

Commissioner Kjome questioned what responsibilities, if any, were his with regard to the Writ of Mandamus which he was served with.

Commissioner Storlie reported on Hiawatha Valley Mental Health and Department Head meetings and also a meeting at Wildcat Park with Craig Bloomer of the MN DNR to discuss the boat ramps.

Commissioner Storlie stated that the playground equipment for Wildcat has been ordered and asked that volunteers to assemble the equipment contact her.

Chairperson Walter reported on the frac sand ordinance writing committee meeting and also the meeting held at Wildcat Park related to the boat landing which she attended.

It was agreed to schedule a strategic planning meeting for the 1st meeting in July.

Motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to place on file the following items from the consent agenda:

File No. 18 – Quote for security light installation reduced for pole provided, original quote \$2,995.00, revised quote \$2,720.00 being a reduction of \$275.00

There being no further business and the time being 10:28 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, June 10, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, June 10, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead & McGonigle; HR Director Arrick-Kruger; Finance Director Lapham; Donna Buckbee; Robin Tschumper (videotaped the proceedings); Barb Bissen; Vern Fruechte; Kelley Stanage; Yvonne Krogstad; Rick Howden; Glenn Kruse; PHN Director Marchel; Chief Deputy Sheriff Yeiter; Steve Hartwick; Engineer Pogodzinski; Betts Reedy; Janene Hosch

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the June 3, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$23,476.11
Road & Bridge Fund	111,515.95

Total	\$134,992.06
	=====

Barb Bissen, Hokah resident, spoke regarding the Historic Jail. She stated that she has attended numerous conferences across the State and toured many historic sites. The sites may have been mothballed for years, repurposed or used nearly exclusively for tours. She encouraged the Board to keep the Historic Jail and make it available. She stressed the importance of teaching history to young people. She indicated that while many are concerned with the cost she believes that the structure could be mothballed until a good plan for refurbishing or repurposing could be arrived at. She suggested that the County allow the EDA to conduct a survey regarding the

Historic Jail during the fair. She volunteered to serve on a committee to determine a future use for the structure.

Janene Hosch, lifelong county resident, stated that she, along with Angela Murphy, have been researching the County Jail. She has discovered many interesting stories. They believe that the first jail in the county was located on Pine Street. She encouraged the Board to consider all options with regard to the future of the Historic Jail.

Dan McGonigle, general editor for the Caledonia Argus, introduced himself.

Steve Hartwick, Money Creek Township resident, stated that he occasionally attends County Board meetings. There has been an erosion of respect from both sides which seems to have been resulted in name calling. He expressed his belief that members of the public are frustrated with a 2 minute speaking limitation and that members of the Board may be frustrated with the policy preventing them from responding or discussing concerns with citizens during the public comment period. He recommended that an extended forum take place where debate may happen. He stated that mistakes are made, and as time passes, more information becomes available. He also shared his observation that reports regarding happenings at the frac sand study committee meetings are vague and similar to responses heard when one asks a child "how was your day at school." He would prefer a more in depth report including the topics discussed and any parameters.

File No. 2 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to hire Matt Mackie as probationary lead jailer at \$25.28 per hour effective June 15, 2014.

HR Director Arrick-Kruger stated that an unpaid leave has been requested and is within personnel policy guidelines. PHN Director Marchel stated that they have staffing to cover said leave. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve 7 week unpaid leave for Laura O'Heron to be taken between June and August.

HR Director Arrick-Kruger reported that the structural report on the Historic Jail is expected to be received later this week. Pathfinders, who is completing a historical structure report, has provided a preliminary report via e-mail and will provide the final report once work on the report has been completed. There is extensive historical data contained within this report. Rick Howden has made her aware that the deadline for the next round of capital improvement grant applications is July 11th, with another round following that has an October deadline.

Commissioner Storlie indicated that she would like the opportunity to meet with those who have prepared and submitted the reports. Commissioner Kjome stated that he would like to read the reports and note questions prior to meeting with the preparers.

Commissioner Schuldt questioned whether all inspections of the Historic Jail have been completed. It is believed that all necessary inspections have been completed. HR Director Arrick-Kruger stated that this situation with the Historic Jail has been a massive undertaking.

Finance Director Lapham provided her monthly finance update. She noted that there isn't anything significant to report. Expenditures are in line with projections at this time while revenues are shy due to tax revenues not having been received yet. She plans to have June reports prepared and distributed early in July along with budget worksheets. During the July finance update, Treasurer Trehus will attend to provide cash updates. Budget meetings are expected to begin to take place in August, with the proposed budget requiring Board adoption in September.

Finance Director Lapham reported that the State Auditors are working in house today.

Commissioner Kjome reported on EDA, Zoning and Water Planning meetings which he attended recently.

Commissioner Schuldt reported on the Semcac Board meeting which he attended.

Commissioner Storlie reported on EDA, District IX, Zoning, and La Crescent City Council meetings which she attended.

Chairperson Walter reported on District IX, Solid Waste, Extension, and Zoning meetings which she attended.

The annual La Crosse Solid Waste meeting is scheduled for June 27th. Harter's is celebrating a grand opening of their improved facilities on June 17th.

File No. 3 - It was the consensus of the Board to schedule the required Public Hearing regarding Zoning Ordinance amendments on July 1st at 10:00 a.m.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to place on file the following items from the consent agenda:

File No. 4 – Correspondence from Semcac

File No. 5 – Correspondence to Hank Koch regarding tons delivered to Xcel

File No. 6 – Why Minnesota Counties Matter flyer

There being no further business and the time being 9:43 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, June 17, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, June 17, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; HR Director Arrick-Kruger; Darlene Larson; HS Director Bahr; Financial Supervisor Kohlmeyer; Socials Services Supervisor Hunter; Finance Director Lapham; Donna Buckbee (videotaped the proceedings); Shirley Johnson; Chief Deputy Sheriff Yeiter; Glenn Kruse; Janene Hosch; Debbie Wray; Sheriff Ely; Jail Administrator Schiltz; Greg Weichert; LaVonne Weichert

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the June 10, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$112,055.48
Road & Bridge Fund	42,363.66

Total	\$154,419.14
	=====

Shirley Johnson, representing the Houston County Historical Society, appealed to the Board to retain the Historic Jail for the public to enjoy. She provided an overview of structures located within the County which are listed on the Historic Register. There are twelve sites across the county. She also provided a list of the structures which had been on the register and have been torn down and lost which include the Poor Farm and the stone barn that was located in Eitzen.

File No. 2 - Darlene Larson requested approval to proceed with an RFP for the court appointed attorney contract. The county has been contracting for these services for approximately 10 years. It has resulted in a more streamlined process and has saved money. She explained what cases individuals may qualify for a court appointed attorney. Case types included are CHIPS and civil commitments. Individuals qualify based on financial position. The rate paid for these services without a contract ranges between \$100.00 and \$125.00 per hour. Ms. Larson provided statistics related to the history of the contract. In 2011 there were 115 cases with an average cost per hour of \$109.00; in 2012 there were 90 cases with an average cost per hour of \$107.00; in 2013 there were 77 cases with an average cost per hour of \$122.00. In 2014 there have already been 79 cases and so far the average cost per hour has been \$94.00. The 2011-12 contract amount was \$52,500.00 and the 2013-14 contract was \$48,000.00. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to authorize Ms. Larson to proceed with an RFP for a court appointed attorney contract.

HS Director Bahr reported that the local collaborative time study group met for the first time since May 2011. The group met to update the governing by-laws of the group. There is funding from the LCTS for use in Houston County. This funding is targeted toward children's mental health and birth to age 5. Children's mental health covers young persons to age 21. In the past LCTS funding has been used by local school districts to employ social workers to work with children within the district. HS Director Bahr stated that neither Spring Grove nor Houston school districts have been submitting bills for reimbursement or accessing available LCTS funding. This may be the result of staff changes. With renewed interest in the group they hope to access and utilize the funding that is available. Another highlight coming out of the LCTS meeting was the viewing of a 23 minute video celebrating what is right with the world which highlighted 6 key items.

HS Director Bahr provided a reminder of the upcoming in-service "Bouncing Back in the Face of Adversity" which is scheduled for Thursday of this week. She expects this to be very worthwhile. There are separate sessions for HS, other county staff and supervisors. Supervisors are encouraged to attend one of the sessions geared towards staff in addition to the late day supervisor session.

The HS budget is on track at this time. HS Director Bahr noted that she will discuss the budget at greater length once the first half reports are available.

Discussion continues regarding a regional adoption worker. HS Director Bahr believes that this would be an ideal regional position. In addition, the position is highly specialized. Adoptions performed by any small county fluctuate. In Houston County this year there are 2 adoptions pending, however in 2010-11 there were 9 with a few additional adoptions the following year.

There is also ongoing discussion regarding the position of regional trainer. HS Director Bahr questions the benefit of such a position and whether any candidate could be found having the necessary knowledge base for such a position.

Social Services Supervisor Hunter reported that procedures are being completed for reference. Four have been completed and other topics are in the works.

Social Services Supervisor Hunter reported that there are few legislative changes impacting children's services this session. There are several proposed changes for the next legislative session which could impact children's services significantly. There is consideration being given to designating regional training sites across the State. There is disparity with TCM and case management reimbursements to small counties versus those in the metro. Consideration is being given to revising the reimbursement schedule, it may result in a tiered system, capping or limiting caseload. Social Services Supervisor Hunter stated the limiting caseload would impact Houston County the most as we do operate efficiently and average 20 cases per social worker. The cap could be 15. He reiterated that all of this is simply being discussed with no decision at this time.

Child protection is planning a workshop to include the judge, attorneys, social services and others involved to ensure that all parties are working together as well as possible. Child placement is expensive. Therefore, social services is hoping to implement family preservation meetings. These meetings are utilized in other counties with good success. The families will be involved with case planning and safety training. DHS provides applicable training for local staff.

Adult mental health commitments have been extensive. This year there have been 11 commitments already. These are cases where individuals end up in placement, at hospitals or treatment facilities. Social Services Supervisor Hunter stated that this will have financial ramifications, the extent of which is not yet known but is being considered and reviewed.

The change to MN Choices will result in greater recovery of reimbursement amounts. Social Services Supervisor Hunter expressed confidence that the department will be able to handle the influx of assessment time. This was supposed to go live in March, however, the date has been pushed back multiple times. Staff is currently participating in required training and it is expected that the department will go live as scheduled.

Collaboration across the region regarding grant funding and utilization continues. This has been a lengthy process and a finalized plan is expected later this month.

Financial Services Supervisor Kohlmeyer reported that the child support unit has nearly completed the necessary scanning required prior to going live with EDMS. Staff of the unit will be training in Winona and finishing with preparations prior to the July 9th go live date.

There are changes to financial thresholds going into effect once the minimum wage increases to \$8.00 per hour in August. Financial Services Supervisor Kohlmeyer stated that this will change the qualifying threshold from \$89.00 to \$212.00 which is significant.

Financial Services Supervisor Kohlmeyer reported on recent court action which ruled in favor of a parent having child support arrears. The parent provided care and as a result, they are not liable for the arrears. As a result of this action, certain policies have been updated.

There are between 20 and 30 candidates vying for positions in HS who will be participating in merit testing on Friday. Financial Services Supervisor Kohlmeyer stated that she hopes to have the new hire made early in August.

Financial Services Supervisor Kohlmeyer is hopeful that legislation will result in more standardized processing. She indicated that each financial assistance program views such things as income and assets differently making eligibility determinations quite difficult and technical. She also reported that MFIP recipients seeking their GED or diploma will have said education considered as an acceptable work activity with regard to eligibility purposes related to the program.

Work continues with MN Sure. New fixes continue to be rolled out. It is still difficult to process cases through the system and manual work continues to be required.

File No. 3 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to hire Bonnie Felten as a 67 day employee to assist as needed in the area of Human Services as a case aide at a rate of \$14.19 per hour. HR Director Arrick-Kruger reported that Ms. Felten was employed by the County as a case aide prior to her retirement. It will take minimal training to update her on changes since her retirement. She will provide coverage for an extended leave of an employee. HR Director Arrick-Kruger expressed her appreciation for Ms. Felten's willingness to make herself available to provide this assistance as having a trained staff member return is good use of tax dollars.

HR Director Arrick-Kruger stated that she continues to wait for the final reports regarding the Historic Jail. She has been in contact with Jerry Conway regarding scheduling a meeting with the Board to discuss the reports.

Automated System Manager Dollar checked the Historic Jail following last night's severe weather. He will monitor air handling systems to ensure proper maintenance of the building. HR Director Arrick-Kruger reported that the Historic Courthouse campus has been operating off the emergency power generator since around 2:30 a.m. There is a problem with the City's electrical. Once the city has rectified the problem the county will return to the city power grid.

Commissioner Zmyewski reported on a frac sand ordinance study committee meeting which he attended. The meeting was brief and another meeting has been scheduled for next Monday.

Engineer Pogodzinski is hoping to schedule HSR Associates to meet with the Board regarding the Highway Department at an upcoming meeting.

Commissioner Schuldt reported that he recently took a tour of the Erickson Mine.

Commissioner Storlie reported on Sheriffs and Chiefs, and Regional Radio Board meetings which she has attended recently. She stated that during the Sheriffs and Chiefs meeting discussion was held regarding a records management program. She encouraged other commissioners to learn more prior to a presentation scheduled for the next regular board meeting.

Chairperson Walter reported on Sheriffs and Chiefs, Family Collaborative, EMS, Workforce Development, and frac sand ordinance writing committee meetings which she attended this past week.

Discussion was held regarding scheduled hearings related to litigation.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to place on file the following items from the consent agenda:

File No. 4 – Correspondence to payroll regarding recent hire and related changes

File No. 5 - Southern MN Tourism Association funding request

File No. 6 - Correspondence from Money Creek Town Board

File No. 7 - Section 8 Vouchers by County report

There being no further business and the time being 9:52 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, June 24, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, June 24, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Robin Tschumper; Mike Fields; Kelley Stanage; Betts Reedy; Bruce Kuehmichel; Glenn Kruse; John Dewey; Deb Dewey; Jail Administrator Schiltz; Larry Gaustad; Mark Inglett; Finance Director Lapham; Engineer Pogodzinski; Michelle Erickson; Rosemary Iverson; John Beckman; Eric Johnson; Steve Hartwick; County Attorney Hammell; Chief Deputy Sheriff Yeiter; Luke Sass; HR Director Arrick-Kruger; Jay Squires; IS Director Milde; Zoning Administrator Scanlan; Sheriff Ely; GIS Coordinator Krzoska; others not listed

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the June 17, 2014 meeting.

File No. A1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the minutes of the Board of Equalization meeting held Tuesday, June 17, 2014.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$72,402.47
Road & Bridge Fund	391,513.60

Total	\$463,916.07
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Rosemary Iverson, owner of property located in Yucatan Township, expressed her concerns related to the Erickson Mine. She shared her opinion that the proposed plan does not represent the same scope as a previous plan. She asked that the Board consider denying the request for renewal. She indicated that there have been violations of the CUP, a road was constructed which is located approximately 10 feet from her property line. She stated it is her understanding that the setback is 50 feet. She asked that these violations be looked into.

Steve Hartwick, Yucatan Township resident, shared his opinion that the Erickson Mine is not for dolomite, it is for silica sand therefore, the renewal should not be granted. He stated that silica is a known carcinogen. There should be air quality monitoring equipment installed at the site that is continuously monitored and the data recorded. Furthermore, noise pollution monitors should be installed at a distance of 1,500 feet or closer. He suggested that the Baker residence is closer and that the noise monitoring equipment could be installed at that location.

File No. 2 - Engineer Pogodzinski reported on bids received for Seal Coat. Scott Construction, Inc. submitted a bid of \$2.90 per gallon for bituminous material, and \$30.00 per ton for aggregate for an estimated project cost of \$387,189.70 which is 9.47% below the engineer's estimate and approximately \$85,000.00 lower than the bid submitted by Fahrner Asphalt Sealers LLC. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to accept the low bid of Scott Construction Inc. for project C.P. 2014-04 in the amount of \$387,189.70.

Commissioner Zmyewski reported on the frac sand ordinance writing committee meeting. Discussion was focused on setbacks. The next meeting is scheduled for Monday, June 30th at 8:00 a.m.

Commissioner Schuldt reported on a meeting with HSR regarding the Highway Department which is scheduled to take place in early July.

File No. 3 - Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the Joint Powers Agreement with the Office of the Secretary of State for any State recount related to the upcoming primary and general elections. This agreement would provide for a payment in the amount of \$0.03 per ballot cast/counted.

File No. 4 – HR Director Arrick-Kruger reported that Nickie Folsom meets the criteria to qualify for a \$30.00 per month phone per diem. Ms. Folsom's position is unique with much of the workday spent in the field and a requirement to be on call for the WIC peer counselor duties she has. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and carried with Commissioner Schuldt abstaining to approve a \$30.00 per month phone per diem for Nickie Folsom.

HR Director Arrick-Kruger provided an update with regard to the Historic Jail. She continues to await final reports and cost estimates. She has been in contact with the insurance carrier and expressed that the County is anxious to learn the final costs so that a decision can be made. She has also asked that MCIT determine what coverage rates/amounts for rehab will be. Winona Controls has assured Building Maintenance that the 2 standalone heating units will provide adequate heat for the building in the event it is needed later this fall/winter. HR Director Arrick-Kruger reported that there could have been greater damage, however, at some time the third floor sprinkler system had been capped and filled with antifreeze. Damage was limited to the second floor and lower as a result.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to recess the regular meeting in order to convene the scheduled public hearing.

The time being 9:28 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to convene the public hearing for the purpose of considering an amendment to Ordinance No. 13 to define provisions for renewal/extension of licenses.

Luke Sass indicated that the original ordinance does not provide for a renewal or extension of a license. He shared his opinion that this provision should be available to license holders. The proposed amendment would allow for renewal/extension of a license for a vendor in good standing (no complaints/concerns). Currently, if a vendor would like a longer period of time in which to complete work they must go through the application process completely. Mr. Sass indicated that in this situation, it isn't necessary to perform a background check again. He did explain verbiage that will prevent a license holder from requesting and paying for unlimited renewals at the time of application. Licenses will continue to expire at the end of the calendar year. The renewal/extension process will not require action by the County Board either.

Chairperson Walter invited public comment however, no one spoke.

The time being 9:36 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adjourn the public hearing.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to reconvene in regular session.

File No. 5 - Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the amendments as presented to Ordinance #13.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to recess the meeting until the next scheduled appointment at 10:00 a.m.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to reconvene in regular session.

Environmental Services Director Frank reported this past May the Planning Commission met to consider a request for renewal of a CUP for Tracie and Michelle Erickson for a sand pit. Information was heard from both the applicant and the public. The Planning Commission recommended that the CUP be renewed. Since then consideration has been given to clarifying certain aspects of the CUP including defining the maximum amount of material which may be removed on an annual basis and the retention of natural vegetation which provides screening from both the Baker and Iverson properties.

Environmental Services Director Frank and Zoning Administrator Scanlan traveled to and viewed the Erickson Mine to follow up on complaints which were received regarding erosion. Photographs of the site were taken as documentation. It was noted that appropriate erosion and storm water controls were in place and the complaints were unfounded.

There have been legal challenges which have impacted the renewal process. The most recent discussion related to the mine took place April 8th.

Jay Squires stated that he was present to frame the decision that is before the board, update the Board with regard to legal proceedings which have been ongoing and recommend that the Board direct staff and legal counsel to prepare findings of fact based on the decision which will be made today.

Mr. Squires read an excerpt from the Houston County Zoning Ordinance in regard to the renewal of a CUP which states a CUP “shall be renewable” for a period of 5 years. If the Zoning Administrator or Planning Commission is concerned about alleged violations of a CUP there may be a hearing or alternate action. In the case of the Erickson Mine there have been alleged violations which have been followed up on and the conclusion is that there have been no violations.

There have been impediments which have prevented the County from taking action with regard to the request for renewal. There was the impediment dealing with the EIS (environmental impact study) however, on June 18th, the EQB (Environmental Quality Board) removed the Erickson property from the EIS. Since this action, the EIS is no longer an impediment. There were concerns that the Moratorium was an impediment however, the moratorium was revised to apply to new mining operations. The Erickson Mine has been operating since 1992 and is not considered “new”. Another possible impediment was that the Board ordered an EAW (environmental assessment worksheet). The Board ordered this EAW under the premise that the Erickson Mine was part of the larger MN Sands project. The MN Sands projects scope was such that it was believed it would cause significant environmental effects. Mr. Squires restated that the Board’s decision in this regard was premised on the MN Sands project. The renewal request is for a pre-existing CUP, the Erickson’s have provided proof that there is no longer an

association with MN Sands therefore, the EAW is not an impediment as was previously advised. These are three concerns or impediments which, at this time Mr. Squires advises are no longer concerns or impediments to this process.

One other impediment was the fact that Houston County, until recently, had not been provided with proof that the affiliation between Mr. and Mrs. Erickson and MN Sands had been dissolved. The Board was supplied with documentation and Rick Frick of MN Sands openly stated during a meeting with the EQB that MN Sands had dissolved all relations with Houston County land owners.

Mr. Squires stated that the Board needs to act today before the 120 days in which to take action expires.

In addition to those impediments which have been addressed, there have been 2 legal issues which had prevented the County Board from taking action on the renewal request. The first was a Writ of Mandamus. Judge Birnbaum heard arguments related to this yesterday and dismissed the case entirely by the end of the day. The second issue was the argument that Judge Walters had judicially terminated the CUP. Judge Walters refrained from issuing an order impacting the County Board's authority and/or obligation to act on the renewal. These issues do not preclude the County Board from acting. Mr. Squires again recommended that staff and legal counsel be directed to work together to develop formal findings based on the decision today.

Commissioner Zmyewski questioned when the time for decision making started and questioned when the time for making a decision would expire. He indicated that the EQB only recently dismissed itself as the RGU with regard to the EIS. Prior to this action, the EQB was the RGU. Mr. Squires responded that the timeline question is murky. He advised the Board to take action at this time or the decision may involve the courts. In the event the courts became involved, the County would be prevented from making clarification on the CUP with regard to the maximum amount of material to be removed annually or screening. The courts would likely approve the CUP without any conditions and Mr. Squires expressed that it was his belief that this would not be the desired outcome. In the event the Board takes action, the Board has the authority to provide for clarification and to engage in discussion with the property owner to detail conditions which were originally intended but not spelled out. It appears to be in the County's residents' interest to include quantity limitation, and address screening. This is not imposing new conditions, rather defining original intent. Commissioner Zmyewski clarified that the Board would take action based on certain criteria which would then be thoughtfully written out in a document to be evidence of the reasons action was taken today.

Commissioner Kjome questioned why the CUP is not considered to have been expired back in 2013. He questioned with all the time that has passed why this is not being considered new. Mr. Squires responded that the Erickson's filed a timely renewal. However, based on several factors including a lack of disassociation, litigation and EAW, the County was precluded from taking action until this time. He expressed that the law is to be fair, the renewal request was

submitted timely and was held up due to impediments. Those impediments no longer remain which allows the County to finally take action with regard to the request.

Commissioner Zmyewski expressed his concern that many areas are “grey”. He questioned how intent is to be determined and how a more concrete CUP may be arrived at now. Mr. Squires responded that per the current Houston County Zoning Ordinance, the CUP shall be renewable unless a hearing is warranted. The conditions of the CUP have been complied with making the CUP renewable at this time. Once every five years a request for renewal must be submitted if the property owner wishes to continue with the approved activity. This provides a time for the Board to review and inquire regarding any potential problems and a hearing may be held to address concerns. This would be a time when a CUP could be revoked if violations were confirmed. Otherwise, State law provides that a CUP runs with the property, even in the event the property is sold, it authorizes the property owner to operate under this pretense. There are other options, such as Interim Use Permits which would allow the county to place limitations such as expiration, void on transfer etc. These types of limitations are not available under the CUP. Commissioner Zmyewski raised concern that the CUP stated it was valid for a period of one year. He questioned how anyone could determine the intent of this statement. Mr. Squires indicated that Statute provides superseding language regarding the timeframe of a CUP and he limited his comment to this reference only. In addition, after review of minutes no supporting evidence has been uncovered that would indicated that the 1 year notation was an express condition. It is possible that this was included on the document in error as building permits are valid only for a period of 1 year.

Commissioner Kjome questioned whether setbacks from trout streams are a concern. Mr. Squires responded that the DNR would make this determination. In addition, renewals for existing permits are not governed by new State law. Commissioner Kjome questioned how the County could place new conditions on old mines. Mr. Squires stated that this is a good observation and perhaps there should be further discussion in this regard. Any change would need to be made in the ordinance itself and at this time decisions are to be based on the ordinance which is in place.

File No. 6 - Motion was made by Commissioner Schuldt and seconded by Commissioner Storlie to approve the renewal of Tracie and Michelle Erickson’s CUP based on the following: the ordinance states CUPs shall be renewed absent evidence of permit or ordinance violations; there is no evidence that violations exist that would preclude renewal; the EAW previously ordered by the Board was for the MN Sands project, and does not apply to the renewal of mining under the 1992 CUP; the EQB has released the Erickson property from the EIS study; the existing moratorium does not apply to the renewal because it is not new mining; Erickson’s have provided evidence of the termination of their relationship with MN Sands; conditions are to include: limit of 10,000 cubic yards of material removed per year and existing vegetative screening between the mine and the Baker and Iverson properties is to remain; and staff and legal counsel are directed to prepare findings consistent with this motion for Board discussion

and approval at a future meeting. A roll call vote was taken: District 1 – yes; District 2 – no; District 3 – yes; District 4 – yes; District 5 – no. The motion carried.

File No. 7 - Environmental Services Director Frank reported on the Ag BMP loan program. Funds exceeding \$200,000.00 are available for the Ag BMP loan program. This provides for low interest loans to upgrade feedlots, non-conforming wells, capping of old wells etc. Applicants would work with Zoning. A local lending institution would handle the loan processing. As payments are made, the State would receive payback. The contract for the program is complete and the program is available to residents.

Environmental Services Director Frank reported on the La Crosse County Solid Waste Annual Systems Meeting which includes Houston County. Attendees need to register and Rick will take care of this if the Board would inform him of who will be attending. The meeting begins at 8:45 a.m. and includes lunch and tours. Chairperson Walter will attend until noon and Commissioner Storlie will attend.

File No. 8 - Chief Deputy Sheriff Yeiter introduced Dean Goetzke, representing LETG Record Management Software Company specializing in records management. Chief Deputy Sheriff Yeiter indicated that discussion regarding records management has been ongoing since moving into the Justice Center. Currently, dispatchers work within 3 unique programs and are entering the same data multiple times. In addition, other departments such as the Jail, County Attorney's Office, and Courts etc. are required to enter data because they utilize other programs and none of the programs interface. Migrating to a system such as the one offered by LETG would replace 30 year old technology currently being used.

Several software vendors and their products have been researched and compared. Recently, Winona, Fillmore and Mower counties migrated to LETG. Implementation of this system in Houston County would allow for cross county data sharing.

Winona County went through the RFP process last year and included Houston County. Houston County would not be required to go out for RFP if it takes action to preserve the Winona County RFP. Winona County used lean process to determine the most effective records management system. They abandoned a system which was only 4 years to migrate to LETG.

A brief history of LETG was provided. LETG is Minnesota based and the software developers are law enforcement personnel who also use the product. Chief Deputy Sheriff Yeiter stated that there are several suites offered which will fit nicely with Houston County processes such as Code Red. The local fire departments are interested in Active 911 and I Am Responding suites. The LETG system interfaces with MCAP which is used by the County Attorney's Office. This will reduce data entry as cases move through the system. LETG is currently working on a system enhancement which would allow LETG to interface with Odyssey which is the system used by the court system.

The system would be housed on Houston County servers and could be accessed anywhere there is a secure connection. This software is multi-jurisdictional. Chief Deputy Sheriff Yeiter stated that the city police departments are interested in participating under the county's umbrella. It was reported that the Caledonia City Council has already taken action to participate pending County participation.

Chief Deputy Sheriff Yeiter provided examples of how the technology would benefit law enforcement across the county, how it would reduce data entry and allow dispatchers to do more without increasing the time to complete the additional work. He explained some of the software capabilities.

LETG provides onsite support and training which is included in the price and annual software maintenance fees. Since the company is Minnesota based, they remain current and informed regarding Minnesota law and data privacy.

Chief Deputy Sheriff Yeiter has had discussion with IS Director Milde regarding conversion of old data which is contained in Leaders, Public Assist and Police Central software systems. This data must be maintained so that when background checks are run all data is available for consideration.

The cost for LETG records management software is estimated at \$190,748.00 with annual software maintenance in the amount of \$28,398.00. For these costs, all upgrades are included in addition to 24/7 support. The County cost is the highest. City departments could participate at a significantly lower cost because they utilize fewer of the suites available.

Chief Deputy Sheriff Yeiter understands that the cost is significant. He has been working with others to determine how the system could be funded. A portion would qualify for 911 funding, LETG understands local government budget constraints and may be able to offer a 0% financing option. They want the system to be attainable.

Safety will be improved with this system. Chief Deputy Sheriff Yeiter stated that at this time, the County has no technology in place to track where squads are within the county. In the event a squad was involved in a single car accident or altercation during a traffic stop, unless the deputy had made contact with dispatch, the department would not know where that deputy or squad was.

Commissioner Zmyewski clarified the cost for the system and the annual software maintenance. He questioned whether Finance Director Lapham knew what the total annual software maintenance costs were for the County currently. He expressed concern that the purchase price is one thing, but the maintenance expenses add up. Chief Deputy Sheriff Yeiter indicated that the department currently pays approximately \$12,000.00 in annual software maintenance which could be redirected to cover part of the annual software maintenance for an upgraded system. In addition, GIS Coordinator Krzoska has run projections and believes that

with the additional maintenance costs for LETG the fund would continue to have a positive balance 5 years from now. Chief Deputy Sheriff Yeiter is not looking for final approval to purchase the software. He is looking for action that would preserve the RFP and allow for specific contract negotiations. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to authorize Chief Deputy Sheriff Yeiter to enter into negotiations with LETG in order to preserve the Winona County RFP. Commissioner Zmyewski stated that he is not in favor of going to the taxpayers to fund large purchases.

Commissioner Kjome reported on the Sandcreek resiliency in-service which he attended.

Commissioner Zmyewski reported on the frac sand ordinance writing committee meeting he attended.

Commissioner Schuldt reported on the Sandcreek resiliency in-service and Board of Equalization meetings which he attended.

Commissioner Storlie reported on the Sandcreek resiliency in-service, Board of Equalization, and CJCC meetings which she attended.

Chairperson Walter reported on the EQB meeting she attended in St Paul on Wednesday, the frac sand ordinance writing committee, and Board of Equalization meetings which she also attended.

The annual Solid Waste meeting is scheduled for this Friday at 8:30 a.m. at the La Crosse County Landfill.

There being no further business and the time being 11:11 a.m., motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, July 1, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, July 1, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Steve Hartwick; Bryan VanGorp; Kelley Stanage; Donna Buckbee; Betts Reedy; Engineer Pogodzinski; Chief Deputy Sheriff Yeiter; Glenn Kruse; Finance Director Lapham; Susan VanGorp; Mike Fields; Joyce Betz; Zoning Administrator Scanlan; HR Director Arrick-Kruger; Doug Ramsey

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the agenda with changes noted.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the June 24, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$84,833.93
Road & Bridge Fund	343,751.52

Total	\$428,585.45
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Bryan VanGorp, Yucatan Township resident, stated that in his opinion, all rulings regarding the Erickson Mine are invalid because the information provided to the Board and outside agencies was filtered. He expressed concern that the public has been denied due process. He indicated that there is proof of violations. Commissioner Zmyewski questioned whether Mr. VanGorp had the proof with him at this time which he responded he did not.

Steve Hartwick, Money Creek Township resident, noted excerpts from a January 9, 1992 Planning Commission meeting. He expressed his opinion that these excerpts show how the Erickson Mine renewal is not a representation of the original intent and how natural screening which was discussed at that time has been removed. He questioned how the maximum material removed and noise will be monitored, to what depth the mining activity will be at, and also what percentage of the material is silica.

Donna Buckbee, Yucatan Township resident, stated that she was the sole signatory on the EAW. However, in excess of 100 citizens signed the petition in favor of requiring that an EAW be completed. None of those citizens have been asked whether they believe the EAW is now irrelevant. She stated that she wants the EAW completed in a professional and truthful manner.

Kelley Stanage, Houston Township resident, questioned the transparency of the frac sand ordinance writing committee meetings. She expressed her belief that minutes are generated during each meeting and questioned why they are not posted for the public to review. She indicated that the only way to find out what is going on during the meetings is to attend, and since they are held at 8:00 a.m. on Monday mornings, this is difficult for many working individuals. She stated that this is not transparency. She suggested that, to build back public trust, there needs to be transparency and information should be very public. She expressed dismay that a basket was passed around at the committee meetings in which individuals were requested to place personal property such as cellular phones and videotaping equipment. She stated that this was intolerable and unconscionable.

File No. 2 - Engineer Pogodzinski introduced Doug Ramsey, of HSR Associates out of La Crosse, Wisconsin. HSR Associates was selected years ago to prepare a design for a public works facility. Since 2009 they have worked on and off with county representatives.

Recently, Engineer Pogodzinski contacted HSR Associates to see whether they could provide updated cost projections and to see whether the design originally proposed could be built on the current Highway Department site.

Mr. Ramsey presented slides exhibiting how the proposed complex may be built on the current site. He expressed concern that the site would need significant grading. Also, additional land would be required, which is currently leased to the Fair Board.

Mr. Ramsey adjusted the original footprint of the office building to deduct space which had been included on the original proposal for Environmental Services, County Surveyor, and License Center as those departments would not be tenants in the new building. When asked how much time it would take to construct the new building on the site, Mr. Ramsey responded that the construction period would range between 12 to 14 months. Commissioner Zmyewski questioned whether Mr. Ramsey had other options for consideration. Mr. Ramsey responded that he has only the original design and the design adjusted to remove space intended for tenants no longer being considered. Any other designs would be brand new. Engineer Pogodzinski

explained the differences between the current office building and the proposed building. He stated that there is nothing extra. There are improvements to the restroom area to meet ADA requirements and an increase to the size of the break room/meeting room and the reduction in size for offices originally intended to house other departments. Commissioner Zmyewski questioned why so much vehicle storage is necessary. He indicated that the proposed complex includes 42 bays. One building has 12 bays; he questioned whether this could be reduced to 10. Engineer Pogodzinski stated that with 10 bays the structure would be at capacity and additional equipment would be stored outdoors. The proposed cold storage building was developed to include space for small equipment, departmental pickups and sheriff's office impound vehicles. Commissioner Zmyewski suggested storing vehicles in some of the ½ dozen maintenance bays. Engineer Pogodzinski expressed concern that the maintenance bays may be full with a vehicle having its engine overhauled. This type of job would not be complete within a day therefore the bay would be unavailable for general vehicle storage. Engineer Pogodzinski expressed concern that further reducing the size, while providing for immediate need, would not provide for growth in 2, 5 or 10 years. He expressed a desire to project future needs and build so that the County is not required to build additions or be short of space again within a few years. He would prefer to build a structure that will be useful for the life cycle of the structure.

Discussion was held regarding the number of acres owned at the site located near the school. The original complex proposed would require the use of approximately 16 acres. It may be possible to utilize that portion of the acreage and sell off the unused portion and put the revenue from the sale towards the construction of the facility. Commissioner Zmyewski questioned when the discussion changed from building a Highway Department Building to building a sizeable complex with multiple structures. He stated that the County cannot afford a grandiose complex. Commissioner Zmyewski expressed confidence that the needs of the county could be met with a building erected at the current site. He stated that there is no need for the proposed 42 bays included in the proposed design. He again questioned why less expensive options were not being developed and/or considered. Commissioner Zmyewski stated that he developed a 3D model with office space and maintenance and he explained how it can fit.

Mr. Ramsey indicated that he simply took the proposed plan, removed the office space which had been included for tenants no longer being considered and overlaid it on the current site to exhibit how it may look and to be a pictorial representation to discuss the site limitations. Commissioner Zmyewski indicated that there is a finite amount of money and the County needs to develop a proposal within those means. Commissioner Storlie expressed a desire to consider future needs. The land by the school would allow for future expansion. The current site is limited without infringement upon the property utilized by the Fair Board. She expressed disagreement that a new building should be erected on the current site. Chairperson Walter reiterated her thought that the County could build on the new site and sell off the portion of unused property. Commissioner Schuldt stated that the new site allows for expansion while the current site is limited. Commissioner Kjome raised concern regarding the cost for infrastructure in association with building on the new site. Chairperson Walter indicated that the county could start small and add on if necessary or as funding allows. Commissioner Kjome expressed concern as the

argument sounds like those used when the Justice Center was built and that was overbuilt. Commissioner Zmyewski stated that taxes continue to increase. The Justice Center is costing taxpayers and the debt assumed in order to complete that project will remain a burden on the taxpayers for several more years. The Sheriff's Department recently requested a costly new software system. He expects that other departments will have needs in the years to come. It is necessary to consider needs and the impacts on the taxpayers also. He stated again that the needs of the Highway Department can be met for much less than \$4 million. He expressed concern that old information is being used in an attempt to push the project through. Commissioner Storlie expressed disagreement that Commissioner Zmyewski is implying that she wants to build a multi-million dollar facility. This is not the case. She does want to meet needs and plan for the flexibility to meet future needs.

Chairperson Walter questioned whether Mr. Ramsey had updated cost estimates. Mr. Ramsey explained how he projected current costs by increasing the 2009 estimates by 15% which reflects the average annual cost of inflation. Discussion was held. Commissioner Zmyewski noted that site prep, office space and the maintenance area total an estimated \$4.2 million. He questioned whether different building materials had been considered and costs associated with the use of each have been estimated. Both pre-cast concrete panels and steel have been considered. The estimate is based on the use of pre-cast concrete. Commissioner Zmyewski indicated that an all metal structure could be built for approximately \$30.00 per square foot, which would be a significant savings.

It was agreed that discussion should continue at the committee level. Commissioner Schuldt would like to learn what \$1 million would get at the site by the school versus what it would get at the current site. Commissioner Zmyewski stated that the county has available space within the Historic Jail if necessary. He stated that maintenance areas do not need to be glorious.

Mr. Ramsey provided a brief history of HSR Associates and a resume of past and current projects. The company completes many projects and is well versed in a variety of project types. They work diligently to tailor projects to meet the needs of each individual client.

File No. 3 - Engineer Pogodzinski reported that only a single bid was received for S.P. 28- for shouldering. This project will repair flood damage from 2013. The bid is 26.29% over the engineer's estimate due to the fact there are no quarries near the project site which will require the trucking of materials. This is a small job which will only require 1.5 days' worth of work to complete providing less to spread the mobilization fee across. The project costs qualify for flood relief funding. On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to accept the bid provided by Bruening Rock Products, Inc. in the amount of \$54,639.30.

Commissioner Kjome indicated that during committee, Engineer Pogodzinski expressed the desire to have a commissioner participate on the safety committee. Engineer Pogodzinski

reported on the current committee membership and meeting schedule. The next meeting is scheduled for July 17th. Commissioner Kjome volunteered to serve on the safety committee.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to recess the meeting in order to convene the scheduled public hearing.

The public hearing to consider proposed Zoning Ordinance Amendments was called to order.

File No. 4 - Zoning Administrator Scanlan explained the proposed Zoning Ordinance amendments. He stated that many are simple typographical or verbiage clean up items while others bring the ordinance up to date with changes already adopted such as the inclusion of term limitation verbiage and moving items originally addressed under CUP provisions to IUP provisions now that IUP's have been approved. He reported that many meetings have taken place to develop the list of proposed amendments. The Planning Commission has hosted the required public meetings and is recommending the adoption of the amendments as proposed.

At this time Chairperson Walter asked whether there was input from the public in this regard.

Kelley Stanage expressed concern with the verbiage change under the Findings of Fact for both the CUP and IUP's. She suggested identifying common standards related to pollution. She stated that identifying the standards would aid in the consistent administration of the ordinance.

Zoning Administrator Scanlan stated that each case is unique with applicable standards being recorded within the minutes which are an official record.

Steve Hartwick expressed concern that public hearings are scheduled for 10:00 a.m. weekday mornings which is a time when most individuals would be working. He suggested that this appears to support an ongoing policy of limiting public comment. He suggested that public hearings be held in the evenings. Chairperson Walter stated that the Planning Commission hosted its required hearing on this very topic during evening hours. Mr. Hartwick also expressed concern with a portion of the amendments referencing non-conforming uses.

Commissioner Zmyewski questioned whether pollution standards should be listed. He suggested that a statement indicating that all Federal, State and Local laws be complied with be included in the Ordinance preamble. Zoning Administrator Scanlan indicated that it would be difficult and cumbersome to compile an inclusive list of all potential pollution hazards when each application is unique and subject to different potential pollution hazards. He reiterated that the potential pollution hazards associated with a permit are recorded in the minutes which remain an official record.

Commissioner Kjome stated that the goal of the group considering Zoning Ordinance Amendments was to make the ordinance more understandable and expressed his belief that this has been accomplished through the proposed amendments. Commissioner Zmyewski noted that the Zoning Ordinance is continually evolving

Joyce Betz requested clarification regarding proposed changes to the portion of the ordinance governing second farm dwellings.

Commissioner Zmyewski commented how there have been issues with second farm dwellings when property was sold or changed ownership. The proposed amendments will address this and make potential buyers aware of stipulations related to the second farm dwelling.

There being no further public comment, motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to close the public hearing.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to reconvene the regular session.

Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to adopt the Zoning Ordinance amendments as proposed and to include the addition of the statement to the preamble regarding the requirement to comply with all Federal, State and Local laws.

Commissioner Walter stated that there are no official minutes taken during frac sand ordinance writing committee meetings. No decisions are being made therefore, there is no requirement to have official minutes recorded. Notes are taken for the committee's reference. Kelley Stanage requested that these notes be posted publicly.

File No. 5 – Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the tax abatement for Marguerite Donahue on parcel #07.0168.000 in the amount of \$322.00 due to incorrect/overstatement of acreage.

File No. 6 – Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and carried with Commissioner Zmyewski voting in the negative to approve the Findings of fact, conclusions of law and order related to the Tracie and Michelle Erickson mineral extraction CUP renewal.

Commissioner Kjome reported on the Planning Commission meeting and Fly-in breakfast he attended.

Commissioner Schuldt reported on the department head meeting and fly-in breakfast which he attended.

Commissioner Storlie reported on the EDA Trails and Annual La Crosse Solid Waste meetings which she attended. She reported that she will be attending a Tourism Association meeting which has been scheduled.

Chairperson Walter reported on department head, Annual La Crosse Solid Waste and Frac Sand Ordinance Writing Committee meetings which she recently attended.

Pursuant to M.S. 13D.03 subd. 1(b), motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to go into closed session to consider strategy for labor negotiations.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to reconvene the regular session.

HR Director Arrick-Kruger reported that the closed session, pursuant to M.S. 13D.03 subd. 1(b) was to discuss labor negotiation strategies.

There being no further business and the time being 11:14 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, July 8, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, July 8, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Scott McConkey; Zoning Administrator Scanlan; Finance Director Lapham; Jail Administrator Schiltz; Robyn Tschumper; Donna Buckbee; Sheriff Ely; Glenn Kruse; Kelley Stanage; Betts Reedy; Scott McConkey; Health Educator Myhre; Engineer Pogodzinski; Chief Deputy Sheriff Yeiter; PHN Director Marchel; Heidi Hankins; HS Director Bahr; HR Director Arrick-Kruger; Treasurer Trehus; IS Director Milde; Environmental Services Director Frank; Katie Halbach; Renee Fuller

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the agenda.

Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the July 1, 2014 meeting.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$54,796.83
Road & Bridge Fund	307,424.37

Total	\$362,221.20
	=====

Robyn Tschumper, La Crescent Township resident, commented that Ken Tschumper was subjected to draconian rules used by the frac sand ordinance writing committee who chose to adjourn the meeting rather than to allow Mr. Tschumper to videotape the meeting and promote transparency. She stated that the committee continues to violate the open meeting law.

File No. 2 - Sheriff Ely introduced Scott McConkey, Minnesota Department of Public Safety Law Enforcement Liaison. He has served as a police officer in Fergus Falls, worked as a State Trooper in southeast Minnesota, and as Sheriff of Kandiyohi County. Now he has the pleasure of working for Minnesota and recognizing groups for their efforts in making Minnesota safer and educating Minnesota's youth regarding safe driving habits. Mr. McConkey reported that most Minnesota Counties participate in a program now known as Toward Zero Deaths. The program used to be called Safe and Sober. Mr. McConkey has the pleasure of being here to recognize the efforts of the Houston County Sheriff's Department along with Public Health and their work for the Toward Zero Deaths program. He reported on the enforcement activities Houston County engaged in and also the education opportunities departments provided. Included enforcement activities include such things as DWI, speed, and seat belt enforcement, and "move over" education which is especially important to him since he lost fellow State Trooper Ted Foss to a traffic accident which may have been preventable if drivers had just moved over. Mr. McConkey provided some statistics such as 1/3 of school age children know of someone who was severely injured or killed in a traffic accident and in 2011 Minnesota suffered the least number of traffic fatalities which was 368. At this time, Mr. McConkey presented Houston County with a new Stalker DSR 2x Radar Unit to aid in making and keeping Houston County safer. The funding for this comes from the Federal Government and has been awarded to Houston County in recognition of their efforts Towards Zero Deaths. He stated that if you think that cops are mean when they write you a ticket, put yourself in the shoes of someone who didn't get a ticket and was involved in a traffic accident which resulted in the loss of use of limbs. He feels that those individuals would rather have paid tickets many times over versus dealing with the loss of the use of their limbs which resulted. Traffic tickets cost little more than a pair of jeans. He again expressed his appreciation for the work of Houston County departments and staff to apply for the grants and carry out the activities which strive Toward Zero Deaths in Minnesota.

File No. 3 - Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the Application for Exempt Permit for the Caledonia Rod & Gun Club for an event to be hosted at the Back 40 Supper Club on August 9, 2014.

Commissioner Zmyewski stated that HSR was recently in to discuss a proposed Highway Department Facility. He feels it may be beneficial and prudent to host a public hearing regarding this topic to gather input from the people. He would like to provide constituents with this opportunity. Chairperson Walter and Commissioner Schuldt expressed concern that individuals' may prefer having options available for consideration and discussion. Chairperson Walter noted that constituents may contact commissioners with concerns and/or suggestions at any time. Commissioner Zmyewski expressed his desire to include the people he represents in the process. This type of opportunity will allow the public to say how they would prefer their tax dollars be spent. He expressed disapproval that it takes only 3 votes of the Board for a motion to carry and for tax dollars to be spent. He would like the public involved in the beginning as opposed to at the end once the decisions have been made. Chairperson Walter indicated that the purpose of the

committee was to develop options for discussion. Commissioner Zmyewski stated that alternate ideas have been requested however, this has been met with nothing other than the original multi-million dollar complex plan scaled back to eliminate office space for departments which are no longer being considered for tenancy. This, in Commissioner Zmyewski's opinion, is not an alternate plan. Commissioner Storlie indicated that the original plan has been scaled down. The plan continues to reflect options for future expansion. Commissioner Zmyewski stated that he would like to see big changes, not small changes such as the elimination of a bit of office space. Commissioner Schuldt stated that the County will be meeting with HSR and Wieser in an attempt to learn what one million dollars will buy. Commissioner Zmyewski was adamant that a budget needs to be determined and a plan developed that will fit within the established financial parameters. He does not want to repeat history as the County already has heard that the Justice Center was significantly overbuilt. Commissioner Storlie indicated that she is hesitant to open up dialogue with the public before first having a couple of options to present to them for consideration. Commissioner Zmyewski expressed his desire to represent constituents and their wants. He expressed his belief that hosting a public hearing will allow members of the public to communicate those things to their representatives so that representatives may act accordingly. Chairperson Walter indicated that she attends various township meetings to gather input from constituents. She again expressed her expectation that the committee prepare and present options and associated costs for consideration. Commissioner Schuldt indicated that the public may not be aware of the needs, code requirements or costs. This information needs to be gathered and presented to the public. Commissioner Storlie expressed agreement and reiterated that the Board is not advocating a "blank check" approach. There is a need for architects and engineers to develop a plan to meet the needs. Commissioner Zmyewski stated that there needs to be financial parameters in which the architects and engineers base their plans. Commissioner Zmyewski indicated that when Engineer Pogodzinski is asked for alternate options he presents the original plan. This is creating a stalemate and the Board is providing little if any direction. Commissioner Schuldt stated that progress toward a solution is slow. Engineer Pogodzinski stated that the proposed Highway Department Building includes office space equivalent to that which the department already has and utilizes. He questioned the functionality of utilizing bays for both storage and maintenance. He believes that utilizing bays for both would be quite limiting. He expressed understanding that cost is a significant factor however, building a functional building that will meet needs is important. HSR has indicated that one-million dollars would not be adequate to provide a useful Highway Department Building. Chairperson Walter stated that the committee needs to continue its work to develop options to present. She restated the public may contact commissioners with input and encouraged them to do so. Commissioner Schuldt stated that bonding rates are at historic lows. Inflation will increase building costs over time. Commissioner Zmyewski expressed his belief that one million dollars could result in a functional building and questioned the prudence of taking on additional debt versus paying cash for a new building. He expressed his concern that all departments have needs and that heavy funding demands in one area may mean another area has to go without.

File No. 4 - Zoning Administrator Scanlan reported on a variance for Tim Crane of Crooked Creek Township for a variance of 42 feet to meet the required 50 foot setback from the west property line to replace a shed destroyed by fire which was approved.

File No. 5 - On the recommendation of the Planning Commission, motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and carried with Zmyewski abstaining to approve the issuance of the following conditional use permits:

Arlin and Susan Peterson – Sheldon Township – Build a dwelling on less than 40 acres in an agricultural district.

Verizon Wireless (Curt Walter, Rep) and Paul Solum – Spring Grove Township - Construct a telecommunications tower in an agricultural district.

File No. 6 - On the recommendation of the Planning Commission, motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to approve the issuance of the following Zoning Permits:

Jeff Ross – Mayville Township - Build shed (40' x 72')

Craig and Nancy Welsh – Caledonia Township - Build house (40' x 48') garage (26' x 30')

AT&T (Curt Walter, Rep) and Ken Ranzenberger – Houston Township - Build prefabricated concrete shelter (11'5" x 24')

Thomas and Janene Deters – Hokah Township - Build house (74' x 28') garage (26' x 26')

Karl and Matt Hendel – Caledonia Township - Build addition on barn (60' x 93') (no expansion)

Mathy Construction Company – Spring Grove Township - Install temporary asphalt plant (90 days beginning 8/1/14)

Stephen and Julie Schulte – Caledonia Township - Build family room addition (20' x 25') garage (26' x 30')

Tim Kruse – Wilmington Township - Build grain bin (24' x 25'8")

Charles Smith – Brownsville Township - Build storage shed/garage (30' x 64')

Scott and Judy Johnson – Brownsville Township - Build pole shed (40' x 64') with 10' lean-to

Chris Hartley – Hokah Township - Build garage (36' x 36')

SBA/AT&T and Dylan Becker – Caledonia Township - Build telecommunications tower (207')

Bob Koch – Wilmington Township - Build addition on free stall barn (124' x 180') no expansion

Adam and Arlene Augedahl – Caledonia Township - Build non-commercial family cabin/shop/lodge (45' x 76')

Jon Kulas – Houston Township - Build mudroom addition (8' x 14') and (2) lean-to additions on hay shed (14' x 40')

Maynard, Richard and Edward Rain – Yucatan Township - Build open-ended pole shed (20' x 24')

Farmer's Co-Op Elevator – Spring Grove Township - Build grain bin (60' – 228,000 bushels)

Anthony and Lisa Reinhart – Mound Prairie Township - Build lean-to addition on existing garage (8' x 18') and shed (20' x 30')

Traci and Michelle Erickson – Yucatan Township - After-the-fact shed (20' x 24') storage/studio (22' x 20')

Joe Burg – Caledonia Township - Build house (30' x 40') porch (30' x 8') garage (32' x 42')

File No. 7 - HR Director Arrick-Kruger reported that several staff members from various departments are nearing the expiration of their probationary periods. Justin Conway was a staff member prior to being appointed to the Engineering Supervisor position. He has been successful in this new role. Engineer Pogodzinski reported that Mr. Conway has done a wonderful job in this new role, he manages staff well and works well with contractors and landowners. Engineer Pogodzinski highly recommends this bright young man's status be changed to regular. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously

carried to change the status of Justin Conway from probationary to regular effective July 15, 2014.

Tim Hunter came to Houston County from Wabasha County. HS Director Bahr reported that he has been cool, tactful, and assertive, understands what needs to be done and is a good mentor. HS Director Bahr highly recommends Mr. Hunter's status change be granted. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to change the status of Tim Hunter from probationary to regular effective July 23, 2014.

PHN Director Marchel reported that Marcia Bauer has moved up through the ranks to the position of Home Care Coordinator. These types of internal moves can be difficult. PHN Director Marchel indicated that Ms. Bauer is a top notch supervisor, well respected by subordinates, is a tremendous help to the Department Director and has successfully worked through three audits including one which was unannounced. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to change the status of Marcia Bauer from probationary to regular effective August 5, 2014.

HR Director Arrick-Kruger reported that she continues to work diligently to keep the process related to the Historic Jail moving forward. She has continued to work with the MCIT representative and also with Winona Controls. Winona Controls has assured her that the 2 stand-alone heating units will be adequate to provide climate control for the structure if need be. It was noted that tours may be arranged by contacting the HR Department. Due to the hazards in the Historic Jail, any person or group touring the facility will need to be escorted by County Staff.

Finance Director Lapham provided end of quarter reports electronically. The reports contain line by line budgets for each department. She stated that the first half of the fiscal year is now complete. She will monitor third quarter reports to ensure that budgets are on target. She provided information related to one time savings which should be recognized within the Extension budget.

File No. 8 – Treasurer Trehus discussed information contained in the various reports she distributed. She stated that it is difficult to earn good interest amounts. She works hard to secure the best rates possible on CDs. She provided an example of a recent transaction which resulted in moving money which had been invested within the county to a bank offering a significantly better rate which was located outside of the County.

Treasurer Trehus commented that there is a significant balance kept in money markets. This balance allows the county to reduce or eliminate many monthly bank fees, however, very little interest is earned on the funds.

Finance Director Lapham reported that budget worksheets will be distributed next month. She also suggested that the August Financial Update appointment be scheduled for the third Tuesday of August since no meeting is scheduled for the second Tuesday due to the State

Primary and to consider scheduling initial budget meetings with department heads on the first Tuesday in August.

File No. 9 - The time being 10:00 a.m., bids received from auctioneers to conduct the County Auction were opened and read. Zenke Auction submitted a bid in the amount of 6.79%. Johnston Auction Service submitted a bid in the amount of 10%. Lee Babler of Babler Auction Services submitted a bid in the amount of 6%. Following discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to accept the low bid provided by Babler Auction Services in the amount of 6%.

Commissioner Kjome reported on an EDA meeting which he attended.

Commissioner Zmyewski reported on the frac sand ordinance writing committee meeting which he attended.

Commissioner Schuldt reported on an Association of Houston County Township Officers Meeting which he recently attended.

File No. 10 - Commissioner Storlie stated that consideration is being given to distributing a survey related to the Historic Jail during the upcoming County Fair and that Janene Hosch has been working on a history of the County Jail which was shared during the recent EDA meeting which Commissioner Storlie attended. Commissioner Storlie reported that Houston County recently joined Outdoor Recreation Alliance in conjunction with La Crosse, WI. She provided a reminder that she will be attending an upcoming Southern MN Tourism Association meeting.

Commissioner Storlie indicated that a significant number of Houston County visitor guides have been distributed at the Mall Of America. This has led to increased discussion regarding the marketing of the County and consideration to updating the guide.

It was noted that John Loken resigned his seat on the EDA Board. Mr. Loken is busy with the opening of his new hotel in Rushford.

Chairperson Walter reported on Association of Houston County Township Officers meeting and the frac sand ordinance writing committee meetings which she has attended. She stated that parameters were adopted by the frac sand ordinance writing committee which do not allow for the videotaping of the meetings. An individual has questioned this authority and the committee is working with the attorney in this regard.

Commissioner Zmyewski questioned whether the Highway Department Building Committee has the authority to gather additional designs and quotes from other companies. He indicated that quotes are not provided free of charge in situations when a company is not under contract or has assurance that they will gain work as a result. Discussion was held. It was agreed

that the committee should present any proposals for design and quote costs to the Board for consideration.

Commissioner Kjome has received questions whether the County is continuing to consider the Roverud building as a possible Highway Department option or not. Commissioner Schuldt stated that it would not be prudent for the County to spend more on the building than what the building has been appraised for. Mr. Roverud was not in agreement with the appraisal and had indicated that he would have an independent appraisal completed. The County has not heard from Mr. Roverud with any follow up.

There being no further business and the time being 10:07 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, July 15, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, July 15, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Ken Tschumper; Bruce Kuehmichel; Donna Buckbee; Bryan VanGorp; Glenn Kruse; Jail Administrator Schiltz; Sheriff Ely; Barb Bissen; HR Director Arrick-Kruger; Finance Director Lapham; Rick Howden; Marla Burns; HS Director Bahr; Social Services Supervisor Hunter; Financial Services Supervisor Kohlmeyer; Ann Hutton; Liz Gibson-Gasset; LaVonne Beach; Bruce Kimmel; PHN Director Marchel; County Attorney Hammell; Chief Deputy Yeiter; Health Educator Myhre

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the July 8, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$124,484.44
Road & Bridge Fund	229,736.72

Total	\$354,221.16
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File No. 2 - Jack Knight, Allamakee County, Iowa resident, landowner, and Soil and Water Board member stated that he participated in the writing of the Allamakee County Zoning Ordinance regarding industrial sand mining. He provided information on the process Allamakee County utilized to develop its ordinance. He shared the likeness Allamakee County is to Houston County, Minnesota. He encouraged Houston County to adopt a conservative ordinance similar to

that of Allamakee County. The Allamakee Ordinance has been fully adopted. Mr. Knight offered to participate in drafting of an ordinance or to meet and discuss Allamakee's ordinance.

Bryan VanGorp expressed his disgust with the public comment policy and with the weekly reminder that personal attacks will not be tolerated. He stated that facts are not personal attacks. He questioned how something may be fully discussed without the opportunity to state names. He shared his opinion that all rulings related to the Erickson Mine are invalid because the decisions have been based on lies and have no factual justification. He questioned how the findings of fact followed the decision and were unavailable to the public until following approval. He claimed that this process prevented the public from presenting evidence to counter the lies. He stated that there is evidence of violations related to the Erickson Mine and there is eye witness accounts of alleged violations. He has spoken about the evidence of violations at previous meetings. Mr. VanGorp alleged that there are 6 violations which have occurred at the Erickson Mine and he has been denied his due process because decisions related to the mine have been based on lies. He indicated that this will be the last time he speaks to the Houston County Board of Commissioners. He stated that this has been an "abortion" of justice, it is not a miscarriage because it has been done knowingly and intentionally. He asked whether the Board was going to address this. He indicated that no response was the typical response from this Board and inferred that the Board has little regard for democracy or justice. He finished by stating that members of the Board were incompetent and "it" disgusts him.

File No. 3 – Engineer Pogodzinski reported on the following bids received until July 14, 2014 at 1:00 p.m. for a S.A.P. 28-603-22:

Brennan Construction Lansing, IA 52151	\$721,847.25
Minnowa Construction Harmony, MN 55939	\$741,555.00
ICON Constructors, LLC Mabel, MN 55954	\$921,213.85

This is a bridge replacement project on County 3. The low bid submitted by Brennan Construction is approximately 1% below the engineer's estimate. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to accept the low bid of Brennan Construction in the amount of \$721,847.25 for S.A.P. 28-603-22.

File No. 4 - Engineer Pogodzinski reported that typically, when the County purchases land for right of way, landowners are compensated for the removal and reinstallation of fencing. Landowners on the CSAH 3 project requested that the County have the fencing removed and reinstalled. Therefore, the County has solicited quotes for said work. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to accept

the quote provided by Steven Theobald for removal and reinstallation of fencing along CSAH 3 in the amount of \$2,772.00 and along CSAH 8 in the amount of \$373.60.

File No. 5 - Quotes for pavement marking have been solicited. Three quotes have been received. Work will include marking of fog and center lines, and bike lanes in the La Crescent area. The low quote is 2.54% below the engineer's estimate. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to accept the low quote provided by Traffic Marking Services in the amount of \$94,090.89 for pavement marking.

File No. 6 - HR Director Arrick-Kruger reported that interviews have been conducted for vacancies for the position of jailer/dispatcher. She indicated that the recommendations for 1.0 FTE positions are internal candidates.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the status change of Kelsey Connor from probationary part time to probationary full time effective July 27, 2014 at her current step on the B23-2 comparable worth band. Jail Administrator Schiltz reported that Ms. Connor began work with the County as a 67 day employee and has worked up to part time and now full time. She'll be continuing training in the dispatch area.

Motion was made by Commissioner Schuldt, seconded Commissioner Storlie and unanimously carried to approve the status change of Michael Rasmussen from regular part time to regular full time effective July 27, 2014 at his current step on the B23-2 comparable worth band. Jail Administrator Schiltz reported that Mr. Rasmussen has also moved up with the organization from 67 day employee to this full time position.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the status change of Michael Meredith from probationary part time to probationary full time effective July 27, 2014 at his current step on the B23-2 comparable worth band. Jail Administrator Schiltz reported that Mr. Meredith has also worked his way to a full time position by starting work with the County as a 67 day employee.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to hire Zachary Swedberg as a probationary 0.5 FTE jailer/dispatcher effective July 27, 2014 at step 1 of the B23-2 comparable worth band. Mr. Swedberg is currently a 67 day employee. He is trained as a jailer and upon assuming part time status will cross train in the area of dispatch.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to authorize the hire of Scott Rinn as a probationary 0.5 FTE jailer/dispatcher conditioned upon the successful completion of applicable background check, at step 1 of the B23-2 comparable worth band.

HR Director Arrick-Kruger was pleased to report that Rick Howden has been busy preparing a grant application for submission. She stated that Mr. Howden has been offered and accepted an employment opportunity which will take him to the metro area. Mr. Howden stated that he has notified CEDA and has already begun working with them on a transition plan for the work he has been carrying out for Houston County. HR Director Arrick-Kruger stated that CEDA had already been in contact with her in this regard.

HS Director Bahr provided a reminder that Gayle Stortz is retiring after 34 years of employment. There will be a gathering in recognition of her service on Wednesday, July 30th.

HS Director Bahr is working on re-procuring insurance coverage for those over age 65. This process is completed once every five years, and involves a lengthy and complex survey. Last year this process was completed for insurance coverage for those less than 65 years of age. This process includes the same MCO's as the previous re-procurement process which are Medicare, Ucare, and Blue Plus.

HS Director Bahr reported on the status of Human Services' \$4.5 million budget. The income maintenance division is at 48% of expenses and revenues are ahead of schedule with 58% of budgeted revenues received. Social Services is at 39% of expenses and the same for revenues. It is common for revenues to lag. The department as a whole is on track with the budget with 46% of expenses and 44% of revenues at the halfway point.

HS Director Bahr is pleased that an additional disability services worker has been hired. This position is expected to generate more revenues than it costs to have the position. She indicated that it will be interesting to see the impact on the budget.

Social Services Supervisor Hunter noted that commitments have not slowed and there was one as recently as this morning. He stated that two grants are available and may be utilized to offset placement costs. The grants are the CREST and CSP grants. The CSP grant has more rigid use criteria than the CREST grant. Social Services Supervisor Hunter and his staff work hard to utilize the grant funding which reduces the burden on county funding. He indicated that due to the amount of funds expended this year it is possible the County would be awarded more grant funding next year.

Social Services Supervisor Hunter reported that families are having difficulty securing necessary services from personally preferred providers due to the 245D licensing requirements. This has reduced the ability of neighbors to provide services and has reduced the opportunity for certain individuals to be reimbursed for providing respite care. In addition, it has resulted in increased costs.

MN Choices continues to move along and is in the planning stages. Social Services Supervisor Hunter expressed his belief that the County will be able to absorb the additional workload internally due to the partnership with Public Health. This may require reassessment at

a later date. HVMHC has been providing Rule 25 chemical dependency assessment for the County. Chemical dependency cases have been on the rise. Recently HVMHC has increased its rates for providing this service. Social Services Supervisor Hunter would like to reassess the cost effectiveness and would like to consider completing some of the Rule 25 assessments in house as there are three trained staff members who could perform the assessments. Staff would not be able to perform all needed assessments so there would continue to be a need to contract with HVMHC. However, completing some of the assessments in house would aid in containing costs.

Northstar Care is part of a children's care program. One goal of the program is to standardize placement rates and reduce the complexity of the current rating system. The State does not anticipate this standardization to result in increased expenses. Time will tell. Social Services Supervisor Hunter has been following the pilot counties of Mower and Goodhue. One county favors the new program while the other does not.

Social Services Supervisor Hunter also reported on the pre-placement meetings which have begun in an effort to reduce placements resulting from a proactive approach. Initial feedback has been positive.

Several counties are working together to draft a strongly worded letter to the State regarding missing money. The counties would like to recover the funds which are due them and want to do so efficiently.

Social Service workers are being creative with their case plans in hopes of creating permanency faster while maintaining safety. This process is more internalized with the family. Meetings are facilitated by an objective facilitator.

Financial Services Supervisor Kohlmeyer reported that the migration to EDMS for the child support unit has been delayed. Additional training has been scheduled. The unit has all scanning complete and are busy determining what needs to be entered into work flow so that necessary information is available to workers on the new "go live" date.

Interviews have been conducted for the open financial worker position with hopes that a candidate will be identified soon.

Financial Services Supervisor Kohlmeyer provided an update with regard to MN Sure. The State has hired an outside firm to review the system for both efficiencies and deficiencies in the system, to assess and prioritize items which need to be addressed. Already, 30 deficiencies have been identified and 3 have been tagged critical and requiring immediate action. The three critical areas include change in circumstances, MN Care and ME Renewals and QHP Renewals. In addition, October kicks off the open enrollment period for individuals seeking coverage for 2015. Recently it was learned that counties may be responsible for the entry of paper applications into the system. There are 28,000 MN Care cases which the State has been

responsible for which require conversion. In spite of the trials and tribulations there is progress which staff is pleased with.

There are some significant legislative changes impacting the Human Services Department. The department is working with IT to provide web based interviews for qualifying family cash clients. Another legislative change allows HS to utilize online NADA guides to determine vehicle values as opposed to requiring departments to purchase costly paper guides. The other notable change is one which allows the use of a personal statement from clients to allow processing to continue as opposed to waiting on employers to return questionnaires which they may or may not do.

Commissioner Kjome questioned whether the MN Sure changes have resulted in additional costs to the County. Financial Services Supervisor Kohlmeyer reported that MN Sure has resulted in additional cost being that of a staff member who was added. She admitted that there are unknown “spin your wheels” costs due to the system not functioning well or efficiently.

File No. 7 - At this time Ann Hutton, of SELCO along with area librarians LaVonne Beach, Barb Bissen, Elizabeth Gibson-Gassett, and Marla Burns met with Board. Librarians provided information on programs offered at each of the Houston County libraries and attendance. Special programming includes such things as petting and traveling zoo, author visits, knitting and social clubs, lock-ins, art events, etc. Elizabeth Gibson-Gassett provided historical and statistical data reflecting changes in library use.

Ann Hutton reported that many of the programming opportunities have resulted from legacy grant funding. Discussion was held regarding the amounts contributed per capita through taxes for city residents versus rural residents and how SELCO has been partnering with counties and striving for a more equitable distribution. At this time SELCO is requesting consideration of a 3 year agreement providing for a 3% increase annually. Discussion was held. It was noted that there is a clause within the current contract which provides for library services to continue at the current rate in the event a new agreement is not reached prior to December 31, 2014. Finance Director Lapham indicated that requested figures can be included for budgeting projections and further discussion.

File No. 8 – Bruce Kimmel of Ehlers, met with the Board to discuss the current bonding climate. He reported that he has seen an increase in the number of municipal clients. Construction costs continue to increase however, interest rates have remained historically low. Mr. Kimmel provided information regarding statutory authority to issue debt, the amount of additional debt Houston County could approve, projected bond rates and information related to bond buyer trends. He also provided a hypothetical timeline in the event the County desires to bond for a highway department building.

Commissioner Schuldt stated that currently interest on savings is minimal and that he expects this to change in the future. Also, bonding rates are low and are expected to increase

over time. Bonding at the present time will lock in a low interest rate and as rates increase it is possible that savings earnings will exceed debt costs.

File No. 9 - PHN Director Marchel reported that e-cigarettes are a growing concern as they gain popularity. She presented amendments to two smoking related ordinances to include verbiage related to e-cigarettes. The amendments have been reviewed by the County Attorney. The Public Health Department has polled members of the local hospitality industry and there is little resistance to the proposed ordinance amendment. On the recommendation of PHN Director Marchel, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to schedule a public hearing for August 5th at 9:30 a.m. to consider the adoption of the proposed ordinance amendments.

File No. 10 – Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve sending a notice of termination of the airport cropland lease. Auditor Meiners indicated that there is interest in the rental of the cropland and the current lease rate is quite low.

File No. 11 - Motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to appoint Carlyn Kraabel to the Water Planning Committee to fulfill the unexpired term of Roger Stenhoff which expires December 31, 2014.

File No. 12 - Auditor Meiners reported on 4 tax forfeited properties. She would like to hold a public auction for the forfeited parcel located in Caledonia City and a private sale for the forfeited parcels located in La Crescent Township. Following discussion, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adopt the following:

RESOLUTION NO 14-31

BE IT RESOLVED THAT Parcel #21.0328.000 of tax-forfeited land be classified as non-conservation land; that the basic sale price be set at \$18,900.00, and that authorization for a public sale of this land be granted, pursuant to M.S. 282.01; that the sale will be held at 9:00 a.m. on Monday, August 18, 2014, by the Houston County Auditor in the Commissioners Room at the Houston County Courthouse, for not less than the basic sale price; and that full payment of the purchase price and the additional costs shall be due at the time of sale.

BE IT FURTHER RESOLVED, that the property be sold “as is” and that the successful purchaser is responsible for the cleanup of the house and garage located on the property.

File No. 13 - Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to adopt the following:

RESOLUTION NO 14-32

BE IT RESOLVED THAT Parcels #08.0797.000, #08.0798.000 and #08.0799.000 of tax-forfeited land be classified as non-conservation land; that the basic sale price for each parcel be set at \$3,200.00, and that authorization for a private sale of this land be granted, pursuant to Minnesota Statutes; that the sale will be held at 8:30 a.m. on Monday, August 18, 2014, by the Houston County Auditor in the Commissioners Room at the Houston County Courthouse, for not less than the basic sale price; and that full payment of the purchase price and the additional costs shall be due at the time of sale.

File No. 14 - The County was recently notified that La Crosse McCormick has satisfied its EDA low interest loan and Auditor Meiners requested authorization to complete the Satisfaction of Mortgage. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to authorize the signature of Chairperson Walter on the Satisfaction of Mortgage for La Crosse McCormick.

Chairperson Walter reported on the frac sand ordinance writing study committee meeting which she attended yesterday. There is another meeting scheduled for next Monday.

Commissioner Kjome reported on Water Planning and SE MN Water Resources Board meetings which he attended.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to place on file the following items from the consent agenda:

File No. 15 – Notice of Public Auction

File No. 16 – Airport Maintenance and Operations FY 14
Grant Amendment #1 to 03887

There being no further business and the time being 11:37 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, July 22, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, July 22, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Shirley Johnson; Glenn Kruse; Kelley Stanage; Betts Reedy; Georgia Rosendahl; Chief Deputy Sheriff Yeiter; Yvonne Krogstad; Finance Director Lapham; Jail Administrator Schiltz; Sheriff Ely; Deb Wray; HS Director Bahr; Environmental Services Director Frank; Engineer Pogodzinski; Jennifer Nelson; HR Director Arrick-Kruger

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the July 15, 2014 meeting.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$42,193.90
Road & Bridge Fund	36,327.05

Total	\$78,520.95
	=====

File No. 2 - Shirley Johnson, Georgia Rosendahl and Deb Wray met with the Board to provide the annual Houston County Historical Society overview. Ms. Johnson reported that after 16 years, the Historical Society is in their new building. The new building opened last year at fair time. She stated that the Historical Society did take out a construction loan which has a current balance of \$40,000.00.

The new space was well received and many nice comments have been made. Volunteers continue working on displays in the new building and work has begun on the county's timeline.

Ms. Johnson reported that individuals from 31 states and 8 foreign countries have visited the Historical Society since the last report. Volunteers have logged in excess of 5,400 hours. Currently, there are 3 Boy Scouts working on Eagle projects which involve the historical society including landscaping of the flagpole, painting the Daily School and refurbishing the structure intended to be a miniature depot.

A dedication ceremony of the flagpole is planned for August 14th at 11:00 a.m. Local American Legion and VFW groups provided the funding for the flag pole. It will be dedicated to past, present and future veterans from Houston County.

The Historical Society is working on its 2nd capital campaign raising money for the purchase and installation of an elevator and work to finish the basement. Recently logs have been replaced on the log home. This maintenance was made possible through funds donated for the care and maintenance of the home made by the family who donated it. Work on the netting and chinking will take place soon.

Grants have been applied for and received allowing for the purchase of new computers and a new digital microfilm reader. The Estate of Warren Deters made a donation of a tractor so the Historical Society is up to 3. They never imagined they would have 3 tractors. They are establishing a Minnesota section in their library and also showcase Houston County authors in their library. The book sale was again a huge success.

Georgia Rosendahl commented on the research she performs for individuals across the globe. She enjoys it immensely.

The Historical Society members are thankful for past support and ask that the County continue with its financial support.

File No. 3 – Engineer Pogodzinski reported on the following bids received until July 21, 2014 at 10:00 a.m. for combined project S.P. 28-603-24, S.P. 28-604-35, S.P. 28-614-10, and 28-627-08:

Generation X Construction, LLC Rushford, MN 55971	\$145,041.00
VanGundy Excavating LLP Houston, MN 55943	\$191,333.82
Minnowa Construction Harmony, MN 55939	\$199,997.45
Griffin Construction Company, Inc.	

Chatfield, MN 55923

\$390,485.00

This is a combined project to repair flood damage. It is the 2nd to last flood related project to be bid out. The low bid is approximately 16% below the engineer's estimate. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to accept the low bid submitted by Generation X Construction, LLC in the amount of \$145,041.00.

It was agreed that Commissioners Zmyewski and Kjome will serve on the Primary Election canvassing board.

It was agreed to schedule the County TNT meeting for Thursday, December 4, 2014 at 6:01 P.M.

Commissioner Zmyewski suggested that consideration be given to placing the public comment period at the end of meetings as opposed to the beginning. Recently, there has been little or no participation in the public comment period which results in requesting staff to come early for scheduled appointments. He believes this may alleviate this. This will be placed on the agenda for discussion at the next scheduled meeting.

File No. 4 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to hire Jordan Rooker as a 0.5 FTE jailer/dispatcher at step 1 of the B23-2 comparable worth band, effective August 10, 2014 and contingent upon successful completion of required background check.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to hire Jacquelyn Snodgrass as a 1.0 FTE probationary eligibility worker at step 1 of the B23 comparable worth band, effective August 11, 2014. The applicant pool for jobs offered by Houston County continues to be strong.

HR Director Arrick-Kruger stated since the eligibility worker position was filled by an internal candidate a case aide position is available. Both positions were advertised. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to hire Melissa Jordan as a 1.0 FTE case aide at step 1 of the B-22 comparable worth band effective July 28, 2014.

A change in Gayle Stortz's retirement date was requested in order to allow Ms. Stortz to complete documentation required in her position. Her original retirement date was set for July 31st. Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve changing Gayle Stortz retirement date to on or before August 8, 2014.

HR Director Arrick-Kruger reported that Jeff Rud has submitted a letter of resignation from his position with the Highway Department. She requested authorization to initialize a search for a replacement as it has been longer than 6 months since a search has been conducted for the position of maintenance specialist. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to accept the resignation of Jeff Rud and authorize the initiation of a search for a replacement.

HR Director Arrick-Kruger reported that she has heard nothing further from MCIT regarding the Historical Jail.

Environmental Services Director Frank reported that members of the EQB have requested a meeting with the frac sand ordinance writing committee and County Commissioners. He believes the EQB is considering rule making and is gathering local input prior to doing so. He anticipates the EQB to enact rules much like feedlot where local jurisdiction remains for smaller operations and once an established threshold is exceeded, State approval is required. The meeting has been scheduled for 10:30 a.m. on Thursday July 31, 2014. Auditor Meiners will post said meeting. The annual Soil and Water tour will take place following the EQB meeting with staff.

Environmental Services Director Frank discussed options regarding a truck. He proposed reusing the van body as there is a need for the side door. He will be previewing a used truck and will return to the Board with a recommendation at a future meeting.

Commissioner Kjome reported on the safety meeting he attended. He will be the liaison between the safety committee and the Board.

Commissioner Schuldt reported on election judge training which he attended.

Commissioner Storlie reported that Wildcat Playground Equipment is expected to arrive later today. She also reported on the Southern MN Tourism Association meeting which she attended. There is a vacancy on the Tourism Association executive board which she would like to participate on. She would need board approval as the County would be required to cover the expenses. It was the consensus of the Board that Commissioner Storlie should join that board.

Chairperson Walter reported on the frac sand ordinance writing committee meeting which she attended.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to recess until the next scheduled at 10:15.

The time being 10:15, motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to reconvene in open session.

File No. 5 - Jennifer Nelson, vice president of SMIF, met with the Board to provide an annual update. She reported that SMIF is a regional foundation covering 20 counties which has provided Houston County with approximately \$105,000 in grants over the past 12 months. She provided examples of several projects carried out within Houston County. She provided information on the services SMIF provides, and the programs it offers.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to place on file the following items from the consent agenda:

File No. 6 – Correspondence to Hank Koch regarding tons delivered to Xcel

File No. 7 – Section 8 Vouchers by County Report

File No. 8 – Correspondence regarding sites under consideration for inclusion on the National Register of Historic Places

There being no further business and the time being 10:39 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, August 5, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, August 5, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Zoning Administrator Scanlan; Engineer Pogodzinski; Larissa Mottle; Jaimie Edwards; PHN Director Marchel; Finance Director Lapham; Ken Tschumper; Robin Tschumper; Glenn Kruse; Donna Buckbee; Susan VanGorp; Bryan VanGorp; Mike Fields; Reporters from WXOW Channel 19 La Crosse and WKBT Channel 8 La Crosse; Yvonne Krogstad; Chief Deputy Sheriff Yeiter; Loretta Lillegraven; Mary Thompson; Katherine Halbach; Renee Fuller; Brenda Pohlman

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the agenda.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the July 22, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$8,456.91
Road & Bridge Fund	685,931.00

Total	\$694,387.91
	=====

Ken Tschumper, La Crescent Township resident, stated that President Truman had a dish on his desk with the following inscribed, "the buck stops here". He stated that the buck didn't stop with the three commissioners who voted to approve the renewal of the Erickson Mine CUP. He stated that members of the Board are elected to do a job. Some individuals showed little regard for the trout stream setback rule. In Mr. Tschumper's opinion, the members of the

Planning Commission failed to make an honest inquiry of the situation before recommending approval. He requested that the Board rescind the motion to approve the renewal of the Erickson Mine CUP. He claimed to have written statements from both Zoning Administrator Scanlan and Attorney Jay Squires effectively stating the Erickson Mine CUP expired. Mr. Tschumper expressed concerns related to ongoing controversy and the inability of the Board to correctly resolve anything. He made reference to allegations against county officials and indicated that a website has been launched in this regard. He stated that PHN Director Marchel was charged with drafting ordinances related to the regulation of e-cigarettes and encouraged the Board to place her in charge with drafting regulations related to silica sand particulates which are dangerous also.

Mike Fields, Winnebago Township resident, commented that within Houston County's Land Use Plan, agriculture and tourism are businesses which play very important roles within the local economy and should be protected. He stated that ag production is essential and non-farm related development should be strictly regulated. Mr. Fields indicated that the Land Use Plan also speaks to the protection of watersheds, bluffs and trout streams. Mining is not discussed within the plan. He encouraged members of the Board to take action to protect and conserve the natural resources and ag land that is found in Houston County. He commended Commissioners Zmyewski and Kjome for voting to protect these sensitive areas. He encouraged other members of the Board to consider this and to refrain from fighting with the DNR on the Erickson Mine issue.

Susan VanGorp, Yucatan Township resident, told the Board to stop using taxpayer funds to defend the Erickson Mine. She shared her opinion that there has been a considerable amount of citizens money spent to defend the Erickson Mine, she stated that this must stop otherwise Houston County may be faced with an investigation for the misuse of public funds. Ms. VanGorp expressed her opinion that the Board is continuing to justify its past mistakes through the action it takes. She accused the County of employing a biased Zoning Administrator. In closing, she encouraged the Board to accept responsibility for mistakes and allow the Erickson's to provide their own defense.

Donna Buckbee, Yucatan Township resident, commented that she has been on the receiving end of threats of harm and demolition of property. She stated that she has not spoken with her neighbor, Mr. Bryan VanGorp yet, she fears for his safety. The situation is escalating. She made serious allegations that a Houston County Deputy was intending to do harm to Mr. VanGorp. She told the Board that they have a responsibility to protect the community.

File No. 2 - Zoning Administrator Scanlan reported on a variance for Tom Andrews of Black Hammer Township for a variance of 12 feet to meet the required 65 foot setback from the centerline of a township road to build a shed and another for Bob Koch/Koch Dairy of Winnebago Township for a variance of 575 feet to meet the required ¼ mile setback from an expanding feedlot to an existing dwelling which were approved. Commissioner Zmyewski questioned how a variance can be approved which is nearly half of the requirement. Zoning

Administrator Scanlan responded that the variance is required because Mr. Koch is proposing an expansion. There was already a variance in place and a residence located near the feedlot. The Board utilizes an offset model which indicates that 94% of the time the neighbor will be odor free. The impact of the expansion will be minimal therefore the variance was approved. The expansion will allow the Koch's to keep more of their herd at this location which will reduce the movement of animal husbandry equipment on local roadways, reduce chore time and streamline the related ag activities.

File No. 3 - On the recommendation of the Planning Commission, motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve the issuance of the following conditional use permit:

Bob Koch/Koch Dairy – Winnebago Township - Expand a feedlot from 274 animal units (a.u.) to 482 a.u.

File No. 4 - On the recommendation of the Planning Commission, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the issuance of the following Zoning Permits:

Anthony Bourgoin – Mayville Township - Build shed/garage (40' x 55')

Eugene Tessmer – Mayville Township - Build grain dryer (12' x 45') and utility shed (12' x 12')

Gary Tweito – Spring Grove Township - Build lean-to off shop (18' x 40') and (2) calf condos (12' x 18')

Ken Stemper – Mayville Township - Build shop (30' x 44')

Craig and Karla Helke – Hokah Township - Build house (50' x 77') garage (35' x 30')

Paul Bauer – Jefferson Township - Build shop/machine shed (40' x 40')

Mike and Harlan Ingvalson – Caledonia Township - Build (2) silage bunkers (200' x 90')

Joshua and Dayva Goetzinger – Jefferson Township - Build dwelling/shed (42' x 72')

Allen Eglinton – Union Township - Build storage shed (30' x 30')

John Shimshak – Mound Prairie Township - Replace pole shed due to wind loss (50' x 72')

It was agreed to table action related to the renewal of a mining and extraction permit for the Welscher's until the next scheduled meeting.

File No. 5 – Engineer Pogodzinski reported on C.P. 2013-1201 which has been completed. The estimate for the project was \$1,032,931.00, however, the total cost was just \$1,029,047.81. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adopt the following:

RESOLUTION NO. 14-33

WHEREAS, C.P. 2013-1201 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 6 – Engineer Pogodzinski reported on C.P. 2014-01 which has been completed. This project for bridge repairs was estimated at \$123,110.00. The final cost for the project is \$124,360.00. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to adopt the following:

RESOLUTION NO. 14-34

WHEREAS, C.P. 2014-01 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 7 – Engineer Pogodzinski reported on C.P. 2013-05 which has been completed. This project cost approximately \$9,000.00 more than anticipated. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adopt the following:

RESOLUTION NO. 14-35

WHEREAS, C.P. 2013-05 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 8 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to support the Viking Ridge Riders Snowmobile Club in their grant application and to adopt the following resolution:

RESOLUTION NO. 14-36

WHEREAS, the County of Houston supports the grant application on behalf of the Viking Ridge Riders Snowmobile Club to the Minnesota Department of Natural Resources for the 2014 Federal Recreational Trail Program to purchase a Trail Bully Groomer (Houston County Project #0021-14-C3);

NOW THEREFORE BE IT RESOLVED, that if the above referenced grant application is awarded by the Minnesota Department of Natural Resources, Houston County agrees to accept the grant award and will enter into an agreement with the State of Minnesota for the above referenced project. The County of Houston will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement;

BE IT FURTHER RESOLVED that the Houston County Board of Commissioners names the fiscal agent for the above referenced project as:

Char Meiners
Houston County Auditor
304 S. Marshall Street; Suite 116
Caledonia, MN 55921

BE IT FUTHER RESOLVED, that the County of Houston hereby assures the grooming equipment acquired through the grant will be maintained for no less than twenty (20) years or until such time as appropriate disposition actions are approved by the Minnesota Department of Natural Resources.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to recess the regular meeting in order to hold the scheduled public hearing.

File No. 9 - The time being 9:26 a.m., motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to open the public hearing regarding proposed changes to Ordinance #5 and the adoption of Ordinance #14 which are both related to the regulation of e-cigarettes.

Ken Tschumper stated that during 2007 through 2008 he cast many votes in legislature. The one he is most proud of was his vote in support of the clean indoor air act. He expressed his

belief that this act has done the most good for public health. He supports both Ordinance #5 and Ordinance #14. He expressed his appreciation for this Board's action in protecting and improving public health.

Mary Thompson, Public Health Nurse, provided information on how times have changed since her days growing up with icons such as the Marlboro Man. She provided information on how the views towards smoking have changed. She expressed concern that the tobacco industry is not forthcoming with information related to its products and downplays the risks associated with them. She fully supports Ordinances #5 and 14.

File No. 10 - Heather Myhre, Health Educator, read from a prepared statement which is on file.

File No. 11 - Katherine Halbach, student of health and health education, read from a prepared statement which is on file.

File No. 12 - Renee Fuller, summer intern and RN, read from a prepared statement which is on file.

Brenda Pohlman expressed her support for Ordinances #5 and 14. She stated that there are 3 important reasons to approve/adopt the ordinances; employees – this ordinance will keep them safe in their work environments, children and others who can't stand up for themselves will also be protected from second hand smoke and vapors, and smokers or re-formed smokers who have or have had an addiction and will have access to smoke free environments.

Chief Deputy Sheriff Yeiter expressed support for the ordinances. He stated that the delivery devices have been and are utilized to smoke illegal substances in addition to those e-juices referenced earlier.

PHN Marchel stated that she has been involved with public health and human services for 30 years. The Public Health Department was charged with bringing forward these ordinances in an attempt to regulate e-cigarettes. She provided statistics related to use, poison control calls, dependency and impact on public health. She reported that there are no standards for the devices or the e-juices. Some of the e-juice vapors contain known carcinogens, nicotine and heavy metals. She expressed concern that the bright colors, fruity and sweet flavors are targeting young individuals. The adoption of these ordinances will align well with the clean air act. She expressed her appreciation for the Boards support in protecting the health, welfare and safety of the public.

Being there was no further public comment, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to close the public hearing.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to reconvene the regular session.

File No. 13 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously to approve the proposed amendments to Ordinance #5. These amendments expand the existing ordinance to also cover e-cigarettes.

File No. 14 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve Ordinance #14. The purpose of this ordinance is to regulate electronic delivery devices, also known as e-cigarettes.

File No. 15 - HR Director Arrick-Kruger stated that Rick Howden is no longer providing services related to EDA. Work with CEDA related to these services has been ongoing. CEDA staff has been monitoring EDA e-mail. She expects two individuals to be assigned to provide coverage for the duties in Houston County initially, with one to be assigned to the position. This dual training period will provide back up in the event circumstances change as they did with Mr. Howden. In the end, a single individual from CEDA will represent Houston County's EDA interests.

HR Director Arrick-Kruger reported that interviews for the 0.5 FTE jailer/dispatcher position are being conducted. A candidate has not been identified.

HR Director Arrick-Kruger is continuing to work with MCIT regarding the Historic Jail and will keep the Board informed of any developments.

Commissioner Storlie expressed concern with two CEDA staff members representing Houston County. This could result in confusion during a period when many initiatives are being undertaken. HR Director Arrick-Kruger explained her understanding of the transition plan. Two individuals will be trained followed by a single individual being assigned to represent Houston County.

File No. 16 - Larissa Mottl and Jaimie Edwards representing the DNR met with the Board to discuss a proposed land acquisition. Ms. Mottl distributed copies of an updated model for the Scientific and Natural Area. The DNR is seeking approval to purchase 2 parcels of land, one being 83 acres, and the other being 208 acres. The acreage includes sheer rock ledges and formations and forest in which endangered rat snakes have been located. Ms. Edwards reported that at one time it was believed that the rat snake had disappeared from Minnesota. These are a non-venomous docile snake which is reclusive, spends time in trees as well as on the ground can grow to 7 foot in length and eats squirrels, birds, bats and rodents. In addition to the rat snake, threatened species such as the milk snake and peregrine falcon will benefit from this acquisition of habitat. The area will also provide habitat for many other local species. If the DNR successfully acquires the parcels they will be removed from the tax rolls however, PILT payments will be made to the County. These payments will likely equal the same amount as what

taxes generate at this time. Commissioner Zmyewski questioned whether the city or township officials where the properties are located have been contact and whether Ms. Mottl and Ms. Edwards have met with these local government units. The LGU's have been notified. Ms. Mottl and Ms. Edwards indicated that they would be able to meet with representatives from the LUG's if desired. The members of the Board encouraged them to do so. Motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to approve the land acquisition and adopt following resolution:

RESOLUTION NO. 14-37
REVIEW OF PROPOSED STATE LAND ACQUISITION AND DESIGNATION

In accordance with Minnesota Statutes 84.944, Subd. 3 and 97A.145, Subd. 2, 2004 and in accordance with Minn Sess. Law Serv. Ch. 262, Sec 3 (West), *Amending* Minn. Stat. Sec. 84.033 (2002), the Commissioner of the Department of Natural Resources on August 5, 2014 provided the county board with a description of lands to be acquired and designated by the State of Minnesota as a Scientific and Natural Area. Lands to be acquired and designated are described as follows:

See Exhibit A, attached.

IT IS HEREBY RESOLVED, by the Board of County Commissioners of Houston County on August 5, 2014 that the State's proposed acquisition and designation of the lands as a Scientific and Natural Area be approved.

When asked, Ms. Edwards responded that water moccasin snakes are not found this far north. There was an instance of a water moccasin snake riding up on a barge which came from much farther south. In this area there are Northern Water snakes. These snakes give birth to live young, are quite aggressive. They are non-venomous, however their saliva has an anti-coagulant agent which makes bite wounds bleed profusely. Ms. Edwards stated that the teeth of a water snake are very small and she has been bitten by one, in her opinion a puppy's bite would be more painful. The water snakes found in this area will be giving birth to young in September. She also reported that there is a small type of rattlesnake which can be found in the backwaters of the Mississippi around the Trempealeau, Wisconsin area. This variety of rattlesnake often lives in crayfish burrows.

Discussion was held regarding moving the public comment period to the end of the meeting. Commissioners Storlie and Kjome expressed a desire to continue to hold the public comment period at the beginning of each meeting. Commissioner Zmyewski suggested that there be a time designated at the end of meetings for the public to comment on business which was conducted during the meeting. Discussion was held regarding the concern that when there is little or no public comment, staff may not be present until their scheduled appointment time which causes delay. It was agreed to continue the public comment period at the beginning of

meetings and to encourage staff to be present or available to meet with the Board up to 15 minutes prior to their scheduled appointment time.

File No. 17 – It was agreed to contact Ron Meiners from Soil and Water to see whether they would spearhead Aquatic Invasive Species Prevention. Auditor Meiners reported that it will be necessary to develop a plan to spend the \$12,696.00 in aid which has been received for this purpose in 2014. The payment in 2015 is expected to increase to \$28,058.00.

Commissioner Kjome reported on the Soil and Water tour which he attended.

Commissioner Zmyewski reported on the frac sand ordinance writing committee meeting and the Soil and Water tour which he participated in.

Commissioner Schuldt reported on the Soil and Water tour and the Association of County Township Officers meeting which he attended.

Commissioner Storlie reported on the Soil and Water tour and an HVMHC Board meeting which she attended. She also reported that the playground equipment has been installed at Wildcat thanks to the many volunteers. The final work is being completed today and tomorrow and will be ready for children to enjoy this coming weekend.

Chairperson Walter reported on the Soil and Water tour and frac sand ordinance writing study committee meeting which she attended recently.

Pursuant to M.S. 13D.03 subd. 1, motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to go into closed session to consider strategy for labor negotiations. The time was 10:16 a.m.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to reconvene in open session at 10:52 a.m.

HR Director Arrick-Kruger stated that the purpose of the closed session was to discuss strategies related to labor negotiations and that no action subsequent to closed meeting is being taken at this time.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 18 – Correspondence to payroll regarding recent payroll changes

File No. 19 - Letters of appreciation to Jeff Rud and Rick Howden

File No. 20 - Public Notice of special meeting scheduled for 7/31/2014 at 10:30 a.m.

File No. 21 - Notice of SWCD annual tour

File No. 22 - Report of residential hhw, ag chemicals and pharmaceutical collections

File No. 23 – License Agreement and Service Contract with Vanguard

There being no further business and the time being 10:53 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Storlie and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, August 19, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, August 19, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Engineer Pogodzinski; Chief Deputy Sheriff Yeiter; Environmental Services Director Frank; Darlene Larson; HS Director Bahr; Finance Director Lapham; Social Services Supervisor Hunter; Financial Services Supervisor Kohlmeyer; Mike Fields; Donna Buckbee; Glenn Kruse; Bruce Kuehmichel; Jail Administrator Schiltz; IS Director Milde; GIS Coordinator Krzoska; Christopher Dahl; Sam Whitehead; Dean Goetzke; Jennifer Daley-Oakes; Melissa Jordan

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the August 5, 2014 meeting.

File No. 1 - Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$152,818.09
Road & Bridge Fund	451,118.83

Total	\$603,936.92
	=====

File No. 2 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of July 31, 2014 special meeting with the EQB.

File No. 3 - On the advice of counsel, motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and carried with Commissioners Zmyewski and Kjome voting in the negative to suspend the public comment period temporarily. This is the result of slanderous comments accusing a Houston County law enforcement officer of capital crimes which has put the County in a position of litigious jeopardy. Commissioner Zmyewski commented that he feels strongly that the public should be allowed a period in which to make comment. Chairperson Walter stated that this is a business meeting, and unlike a public hearing, there is no requirement that the public be allowed a period of comment.

At this time HR Director Arrick-Kruger introduced Christopher Dahl and Samuel Whitehead. Both Mr. Dahl and Mr. Whitehead are employees of CEDA who will be responsible for the EDA responsibilities the County contracts with CEDA for. HR Director Arrick-Kruger stated that once both men have been able to learn CEDA's role at the County, one will be appointed as the main contact for the County. Christopher Dahl shared that he started with CEDA last Wednesday, has a degree in city planning and urban development and recently completed a 10 month internship in West Fargo. Sam Whitehead shared that he grew up in Skyline, near Mankato, attended school and the University of Minnesota at Mankato and graduated with a degree in political science and history. He was recently employed in the office of Tim Walz where he was responsible for policy research along with day to day operations. He joined CEDA this week. They will be onsite on Tuesdays and will determine another onsite day soon. They hope that the days are consecutive. HR Director Arrick-Kruger stated that the County will have both men providing services however, we are bound by the agreement which is in place and there will be no additional expense.

File No. 4 - Environmental Services Director Frank has held ongoing discussions with the Public Works Committee regarding the truck utilized for aluminum redemption. The 1990 Chevy Top Kick truck would require extensive repairs in order to meet DOT certification requirements. The vehicle is not worth the expense. Therefore, Environmental Services Director Frank has researched two options for its replacement which meet department needs. The first option is to have Tom Burroughs retrofit the van box, which is on the old truck, with rails and rollers to be utilized with existing equipment. He has contacted a manufacturer to ensure that the rails and rollers can be acquired for the retrofit. There were concerns at first related to the overall height of the box atop the transport vehicle and once completed and atop the vehicle the height will be 12' 4" which falls below the 13' maximum height. The second option is to purchase a 2005 Sterling truck which would replace the existing truck. Maintenance Mechanic Rick Vestersee has checked out this used vehicle and made notes of necessary repairs. The cost for the retrofit is estimated at \$5,000.00, the cost for the replacement truck is \$18,784.00. Environmental Services Director Frank stated that his department does not have money within its budget for either option. He recommended going with the option to retrofit the existing van body for use with current equipment. This will reduce the number of vehicles in the department's fleet which will save on DOT inspection and licensing costs. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to

approve the option to retrofit the van box at a cost of \$5,000.00. Commissioner Zmyewski commended Mr. Frank for the hard work and well thought out options presented.

File No. 5 - Zoning Administrator Scanlan reported on the Tom and Jim Welscher renewal. Commissioner Zmyewski commented that he was able to find answers to the questions he had regarding the permit. Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to approve a one year renewal for Conditional Use Permit #233.

Environmental Services Director Frank reported that a semi-trailer parked at the La Crescent drop site was vandalized again. It was loaded full with tires which were scheduled to be delivered to the recycling facility. This happened before almost 2 months to the day. The repairs that time cost \$1,000.00. He does not have excess funds within his budget for vandalism repairs. Measures are being taken and implemented to prevent future vandalism. He has been in contact with both the County Sheriff and City of La Crescent Law Enforcement regarding the repeated incidents.

File No. 6 - HR Director Arrick-Kruger reported that she has met with Auditor Meiners who has made a staffing request based on department need. She has asked that her departments sole 0.8 FTE position be increased to 1.0 FTE. There have been ongoing concerns and stress related to staffing during peak periods, and coverage for vacation and sick leave. Increasing the position to 1.0 FTE would alleviate this stressor. In addition, HR Director Arrick-Kruger has had a goal related to ACA requirements to move positions to be less than 30 hours or full time. The necessary changes are taking time and many are happening through attrition. There is an overall cost associated with this request. Auditor Meiners stated that she always feels short staffed. The election season has been particularly stressful for staff as they deal with increased workload, vacations and sick leave. She expects this change to help a great deal. Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve increasing the position of Carol Sherburne from 0.8 FTE to 1.0 FTE effective September 1, 2014.

HR Director Arrick-Kruger recommended accepting the position description for Building Maintenance Foreman and changing the banding of John Dollar from B-23 to C-41 retroactive to July 28, 2014. Mr. Dollar joined Houston County with strong qualifications in custodial, and electrical. He also holds a boiler license and is well versed in boiler maintenance. Mr. Dollar has taken on more than lead work. He assists with organizing work, project management for betterment, has a positive attitude, and is well respected by colleagues. The cost in 2014 could be covered by salary savings resulting from an unpaid leave. The positions description was submitted to Fox Lawson for banding. Commissioner Storlie questioned whether this change was subject to a probationary period and if so, for how long. HR Director Arrick-Kruger stated that this position falls under the AFSCME Collective Bargaining Agreement and as such the position is subject to a 6 month probationary period. Commissioner Zmyewski questioned why the request to make it retroactive has been made. HR Director Arrick-Kruger stated that Mr. Dollar

has been performing the duties contained in the position description since that time. The County has many facilities which contain a significant amount of square footage. The building maintenance unit is considering an efficiency study with staff so that staff can continue to operate efficiently and maintain and care for the County's facilities. Commissioner Zmyewski stated that many times staff is asked to step up to the plate and contribute more, although he is impressed with Mr. Dollar, he feels that it is appropriate to make any changes effective upon approval and not make them retroactive. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the position description for Building Maintenance Foreman, the banding and to make it effective today.

HR Director Arrick-Kruger reported that Public Health is in need of the services of an International Board Certified Lactation Consultant per grant agreement. PHN Director Marchel has requested authorization to enter into an agreement for said services from Kari Klug who meets this requirement. She would provide on-call services to support peer breast feeding counselors and also training. The agreement would not exceed a cost of \$1,820.00 which would be externally funded by grant proceeds. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to authorize PHN Director Marchel to enter into an agreement with Kari Klug for International Board Certified Lactation Consultant services.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the phased retirement plan of Mary Thompson for a third year at 0.5 FTE beginning October 1, 2014 through November 30, 2014. PHN Director Marchel supports this request as Ms. Thompson's contributions to the department are extensive.

HR Director Arrick-Kruger was pleased to report that there will be a 0% increase for health benefits to Houston County this year. This is exceptionally good news. The County has gone from 18% need to 24% need, to restructuring of health benefits which has resulted in this 0% increase in spite of an overall statewide health care cost increase of 6.25%. The SE Service Cooperative has been beneficial in aiding in the stabilization of healthcare costs.

Financial Services Supervisor Kohlmeyer introduced Melissa Jordan, case aide and Social Services Supervisor Hunter introduced Jennifer Daley-Oakes, adult and children's mental health case manager. Both ladies have recently joined Human Services Staff.

Financial Services Supervisor Kohlmeyer along with Jail Administrator Schiltz recently attended a meeting where discussion was held regarding the suspension of adult basic education classes for Houston and Fillmore County due to low participation. Financial Services Supervisor Kohlmeyer was unaware that these services including adult basic education classes, career readiness and computer literacy were available to county residents at no fee. In addition, high school graduates would qualify for courses to help them meet requirements for college coursework. Financial Services Supervisor Kohlmeyer reported that there is a need for these offerings within the County. There are requirements for family cash participants which these offerings would satisfy. Increased education and career skills helps to stabilize families and

would greatly benefit jail inmates and move them in a direction of stability also. It was reported that between Houston and Fillmore Counties there were only 11 participants during the past year. Of those participants there were a couple who successfully obtained their GED, others participated but only occasionally. Statistics show that 70% of inmates are in need of basic education. Jail Administrator Schiltz reported that adult basic education courses have been offered at the jail as part of the programming. There have been a few inmates who have obtained their GED's as a result. Financial Services Supervisor Kohlmeyer stated that many individuals face barriers such as child care and transportation. Those who participate in the classes are required to travel to Winona to take the GED testing. In addition to the transportation required, there is a \$40.00 fee which is an additional barrier for some. Now that she is aware of the offerings and barriers, she is hoping to work with a team to retain the offerings, assist individuals in overcoming barriers and determine how to get the word out that these services are available. In team will try to determine locations for class offerings which will serve the greatest number of individuals in order to increase participation.

Financial Services Supervisor Kohlmeyer reported that the Governor has declared August Child Support Awareness month. The individuals working with child support bring stability to families.

Financial Services Supervisor Kohlmeyer was pleased to report that the child support unit has gone live with EDMS.

Houston County is part of a 5 county regional grant for SNAP. This provides able bodied adults without dependents in Houston County with additional months of SNAP benefits when they participate in workforce development qualifying activities. There are more funds available. The region is working collaboratively in an attempt to secure additional funding. The adult basic education, career readiness and computer literacy programming which has been suspended by aid in providing individuals with qualifying events in which they may participate in order to earn additional months of eligibility. This way individuals have stability while gaining skills to make themselves self-sufficient.

Financial Services Supervisor Kohlmeyer provided an update related to MN Sure. Houston County has 475 cases, serving 834 individuals which is higher than estimated. One staff member has been trained to convert paper applications. Four additional staff members need to be trained. The conversion of additional cases is expected to begin in September. Financial Services Supervisor Kohlmeyer expects the department workload to increase with the return to school.

File No. 7 - HS Director Bahr requested approval of the Contract Amendment related to MFIP & Diversionary Work Program. The amendment provides for an additional \$1,412.00 in grant funding to support an initiative for Young Parent Education. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to accept the grant and authorize the signature of Chairperson Walter on the Contract Amendment.

HS Director Bahr reported that Houston County has participated in the CD Pilot Project since 2009. Unfortunately, small counties such as ours have been largely underserved due to the stringent requirements for participation in the program. The small counties have continued to cover expenses related to the project. Larger counties have many more qualifying individuals and are benefiting more. HS Director Bahr indicated that Houston County's agreement for the CD Pilot Project will be expiring and there is no intention to renew it. Other pilot projects are being explored. Unfortunately, due to our involvement with the CD Pilot Project, the County was unable to engage in participation with a differing pilot project which may have better suited the County and its needs. The County will continue to provide required services.

The re-procurement process is complete. The State has invited all three providers to participate.

HS Director Bahr will be attending a Hearth meeting in Rochester. This is an initiative to combat homelessness. In addition, she will be speaking with a local parish council. She believes the group may be considering an initiative to reduce homelessness.

Approximately one year ago, HS Director Bahr was appointed to represent Houston County on the Semcac Advisory Committee. The first meeting of the committee has been scheduled.

Social Services Supervisor Hunter reported that changes are being considered which would impact adult and children's mental health. Common definitions and the defining of roles are among the items under consideration. In addition, outcomes or goals for cases may be implemented. There is a desire to develop information which will explain funding mechanisms. There is consideration to certification requirements for case managers which may hinge on education and/or experience. The methodology related to how counties are paid is being reviewed. Consideration is being given to a tiered model or models which would bill for coordination time, referral, face to face meetings, or cost of staff and administration. How payment is determined could significantly impact the county. Social Services Supervisor Hunter also reported that the State is considering capping caseloads. Houston County has efficient staff and the maximums being considered, Houston County staff already exceeds. A positive change would be that PTSD may be added to the listing of services under adult mental health which are billable. There are changes related to targeted case management and children's cases which are under consideration however, Houston County has implemented changes so if the changes are made the County is already operating in the preferred fashion. Group and residential housing payment expectations are increasing from 30% to 40% of income. Incentives which include prolonged eligibility for increased work are also being developed. The State will be taking action to certify group and residential housing facilities. The rate paid for supported work is being increased. Social Services Supervisor Hunter added a note of caution that the last time the State increased rates it decreased CREST funding at the same time.

Social Services Supervisor Hunter provided an update related to the regional call center. The RFP for the call center is being sent out and responses are expected from 5 organizations. In addition, the call center will provide services to both adults and children as they relate to mental health. With regard to the mobile response team, they want to keep response times to a maximum of 30 to 45 minutes which means there will be multiple mobile response team scattered across the region who will respond to client needs. They hope to have the call center functional by January 1, 2015.

Commissioner Storlie stated that she will be attending the AMC Policy Meetings soon and she is on the Human Services Committee. She encouraged staff to make her aware of any concerns they would like her to bring forward during the meeting. She also questioned whether legislative action has been approved making foster homes and vehicles transporting individuals in foster care smoke free. Social Services Supervisor Hunter will confirm this and let Commissioner Storlie know.

File No. 8 - Chief Deputy Sheriff Yeiter and Dean Goetzke, Sales Associate with LETG met with the Board. Chief Deputy Sheriff Yeiter stated that when he approached the Board regarding LETG software he was instructed to propose how the expense could be covered without an increase to the tax levy. He believes he has identified funding which meets the Board's directive. If approved, the migration to the new software will take approximately 6 months to complete.

File No. 9 - Permit to Carry funds may only be utilized for certain expenses, this software would qualify since it would be utilized to run the required checks related to the issuance and maintenance of permits to carry. The fund has a significant balance. Chief Deputy Sheriff Yeiter explained that the fund was established so that in the event they were sued for denying a permit to carry and lost, funds would be available to pay attorney fees for the individual who successfully sued them. A portion of funding would come from E911 funds. The balance of this and recurring expenses covered by this fund were carefully outlined on a handout which is on file. GIS Coordinator Krzoska was present and stated that balances going forward will remain adequate to meet needs and provide an emergency fund for the replacement of qualifying equipment should the need arise and that there were no large expenditures planned at this time that would require the use of these funds. The final funding would come from budget amendments affecting various departmental accounts. Commissioner Zmyewski questioned whether these amendments would result in shortages in the future.

All cities have approved the contract addendum. The cities are simply waiting for the County to take action to approve the master agreement. This project is bringing the cities and the county together like never before. The County and Cities will be operating on the same platform and will be able to share information. In addition to this collaborative initiative, the cities have hinted at or discussed the possibility of acquiring IT support from the County. This could be the first step in opening up further discussion in this regard. Chief Deputy Sheriff Yeiter stated that if this option were available today, two cities would sign on.

File No. 10 - Commissioner Zmyewski commented that this detailed outline is what he would like to see from any department head bringing a sizeable request forward. Motion was made by Commissioner Storlie, seconded by Commissioner Walter and unanimously carried to accept the proposal from LETG and authorize the signature of Chairperson Walter on the Master Software License Agreement and the Maintenance and Support Agreement. Chief Deputy Sheriff Yeiter stated that this is a system that is wanted by all and will bring law enforcement together and provide for better response across the county.

File No. 11 – Court Administrator Larson provided information related to the RFP for court appointed attorney services. The proposal received from Kurt Knuesel is \$44,000.00 which is less than the previous agreements with him. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to accept the proposal submitted by Mr. Knuesel and to authorize County Attorney Hammell to proceed with contract negotiations.

File No. 12 - Engineer Pogodzinski requested approval of an amendment to the Professional Services Contract with Mead & Hunt, Inc. There have been changes due to paving, the removal of trees which obstruct the clear zone and other issues which require additional services of Mead & Hunt. The total cost for the services is estimated at \$7,446.92 however, Engineer Pogodzinski indicated that item #3 may be completed by County staff which would reduce the overall cost by \$1,947.34. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve Amendment #2 to Task Order #2013-1 to Professional Services Contract with Mead & Hunt, Inc.

File No. 13 – Engineer Pogodzinski reported that S.A.P. 28-599-63 has been completed. This project was a bridge replacement performed on South Prairie Drive by Minnowa Construction. It was a collaborative project involving Caledonia and Wilmington Townships and Houston County. The final amount of work certified was \$350,785.31 which is slightly below the bid amount. Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adopt the following:

RESOLUTION NO. 14-38

WHEREAS, Contract No. 238 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

Commissioner Zmyewski stated that he recently attended a meeting of the Sheldon Town Board. During the meeting he asked whether they had any concerns. The Town Board expressed concerns related to the amount of debris in and along the South Fork of the Root River. They

questioned whether any funding was available to have the debris removed. Engineer Pogodzinski is unaware of any funding available for this type of request and suggested that the Town Board speak with Emergency Manager Kuhlers. It was also suggested they speak with Soil and Water. In addition to the debris there is significant bank erosion.

The frac sand ordinance writing study group met yesterday and is scheduled to meet again next week.

Commissioner Zmyewski stated that he and Commissioner Kjome have been invited to meet with a company offering to provide proposals for an inexpensive Highway Department building.

During the Fair, a survey related to the Historic Jail Building was conducted. The EDA will provide information gathered by the survey to the Board at a later date.

It was agreed to schedule budget meetings for Monday, August 25th and again on Tuesday, August 26th.

File No. 14 – Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve a 2014 tax abatement on parcel #20.0224.000 in the amount of \$442.00. This parcel was sold following tax forfeiture. The structure had not been maintained leading up to the forfeiture which resulted in a change in the value.

File No. 15 – Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the application and permit for a temporary on-sale liquor license for American Legion Post #191 for an event to be hosted at Camp Winnebago.

Pursuant to M.S. 13D.05 subd. 3(b) Attorney Jay Squires requested the Board convene a closed session to discuss matters protected by attorney-client privilege. Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to convene in closed session. The time was 10:42 a.m.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to return to open session.

It was stated that the purpose of the closed session was to discuss ongoing litigation.

File No. 16 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the August 12, 2014 Settlement and Release agreement between Lucille Omodt-Crow, JB Holland Construction, Inc. and Houston County.

Commissioner Kjome reported on the canvassing board meeting which he attended. He also provided comments from the time he spent manning the County EDA booth at the Fair and the Flag dedication ceremony at the Historical Society.

Commissioner Zmyewski reported on the frac sand ordinance writing study group, Sheldon Town Board, and Canvassing Board meetings which he recently attended. In addition, he was present at a land dispute meeting in the Mound Prairie area.

Commissioner Zmyewski clarified that the public comment period has been temporarily suspended. Discussion was held regarding the need to reduce repetitive comments and maintain control of meetings. Commissioner Zmyewski feels strongly that citizens need to be allowed the opportunity to speak to the Board. Commissioner Storlie expressed concern that they are hearing the same or similar and repetitive. The Board implemented a policy which it believed would maintain order however, it has become evident that the Board has no control over what individuals choose to say. Commissioner Zmyewski expressed that when an individual feels as though they are not being heard and/or understood they repeat themselves. He indicated that he does this himself at times. Individuals desire to be heard and want to feel that they are being listened too and their comments are taken into consideration. Commissioner Schuldt expressed concern that the public comment period has turned into a time when individuals lobby the Board. Commissioner Kjome commented that he listens to constituents and as a result, some members in the public believe they know his position on various topics. He stated that he has made no promises to individuals and has not shared his position, by listening they form opinions.

Commissioner Storlie reported that she recently attended active shooter training and she manned the County EDA booth during the Fair.

Chairperson Walter reported on the frac sand ordinance writing study group meeting and also manned the County EDA booth at the Fair.

Barb Bissen organized the EDA booth at the Fair. The Board members expressed what an excellent job she did.

Discussion was held regarding scheduling another strategic planning meeting.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 17 – Correspondence from MCIT regarding 2014 dividend

File No. 18 – Correspondence to H. Koch regarding tons delivered to Xcel

File No. 19 – Section 8 Vouchers by County Report

File No. 20 – Supporting information related to Ord #5 & 14
regarding e-cigarettes

There being no further business and the time being 11:12 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, August 26, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, August 26, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Reporters McGonigle & Moorhead; Yvonne Krogstad; VSO Director Gross; Engineer Pogodzinski; HR Director Kruger; Jail Administrator Schiltz; Ron Meiners & Ann Selness-SWCD; Chief Deputy Yeiter; Finance Director Lapham; Human Resources Director Bahr; Environmental Services Director Frank; Zoning Administrator Scanlan; Sheriff Ely; PHN Director Marchal; PHN Accountant Lillegraven

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the agenda.

Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the August 19, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$49,910.31
Road & Bridge Fund	100,522.45

Total	\$150,432.76
	=====

File No. 2 - Veterans Service Officer Gross recommended accepting a grant in the amount of \$10,000.00. He would like to use the funding to replace the Veteran's van which is utilized to transport veterans to medical appointments. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the Grant Contract with the Minnesota Department of Veterans Affairs and to adopt the following resolution:

RESOLUTION NO. 14-39

BE IT RESOLVED by the Houston County Board of Commissioners that the County enter into the attached **Grant Contract** with the Minnesota Department of Veterans Affairs (MDVA) to conduct the following Program: **County Veterans Service Office Enhancement Grant Program**. The grant must be used to provide outreach to the county's veterans; to assist in the reintegration of combat veterans into society; to collaborate with other social service agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans; to reduce homelessness among veterans; and to enhance the operations of the county veterans service office, as specified in Minnesota Laws Chapter 142 Article 4. This Grant should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED by the Houston County Board of Commissioners that Teresa Walter, the Board Chair, and Rob Gross, the County Veterans Service Officer, be authorized to execute the attached Grant Contract for the above-mentioned Program on behalf of the County.

WHEREUPON the above resolution was adopted at a regular meeting of the County Board of Commissioners this twenty sixth day of August, 2014.

File No. 3 – Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to adopt the following resolution:

RESOLUTION NO. 14-40

BE IT RESOLVED that the Houston County Board of Commissioners does hereby approve the Minnesota Lawful Gambling Application to Conduct Off-site Gambling on behalf of Camp Winnebago for gambling activities to be January 31, 2015 at 19708 Camp Winnebago Road, Caledonia, MN.

File No. 4 – Engineer Pogodzinski requested approval of the final estimate for Project S.A.P. 28-996-018 CSAH 25. This project was half related to the 2007 floods, and half state funded for repairs not related to flooding. This project went over-bid due by approximately \$200,000.00 due to later flooding, which resulted in the need to increase the paved section of the roadway by an additional 500 feet in an attempt to keep future erosion from happening. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adopt the following resolution:

RESOLUTION NO. 14-41

WHEREAS, Contract No. 218 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

Commissioner Storlie requested an update on County Road 8. Engineer Pogodzinski reported that the gravel surfacing of the roadway should be completed today. There are approximately three days of work remaining on the approaches to driveways; then they need to apply chloride and finish ditch work and seeding. He had hoped to have the road open to traffic prior to Labor Day; however, it may be a week after that. There has been some delay due to recent rains.

Engineer Pogodzinski reported that County 5 should be open to traffic prior to Labor Day weekend. There is a little earthwork to be done yet, in addition to seeding and mulching.

Commissioner Kjome inquired when the County 4 project will begin. Engineer Pogodzinski responded that the plan was to start right after Labor Day, however, it may be pushed back approximately a week. The project should be completed by November 1st. The road will be open to traffic during the project, however, there may be some delays.

File No. 5 – Human Resources Director Kruger and Jail Administrator Schiltz reported that interviews were held for the half-time position of Jailer/Dispatcher. They are recommending hiring A. J. Bird who has a two year criminal justice degree. After discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the hiring of A. J. Bird as a probationary half-time (0.5 FTE) Jailer/Dispatcher at Step 1 of the B23-2 comparable worth band, effective September 1, 2014.

Human Resources Director Kruger recommended approving the implementation of 2014 pay increases for the 49ers Engineering Assistants union, being 1% effective January 1, 2014 and 1.5% effective July 1, 2014. After discussion, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the same.

File No. 6 - Human Resources Director Kruger reported that MCIT has submitted a check in the amount of \$723,210.64 representing the cost to repair the damages to the old jail building, less depreciation. She is in the process of reviewing the documentation showing how they arrived at that amount.

HR Director Kruger reported that she was approached by Rich Orth, a representative of Simple Living Farmers Market, with a request to use Houston County's parking lot located north and west of the Community Services Building on Tuesday afternoons from approximately 4 p.m. to 7 p.m. beginning in mid-April 2015. She inquired whether the Board is open to this request.

Commissioner Schuldt reported that the Caledonia City Administrator has inquired whether this parking lot could be used for parking boats and campers that are normally parked on the street. HR Director Kruger suggested checking whether there would be liability issues involved with the private use of public space. Commissioner Schuldt suggested the possibility of allowing people who car pool to park in this lot. Commissioner Storlie stated that she would prefer to use it for people who car pool, rather than for the parking of boats and campers. The Board expressed their approval of using the lot for a farmer's market.

File No. 7 - At this time Ron Meiners and Ann Selness, SWCD, met with the Board. Ann has been working on a draft work plan in connection with Aquatic Invasive Species Prevention Aid. Finance Director Lapham stated that the law requires the county to adopt a resolution approving a plan for the program by December 31st.

File No. 8 - Ron Meiners reported that they have been actively involved in the Root River One Watershed Plan. He felt this will lead to the opportunity for the county to obtain clean water grants to assist with flood prevention. This is going to involve many meetings and Ann Selness has volunteered to serve on the committee and work on putting the plan together. They would also like to have a commissioner serve on this committee. Commissioner Kjome volunteered to represent the Board on this committee.

File No. 9 - Discussion was held regarding the proposed 2014 SWCD budget. SWCD recently hired Michelle Bulman half-time, and they plan to hire another half-time technician to work on projects in the Bea Duck Watershed. This will bring the SWCD staff up to five FTEs. He reported on the programs they handle and the funding difficulties they have faced. They utilize grant funding as much as possible. They are asking for a small increase in funding from Houston County, as there are important programs which staff need to spend more time on.

Ron Meiners stated that with his approaching retirement, this is the last time he will address the Board in this capacity. He commended the Board on the excellent job they do. He feels the Board takes a broad overview and tries to stay the course for what their beliefs are. He has a lot of respect for this Board and a lot of trust in them.

Chairperson Walter reported that the next frac sand study committee meeting is scheduled for next Friday.

Commissioners Kjome, Schuldt, Storlie and Walter reported that they attended Ron Meiners retirement party and the 75th anniversary of the SWCD District.

Commissioner Zmyewski reported on the frac sand committee meeting held yesterday. He also expressed his concern with MCIT's use of depreciated values on the jail settlement.

Chairperson Walter reported on budget meetings and the frac sand committee meeting. Tomorrow she will be attending the state Extension meeting in St. Paul. Next week the AMC

policy committees will be held, as well as the MCIT conference. She also reported that Winona County housed ten prisoners in our jail last week.

Chairperson Walter inquired as to the research fee. It was agreed to place this on the agenda for discussion next week.

Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to recess for 10 minutes.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmeyewski and unanimously carried to reconvene in open session.

At this time the Board met with VSO Director Gross regarding the proposed 2015 budget.

The Board met with Human Services Director Bahr regarding the proposed 2015 budget.

Human Services Director Bahr reported on changes with MN Choices. Funding for waiver programs used to run through the county, however, the 245D changes have pulled these funds away making it difficult to track changes and do budgeting.

Human Services Director Bahr reported that Houston, Fillmore, Wabasha, Goodhue and Freeborn Counties entered into an agreement with Winona County for EDMS. It was agreed that it would cost each county \$43,000.00 to get income maintenance up and running, plus \$16,667.00 per year to maintain the program. However, Winona County subsequently sent out billings far in excess of the agreed amount. None of the counties have paid these bills, as they are not what was agreed upon. Discussion was held.

At this time the Board met with Environmental Services Director Frank and Zoning Administrator Scanlan regarding the proposed 2015 budget.

At this time the Board met with Sheriff Ely and Chief Deputy Yeiter regarding the proposed 2015 budget.

Chief Deputy Yeiter expressed the need for additional clerical staff. Permit to Carry fees may be used to fund clerical staff. There are neighboring counties housing prisoners in our jail, and additional clerical staff could assist with the accounting involved with this. It is expected that La Crosse City will also soon be housing prisoners in Houston County. In addition, the chief judge recently signed an order requiring that all video recordings that are going to be used in court must be transcribed. This has the potential of increasing the workload substantially. Local police departments have also expressed an interest in contracting with the county to provide transcription services for them. HR Director Kruger has suggested starting out with a temporary employee in order to determine the level of need.

At this time the Board met with PHN Director Marchal and PHN Accountant Lillegraven regarding the proposed 2015 budget.

PHN Director Marchal reported on information summarizing the services the Public Health Agency provides.

PHN Director Marchal stated that Houston and Fillmore Counties take turns handling the CHS Administrator duties for five years at a time. The agency handling these duties receives \$5,000.00 to cover the costs associated with these duties. Houston County has been doing the administration, and it is now time for this to transition to Fillmore County. Houston County would prefer to continue as CHS Administrator. It was felt that it is advantageous for Houston County to have control of the fiscal part of the administration, as the funds are tracked and dispensed in a more timely manner. It was agreed to bring this up for discussion with Fillmore County.

Commissioner Storlie inquired as to the status of the Home Health Aides relating to the change in insurance requirements. PHN Accountant Lillegraven reported that their benefits for 2014 are calculated based on the hours they worked in 2013. PHN Director Marchal would like to transition to using home health aides for only home care, and not homemaking services, as there are other agencies available who can provide homemaking services.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 6 – A notice of credit on account with the La Crosse County Waste-to-Energy facility.

File No. 7 - Correspondence to Steve Wiedman regarding the approval of his application for abatement.

File No. 8 - Public Notice of a special budget meeting scheduled for August 25, 2014 at noon.

File No. 9 - Correspondence to payroll regarding the change in status for Carol Sherburne from 0.8 to 1.0 FTE, the change in John Dollar's comparable worth band from B23 to C41 and the extension of Mary Thompson's phased retirement for a third year at 0.5 FTE effective from October 1, 2014 through November 30, 2015.

File No. 10 - Correspondence from the MN Department of Education regarding Certification of the Minimum Local Support Requirement for SELCO for 2015.

File No. 11 – A notice received from the MN Department of Public Safety indicating their intent to exercise the option to extend the lease for driver's exam space through 9/30/2016.

There being no further business and the time being 12:05 p.m. motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, September 2, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, September 2, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Bruce Kuehmichel; HR Director Arrick-Kruger; Finance Director Lapham; Chief Deputy Sheriff Yeiter; Glenn Kruse; Sheriff Ely

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the agenda.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to include a public comment period beginning again with the next scheduled meeting.

Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the August 26, 2014 meeting.

File No. 1 – Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the August 25, 2014 budget meeting.

File No. 2 - Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$52,390.00
Road & Bridge Fund	708,498.93

Total	\$760,888.93
	=====

File No. 3 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to

accept the resignation of Cindy Thorson effective September 11th, 2014 and to draft a letter of appreciation for her service.

HR Director Arrick-Kruger provided an update regarding the status of the settlement for the damage sustained in the Historic Jail resulting from frozen pipes.

File No. 4 - Finance Director Lapham provided a comparison of the 2014 Levy to the 2015 proposed budget. The Board is scheduled to adopt the county's proposed levy during the next scheduled meeting. Discussion was held regarding the completion of the audit which will make available fund balances. Finance Director Lapham provided various scenarios for consideration prior to next week's meeting. It was noted that the requested appropriation increase for Soil and Water is not included in the scenarios provided.

Discussion was held regarding attendance at the SMIF Annual Luncheon. Commissioner Storlie expressed the importance of attending the event. She agreed to attend the luncheon in the event no other commissioners are able. Commissioner Schuldt indicated a desire to attend and will check his calendar and get back to Commissioner Storlie with his decision.

Chairperson Walter reported that there is a meeting of the frac sand ordinance writing committee scheduled for this Friday from 9:00 a.m. to 11:00 a.m.

File No. 5 - Commissioner Kjome provided a copy of Jeff Gerard's letter to the editor to each commissioner. Commissioners Kjome and Zmyewski reported that they had visited various maintenance facilities in the area utilized by large scale farmers. The facilities included hoists and lifts which are similar to those utilized by the Highway Department. Farmers perform maintenance and repairs on large equipment, such as combines, in these buildings.

Commissioner Zmyewski stated that there is a need to replace the maintenance building. In the past, OSHA has expressed concern with the current facility. However, included with the maintenance building is an entire complex which includes office space, heated and cold storage. He indicated that he has been working to find a solution and to meet the needs of the County. These steel structures utilized by large scale farmers are quite amazing, will last many years and have been cost effective.

Discussion was held regarding the fact that the Board has only had a single proposal presented to them. The Board is open to other ideas. Commissioner Zmyewski explained that plans cost money and proposed that a budget be established for the project. He suggested a budget of \$1 million. He expressed concern that without a budget the Board will receive expansive plans which far exceed this amount. Architects make money by developing plans for large buildings/complexes.

Commissioner Storlie expressed concern that the Board needs to utilize a team approach to this building project. She suggested that there needs to be Board representation and also representation from the department and those employees who utilize or work within the facility.

The Board expressed interest in viewing the maintenance buildings which Commissioners Zmyewski and Kjome toured in addition to other County Maintenance Facilities which were to be toured prior to flooding last year. Commissioner Zmyewski indicated that he could approach the landowners, however, landowners are hesitant to come out publicly regarding this issue. Commissioner Zmyewski will contact landowners and try to organize a tour.

Commissioner Kjome reported that he has received many calls regarding action taken to discontinue the public comment period. He is pleased that the comment period has been reinstated. He also reported on the Planning Commission meeting which he attended.

Commissioner Schuldt reported on the budget meeting which he attended on August 25th.

Chairperson Walter reported on the State Extension meeting which she attended. She is planning to schedule a meeting with Anne Selness to share information gathered from the meeting and related to Aquatic Invasive Species. The County recently received funding related to combatting the spread of Aquatic Invasive Species and is required to submit a plan on how they will utilize the funding by December 31, 2014. The plan is not to be judged, nor will it impact future funding.

File No. 6 - Discussion was held regarding the research fee currently charged by the county. Auditor Meiners suggested that a portion of the cost be collected up front. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to require an estimate of the research time up front, with the requirement that 50% of said estimated cost be collected prior to the commencement of research.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 7 – Correspondence to payroll regarding recent hire and pay increase

File No. 8 – Notice of Southern MN Initiative Foundation Annual Luncheon

File No. 9 – Correspondence from the MN Dept of Education regarding the state-certified level of library support for 2015

File No. 10 – 2013 Semcac Annual Report

There being no further business and the time being 9:55 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, September 9, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, September 9, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Engineer Pogodzinski; Zoning Administrator Scanlan; Finance Director Lapham; HR Director Arrick-Kruger; County Attorney Hammell; Mike Fields; Bruce Kuehmichel; Chief Deputy Sheriff Yeiter

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the agenda.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the minutes of the September 2, 2014 meeting.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$75,533.19
Road & Bridge Fund	83,667.81

Total	\$159,201.00
	=====

Michael Fields, Winnebago Township resident, restated his feelings regarding an incident where his property lines were encroached upon which took place several years ago. He expressed disagreement with the handling of the matter.

File No. 2 – Engineer Pogodzinski reported that S.A.P. 28-599-63 has been completed and a revision is required. There was a supplemental agreement in the amount of \$969.99 which was not fully processed. This supplemental agreement increases the final construction total to \$351,754.31. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adopt the following resolution:

RESOLUTION NO. 14-42

WHEREAS, Contract No. 238 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

Engineer Pogodzinski indicated that with the coming election there are many political signs being posted. He stated that staff will be going out soon and removing signs which have been placed in the right of way and are a safety concern. Chairperson Zmyewski asked that the Highway Department provide a courtesy call to those candidates who have had signs removed so that they have the option to pick them up as they are expensive to produce. Engineer Pogodzinski urged candidates to consider safety when they place their campaign signs.

A frac sand ordinance writing committee meeting is scheduled for Monday, September 15th.

Commissioner Kjome reported that he received a call regarding an upcoming auction of the Roverud Building which is scheduled for October 8th. He questioned whether the Board has any interest in the property for Highway Maintenance purposes.

File No. 3 - Zoning Administrator Scanlan reported on a variance for Doug Sparks of Mound Prairie Township for a variance of 45 feet to meet the required 50 foot setback requirement from the south property line and variance of 50 feet to meet the required 100 foot setback requirement from a tributary stream to build a pole barn.

File No. 4 - On the recommendation of the Planning Commission, motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the issuance of the following interim use permit:

Michael Smith – Brownsville Township - Non-commercial family cabin

File No. 5 - On the recommendation of the Planning Commission, motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the issuance of the following conditional use permits:

Stanley Grams – Brownsville Township - Build a cabin in an agricultural district

Michael and Rosanna Peterson – Money Creek Township - Build a house in an agricultural district

File No. 6 - On the recommendation of the Planning Commission, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the issuance of the following Zoning Permits:

Kevin McCormick – Mayville Township - Build storage/cattle shed (44' x 96') with room (10' x 20') no expansion

Jay Solum – Spring Grove Township - Build grain bin (48' diameter)

Elton Krueger – Mayville Township - Build machine shed/shop (40' x 60')

Verizon Wireless/Paul Solum – Spring Grove Township - Construct a telecommunications tower (259') shelter (12' x 30') and fencing (75' x 75')

Kevin Nelson – Black Hammer Township - Build addition on existing shed (30' x 22')

Lois Davy/Tim Crane – Crooked Creek Township - Replace shed destroyed by fire (24' x 48')

Cory Baker – Yucatan Township - Build rec room addition (32' x 16') porch (16' x 16')

Richard Thesing – Brownsville Township - Build storage/work shop (24' x 48') after-the-fact

Fred Von Arx – Mound Prairie Township - Build wood shed (30' x 40') after-the-fact

John Felten – Mayville Township - Build attached garage (28' x 32')

Darin Meyer – De Su Holsteins LLC – Wilmington Township - Build (3) calf barns (34' x 100') no increase in a.u.

Darin Meyer – De Su Holsteins LLC – Wilmington Township - Build (2) free stall barns (232' x 108') (240' x 113') and (3) silage bunkers (36' x 150') (36' x 150') and (45' x 150')

Don Ingvalson – Wilmington Township - Build calf barn (46'x 60') no expansion

Mark and Joyce Knutson – Mayville Township - Build milking parlor (48' x 58')

Darin Meyer – De Su Holsteins LLC – Wilmington Township - Install modular home (30' x 50')

Mike Banse – Winnebago Township - Build parlor/holding pen (36' x 92')

Wayne and Kris Houdek – Mayville Township - Build wood shed (30' x 32')

Wayne and Kris Houdek – Mayville Township - Build pole shed (50' x 120')

Richard Leary – Mayville Township - Build machine shed (24' x 40')

Jeff and Tom Gerard – Wilmington Township - Build shed (26' x 80')

Tom Andrews – Black Hammer Township - Build pole shed (60' x 108')

Joe Becker – Brownsville Township - Build dwelling (24' x 24') garage (26' x 26')

Harold Naber – Money Creek Township - Build pole shed (34' x 64')

Kenneth and Jean Tasler – Union Township -Build shed (16' x 20')

Bob Scanlan – Brownsville Township - Build porch (8' x 25')

Alan Sheehan – Caledonia Township - Build shop (36' x 40')

File No. 7 - Finance Director Lapham reported that the August financials have been provided via e-mail. She explained that payroll lines appear over budget however, they are not. They are on target and this will become apparent as more of the year passes. She provided explanation why expenses exceed revenues which is due to the timing of the receipts of tax revenues. The timing of tax revenues creates the appearance of overspending when this is not the case. She indicated that reports are typical for this time of year.

File No. 8 – Finance Director Lapham reported on several budget amendments which have been requested. Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve budget amendments for various payroll line items, for Environmental Services, and for Road and Bridge as presented.

Motion was made by Commissioner Zmyewski to set the proposed budget at 0%. The motion failed for lack of a second.

File No. 9 - Chairperson Walter stated that cost of electricity is up 3%. She feels employees, who are the backbone of the organization, should receive a cost of living adjustment. Discussion was held regarding one time savings from payroll lines being utilized to fund a proposed IT position, fund balance and appropriations. It was noted that certain items are included or not included in the various budget and levy scenarios provided by Finance Director Lapham. Commissioner Storlie stated that it is no one's desire to raise taxes, however, the County is required to provide many services and tax revenues are the only way in which to cover the costs of the services. Commissioner Zmyewski shared his concerns with the upward trend reflected in projections which have been prepared through 2017. He expressed concern with how hard hit farmers were with 2014 taxes. He stated that while fellow Board members are cognizant of increasing taxes, he is concerned that small farmers are being taxed heavily and continued increases could impact them negatively. There were tax shifts at the State level which contributed to the tax burden borne by rural land owners. In addition, township, city and school district levies all impact how much individual land owner's property taxes increased. Motion was made by Commissioner Storlie and seconded by Commissioner Schuldt to set the proposed levy at 4%. A roll call vote was taken: District 1 – yes; District 2 – no; District 3 – yes; District 4 – yes; District 5 – yes. The motion carried to adopt the following resolutions:

RESOLUTION NO. 14-43

BE IT RESOLVED, that the proposed levy after the deduction of County Program Aid (CPA), in the amount of \$11,346,709 be made on all taxable property in the County of Houston for taxes payable in 2015 in the following amounts by County Fund:

County Revenue	\$7,183,811
Road & Bridge	2,524,916
Human Services	1,260,184
Bond Fund – 2009B Jail CIP Bonds	451,369
Bond Fund – 2009C Jail Bonds	268,288
Bond Fund – 2010A Jail CIP Bonds	285,006
Bond Fund – 2010B Jail Bonds	224,707

Total	\$12,198,281
Less CPA	(851,572)

Total Levy	<u>\$11,346,709</u>

RESOLUTION NO. 14-44
RESOLUTION ADOPTING 2015 OPERATING BUDGET

	Revenue	Expenditures	Revenues Over (Under) Expenditures
	-----	-----	-----
County Revenue	\$11,307,241	\$11,307,241	\$ 0
Road & Bridge	11,425,190	11,425,190	0
Human Services	4,342,624	4,342,624	0
Debt Service	1,229,370	1,229,370	0
	-----	-----	-----
Grand Total			
County Funds	\$28,304,415	\$28,304,415	\$ 0
	=====	=====	=====

File No. 10 - HR Director Arrick-Kruger recommended the acceptance of Denise Schaffer's resignation. Ms. Schaffer has worked for the county since 2005 as a B-21 tech clerk in the Corrections Department. Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to accept Denise Schaffer's resignation effective October 2, 2014.

HR Director Arrick-Kruger provided information related to the full time position being vacated by Ms. Schaffer. The Corrections Department currently employs 1.5 FTE. Following discussion with Department Supervisor Rena Patterson, it is evident that the workload supports 1.5 FTE and that there is a need to fill the vacancy. Following lengthy discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to initiate a search to fill the 1.0 FTE tech clerk vacancy.

HR Director Arrick-Kruger stated that the search committee for the tech clerk position will include Rena Patterson, direct supervisor, as well as a member from each of the following: County Attorney's Office, Court Administration, and Sheriff's Office and herself.

HR Director Arrick-Kruger reported that her office was contacted by the DNR regarding Japanese Knotwood, an invasive species, which has been found in Houston County. A grant is being offered to cover the cost of carrying out an eradication plan. The DNR would like to commence with said plan this fall. The plan involves cutting the plant, treating the stumps with herbicide and possible follow up herbicide application in cases of regrowth. HR Director Arrick-Kruger has encouraged the DNR to contact Anne Selness with Soil and Water.

Commissioner Kjome reported on a Water Planning Board meeting which he recently attended.

Commissioner Zmyewski reported on the frac sand ordinance writing committee meeting which he attended

Commissioner Schuldt reported on a Semcac Board meeting which he attended.

Commissioner Storlie reported on the AMC Policy and Hiawatha Valley Mental Health meetings and a ribbon cutting which she attended.

Chairperson Walter reported on an MCIT workshop which she attended. The workshop hosted sessions regarding open meeting, data privacy, and data requests. She also reported on the frac sand ordinance writing committee meeting which she attended.

Feedback from Barb Bissen regarding the jail survey is expected soon.

There is an EDA meeting scheduled for Friday, September 12th.

The Annual Banquet of County Township Officers is scheduled for Thursday, September 18th.

The District AMC meeting is scheduled for October 27th.

Pursuant to 13D.05 Subd. 2(b) motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to enter into closed session to consider allegations against a county employee. The time was 10:02 a.m.

The time being 11:13 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to reconvene in open session.

There being no further business and the time being 11:14 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, September 16, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, September 16, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Anne Selness; HR Director Arrick-Kruger; Finance Director Lapham; County Attorney Hammell; HS Director Bahr; Financial Services Supervisor Kohlmeyer; Social Services Supervisor Hunter; Mike Fields; Kelley Stanage; Sam Whitehead; Engineer Pogodzinski; Sheriff Ely; Environmental Services Director Frank; Yvonne Krogstad; Susan Ellingstad; Charles Nauen, via telephone

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the September 9, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$55,172.63
Road & Bridge Fund	16,190.78

Total	\$71,363.41
	=====

File No. 2 - Mike Fields, Winnebago Township resident, expressed disagreement with how the provisions of a variance order have been enforced.

File No. 3 - Anne Selness, Root River Soil and Water District Supervisor met with the Board regarding One Watershed, One Plan and Aquatic Invasive Species Aid. Motion was made

by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adopt the following:

RESOLUTION NO. 14-45

Resolution to support the participation of the Houston County Board of Commissioners in the Root River Watershed One Watershed, On Plan pilot project

WHEREAS, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a local water management plan; and

WHEREAS, the Act requires that a county update and revise their local water management plan on a periodic basis; and

WHEREAS, in 2013 the Minnesota legislature passed Chapter 137-HF 1183 (Clean Water Fund Appropriations) which provided authorization and funding to the Minnesota Board of Water and Resources (BWSR) for assistance and grants to local governments to transition local water management plans to a watershed approach; and

WHEREAS, Dodge, Fillmore, Mower, Olmsted, Houston, and Winona County Soil and Water Conservation Districts (SWCD) by and through the Soil and Water Conservation Districts Board of Supervisors and the Counties of Dodge, Fillmore, Mower, Olmsted, Root River, and Winona by and through the County Board of Commissioners have interest in entering Root River Watershed, as delineated in the BWSR One Watershed, On Plan approved map, as a watershed for the One Watershed, On Plan Pilot Area.

NOW THEREFORE, BE IT RESOLVED, that the Houston County Board of Commissioners resolves to support and participate in the Root River Watershed – One Watershed, One Plan, as approved by BWSR.

BE IT FURTHER RESOLVED that the Houston County Board of Commissioners recognizes and supports the watershed-scale planning efforts proposed by the One Watershed, One Plan Policy Committee for the period of the planning process.

BE IT FURTHER RESOLVED that Houston County Board of Commissioners understand that technical and advisory staff will be involved in the development and planning of the One Watershed, One Plan.

BE IT FURTHER RESOLVED that the Houston County Board of Commissioners anticipates entering into a Memorandum of Agreement with members of the Root River Watershed One Watershed, On Plan to collaborate on watershed-scale planning in Root River Watershed

File No. 4 – Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adopt the following:

RESOLUTION NO. 14-46
Resolution for Aquatic Invasive Species Prevention Aid

WHEREAS, 2014 Session Law Chapter 308 enacted by the Legislature provides Minnesota counties a County Program Aid grant for Aquatic Invasive Species (AIS) prevention. The amount designated for each county is based on the number of watercraft trailer launches as well as the number of watercraft trailer parking spaces within each county. Houston County was allocated \$12,676 for 2014 and \$28,058 for 2015 and years following (6 watercraft trailer launches and 56 watercraft trailer parking spaces), and

WHEREAS, the legislation requires that Houston County must establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds which are to prevent the introduction or limit the spread of aquatic invasive species at all access sites within the county, and

WHEREAS, the county may appropriate the proceeds directly or may use any portion of the proceeds to provide funding to a soil and water conservation district in the county, for a joint powers board or cooperative agreement with another political subdivision, a watershed district in the county, or a lake association located in the county. Any money appropriated by the county to a different entity or political subdivision must be used as required under this section, and

WHEREAS, the county must submit a copy of its guidelines for use of the proceeds to the Department of Natural Resources by December 31 of the year the payments are received, and

WHEREAS, maintaining an ongoing effort to inform the public of resource needs, resource impairments and resource protection matters has been identified as the most important tool in addressing water resource concerns in the Houston County Water Plan, the fight against Aquatic Invasive Species is included in this educational effort and will continue to be a cornerstone of Houston County's Water Plan.

NOW THEREFORE, BE IT RESOLVED the Board of Commissioners of Houston County, Minnesota designate oversight of Houston County's AIS prevention efforts to the Root River Soil and Water Conservation District and delegates to them the responsibility to prepare, implement and report annually a plan to allocate the funding in accordance with the above legislation.

Commissioner Storlie nominated Commissioner Kjome to serve as the County's representative on the One Watershed, One Plan Board. The nomination was seconded by Commissioner Kjome and carried unanimously.

File No. 5 - Sam Whitehead, EDA Coordinator, provided information related to two tax abatement projects.

The first proposed project is for the development of Willard Wiegrefe Senior Apartments. These apartments would include garages. The funding for the project has been made available from an estate gift. The developer is requesting property tax abatements from both the County and the City of Eitzen where the project will be built. The property tax abatement would aid in maintaining low rent rates for the apartments. Commissioner Storlie commented on what a good project this is which will provide affordable, senior apartments for a small community. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to authorize the scheduling of the necessary public hearing for 10:00 a.m. on October 7, 2014.

The second project is being proposed by Caledonia Vet Clinic. They desire to remodel the old creamery building and relocate their veterinary practice to the larger creamery facility. They would add services to better provide for their clients and would be increasing their workforce. Motion was made by Commissioner Zmyewski, seconded by Commissioner Storlie and unanimously carried to authorize the scheduling of the necessary public hearing for 10:00 a.m. on October 7, 2013.

Following discussion it was agreed to devote the next regularly scheduled Board meeting to discussion and facilities tours related to the Highway Department Maintenance Facility. Engineer Pogodzinski has gathered historical data including studies related to this which he distributed on flash drive. A tour is being scheduled which will include the MN DOT facility located here in Caledonia, a facility in Canton, Minnesota, and an Onalaska Public Works facility which was built in 2006 and is a metal structure. It was the consensus of the Board to reschedule the September 23rd Department Head meeting for September 30th.

File No. 6 - HS Director Bahr reported on an agreement with Tellurian UCAN, Inc. dba La Crosse Care Center. Tellurian provides a housing option for individuals suffering from chemical dependency and/or mental illness needing a minimal level of supportive care. The cost is approximately \$350.00 per day which is much less than a clinical setting. The county was given 5 days of service at no fee in which to try out the services and it provides a transitional option and a cost effective rate. Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the Purchase of Service Agreement and Business Associate Addendum and authorize the signature of Chairperson Walter. Social Services Supervisor Hunter stated that typically stays at similar facilities last between 3 and 21 days. A stay in a crisis bed at a similar Mankato facility costs approximately \$800.00 per day.

HS Director Bahr reported on a regional contract which provides for the contract manager. Several counties participate in this and it has served Houston County well.

A regional contract related to the CREST grant is being revised and renewed. This contract provides for a liaison/case manager who acts as an advocate for those committed to the Anoka facility. This case manager has significantly reduced the average days per of clients committed to the Anoka facility. This has been confirmed through a study conducted by Olmsted County. The cost for the case manager is \$66.26 per hour. The cost of a day of treatment at the Anoka facility starts at \$400.00. Commitments remain high. The contract is being revised to provide additional services for individuals committed to the Minnesota Security Hospital in St. Peter.

HS Director Bahr reported that the department is on target with the annual budget. A department wide meeting is scheduled for Thursday followed by a department pot luck on Friday.

Financial Services Supervisor Kohlmeyer reported that EDMS is fully up and running in the financial and child support units. It is going well with only a few minor system glitches which will be addressed soon. She reported that MNSure pulls data in a unique manner and discussion is taking place regarding streamlining this. Staff is required at this time to manually track paperwork related to MNSure which is extensive and tedious. She hopes a tracking program enhancement comes to fruition.

The period of open enrollment for MNSure is coming up. Little is known about open enrollment at this time. She has been made aware that counties will be required to enter paper application data for all conversion cases. In preparation for the conversion cases, 3 to 4 staff will be trained in paper application entry. There continue to be webinars and training opportunities related to MNSure.

The impact of MNSure on child support cases remains unknown. There are clear guidelines which have been provided by the State which the child support unit is following. The unit expects the manual process to remain in place for the foreseeable future.

Social Services Supervisor Hunter reported that North Star Care is scheduled to go live on January 1st. This is expected to provide payment continuity for cases from foster care to permanency.

Since school started this month, staff has provided training on how and what to report.

Child mortality review training is scheduled for Social Services staff.

Social Services Supervisor Hunter indicated that interns from WSU will be visiting and he hopes to have the assistance of an intern starting in January.

Work continues on a group to assist inmates with reintegration into the community. This group includes staff from Jail, Human Services and Probation.

Priority intake processes are being developed and communicated with staff.

Commitments remain high. While a few commitments have been diverted, there have still been in excess of 15 for the year. Adult protection workers continue to be extremely busy.

MNChoices has been delayed multiple times. Social Services Supervisor Hunter speculates that this is due to some sort of technical issue. Staff has been trained and is prepared for MNChoices whenever a launch date is finalized and arrives.

Chairperson Walter reported that frac sand ordinance writing study committee meetings continue to take place weekly on Mondays. The committee is working to schedule time to receive technical assistance from the EQB.

File No. 7 - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to adopt the following:

RESOLUTION NO. 14-46

BE IT RESOLVED that the Houston County Board of Commissioners does hereby approve the Minnesota Lawful Gambling Application to Conduct Off-site Gambling on behalf of Camp Winnebago for gambling activities to be October 11, 2014 at the Four Seasons Community Center.

File No. 8 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve a \$30.00 per month cell phone stipend for John Dollar. HR Director Arrick-Kruger reviewed the criteria which Mr. Dollar meets making him eligible to be approved for the stipend.

HR Director Arrick-Kruger stated that she questioned the method and/or formulas implemented in MCIT's determination of replacement costs and depreciation which factored into the payment received by the County for the damage to the Historic Jail. She raised concern that part of the loss was due in part to the adjuster assigned to the case and the time it took to receive approval to implement dehumidifying and heating systems to dry the building out fully. The delay contributed to the growth of micro-organisms which increased the amount of material, including flooring which was required to be removed. Mold was allowed to grow and get into the building deeper causing greater and more extensive mitigation. At this time, HR Director Arrick-Kruger continues to wait for MCIT's response.

At this time the meeting was recessed until 10:15 a.m. when the next appointment is scheduled.

The time being 10:10 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to reconvene and go into closed session to consider allegations of an individual subject to the Board's authority per M.S. 13D.05 Subd. 2(b).

Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to return to open session. The time was 11:18 a.m.

HR Director Arrick-Kruger reported that the purpose of the closed session was to allow the Board to consider preliminary allegations of an individual subject to the Board's authority per M.S. 13D.05 Subd. 2(b).

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to authorize HR Director Arrick-Kruger to hire Lockridge, Grindal, Nauen P.L.L.P. to provide a recommendation whether discipline is warranted and if so, what discipline should be. The recommendation will be expected on September 30, 2014 and it was agreed to schedule a special board meeting to consider the recommendation.

Commissioner Kjome reported on SWCD and EDA meetings which he attended.

Commissioner Storlie reported on an EDA meeting and training in Mankato which she attended recently.

Chairperson Walter reported on EMS and Workforce Development meetings which she attended.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 9 – Correspondence to Hank Koch regarding tons delivered to Xcel

File No. 10 – Results of Historic Jail survey

File No. 11 – Section 8 Vouchers by County Report

There being no further business and the time being 11:23 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, September 23, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, September 23, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Engineer Pogodzinski; Mike Fields; Ken Tschumper; Glenn Kruse; Chief Deputy Sheriff Yeiter; Bruce Kuehmichel; Finance Director Lapham;

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the September 16, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$46,370.77
Road & Bridge Fund	240,636.31

Total	\$286,007.08
	=====

File No. 2 - Michael Fields, Winnebago Township resident, expressed his opinion that there has been misinterpretation of zoning ordinances by County staff. He again referenced a situation dating back several years.

Bruce Kuehmichel, Caledonia resident, made a public information request regarding personnel data.

File No. 3 - Ken Tschumper, La Crescent Township resident, also made a request for public information regarding the same personnel data as Mr. Kuehmichel.

Glenn Kruse provided information from a recent frac sand ordinance writing committee meeting. He indicated that Mine Safety and Health Administration (MSHA) have well defined guidelines related to mine access, training requirements and private vehicles at mining sites. He encouraged the Board to consider this and share it with the frac sand ordinance writing committee so that the committee does not attempt to recreate the wheel in this regard.

File No. 3a - Engineer Pogodzinski explained data and files contained on USB drives which were distributed earlier to Board members and the media. The data and files represent the history of discussion of the Highway Department Building and plans for replacement of the facility. He provided information regarding organization of files and what files were included.

Engineer Pogodzinski reviewed the current building and site. He shared concerns related to the site which include slope, space and storm water runoff. He discussed the shortcomings and concerns of the current building. These shortcomings, concerns and needs of the department are well documented by each of 5 County Engineers who have been employed by Houston County during the years when replacement of the building has been a topic of discussion.

The tour today will take participants to view the current Highway Department Building, the Caledonia City Maintenance Shop which was constructed in 2008, a Crawford County Building which is located on a 40 acre parcel, 15 acres of which are currently being utilized, and an Onalaska Municipal Facility which was constructed in 2006 on approximately 5 acres.

The frac sand ordinance writing committee continues to meet on Mondays.

Chairperson Walter stated that there are no frac sand mines or frac sand mine applications in Houston County. In addition, the moratorium on frac sand mines remains in effect.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to recess the regular meeting until all members are able to convene at the first stop on the scheduled tour which is the Houston County Highway Department Building located in Caledonia, Minnesota. The time was 10:12 a.m.

The Board met at the Crawford County Highway Department at 12:40 p.m. for a tour of the facility. At 3:35 p.m. they met at the Onalaska Municipal Facility in Onalaska, Wisconsin.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to place on file the following items from the consent agenda:

File No. 4 – Public Notice of meeting scheduled for September
30, 2014

File No. 5 - Notice of public hearing regarding EDA tax
abatements for Willard Wiegrefe Senior Apartments & Caledonia
Veterinary Clinic

There being no further business and the time being 4:50 p.m., motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, October 7, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, October 7, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporter Moorhead; Engineer Pogodzinski; HR Director Arrick-Kruger; Jail Administrator Schiltz; Kelley Stanage; Yvonne Krogstad; Glenn Kruse; Environmental Services Director Frank; Harley Meiners; Naaren Kingsley; Sam Whitehead; Sheriff Ely; Jim Wilhelmson; Matt Klug

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to approve the agenda with changes as discussed.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the minutes of the September 23, 2014 meeting.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$204,960.49
Road & Bridge Fund	488,536.24

Total	\$693,496.73
	=====

File No. 2 – Engineer Pogodzinski stated that there is a section of Kreibach Road, formerly CSAH 7, located in Hokah Township that is currently gravel where a culvert was replaced and is in need of a pavement patch. Quotes were solicited for the pavement patch and two were received. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to accept the low quote provided by W. Klaetsch Paving, LLC in the amount of \$2,000.00 to patch Kreibach Road.

Engineer Pogodzinski stated that he will start the process to turn back Kreibach Road to Hokah Township. He stated that the section of roadway which used to be the alignment of CSAH 7 should be under township jurisdiction. As part of the process, the County will host a public meeting within the township boundaries prior to turning the section of roadway back to the township. Engineer Pogodzinski stated that the township is aware of the county's intent to turn back the section of Kreibach Road to the township.

File No. 3 - Engineer Pogodzinski requested approval of Houston County Right of Way Plat No. 58 in connection with S.A.P. 028-598-009 located on County Road 249 and adjacent to CSAH 32. Following approval of the plat, the County may begin acquiring the necessary property and easement. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the plat and to adopt the following resolution:

RESOLUTION NO. 14-48
RESOLUTION TO APPROVE AND ACCEPT HOUSTON COUNTY RIGHT OF WAY
PLAT NO. 58 FOR THE RECONSTRUCTION OF STATE AID PROJECT 028-598-009

WHEREAS; Houston County desires to improve and reconstruct County Road No. 249, Between 2.5 miles East of East Caledonia City Limits to 2.75 miles East of East Caledonia City Limits, with Grading, Bridge Replacement (No. 6671 Old) (No. 28556 New), Aggregate Base, identified as SAP 028-598-009; and

WHEREAS; the Houston County Highway Department and the Houston County Surveyor have prepared Houston County Right of Way Plat Number 58 to identify and delineate the right of way and temporary easements required for this project; and

NOW THEREFORE BE IT RESOLVED; that Houston County approves and accepts Houston County Right of Way Plat No. 58 as designating the definite location of that part of County Road No. 249, located in Sections 21, & 22 of Township 102 North, Range 5 West, as presented on this date, October 7, 2014, and authorizes it to be filed of record with the Houston County Recorder.

BE IT FURTHER RESOLVED that Teresa Walter, County Board Chairperson, is hereby authorized to execute and sign the Certification statement on said plat on behalf of Houston County.

File No. 4 - Engineer Pogodzinski reported that there is a bridge located in Sheldon Township on Charlie Drive which is in need of immediate repairs due to stability concerns resulting from leaning abutments. Federal Funds have been encumbered for the repair of the bridge in 2016. Through an agreement with MnDOT, the County will be able to participate in advance construction for S.P. 028-599-077. Charlie Drive is a dead end roadway. Currently, the bridge is under weekly review with regard to the stability concerns. Engineer Pogodzinski is awaiting final State approval to move forward and bid out the project so that construction may

begin later this fall. Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to approve MnDOT Agreement No. 06888 and to adopt the following:

RESOLUTION NO. 14-49

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the Houston County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Board Chair and the County Auditor are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 06888", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

File No. 5 – At this time Engineer Pogodzinski reported on S.A.P. 028-603-022 located near Brownsville's city limits. This project qualifies for Bridge Bond funds from the State of Minnesota. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried approve the grant agreement and to adopt the following:

RESOLUTION NO. 14-50

Exhibit E for Grant Agreement to State Transportation Fund (Bridge Bonds) Grant Terms and Conditions S.A.P. 028-603-022

WHEREAS, Houston County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 28555 ; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, the amount of the grant has been determined to be \$290,623.25 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Houston County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. Teresa Walters, County Board Chair and Charlene Meiners, County Auditor are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

File No. 6 - Engineer Pogodzinski recommended approval of the final payment for Bruening Rock Products on S.P. 028-602-012 and S.P. 028-616-004. This was a project to replace aggregate which washed away as a result of flooding. The contract amount was \$54,693.30. Certified to date is \$68,117.13. Engineer Pogodzinski stated that the project was difficult to estimate due to the varied depth of aggregate lost. He is working with the State in hopes of being approved additional funding to cover the cost of the overage. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adopt the following:

RESOLUTION NO. 14-51

WHEREAS, Contract No. 247 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 7 - Jail Administrator Schiltz reported that the jail food service contract expires in October 2014. However, he has negotiated an amendment which will extend the contract for an additional 3 years. There will be a 2.5% increase in the first year of the renewal and no increase in either year 2 or 3 of the amendment. The contract provides for jail inmates to receive three meals per day including cold breakfast, hot lunch and hot dinner. CBM Managed Services is located in Sioux Falls, South Dakota. There is a cook on-site here in Caledonia. Commissioner Kjome requested a copy of the jail menu. Jail Administrator Schiltz stated that the menu is on a four week rotation. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve Amendment No. 4 To Food Service Contract Between Houston County and CBM Managed Services.

Jail Administrator Schiltz provided an update to the Board related to the inmate census. Houston County has been housing inmates for both Fillmore and Winona Counties. The average daily population is ranging between 22 and 28 inmates. Jail Administrator Schiltz stated that he must remain within the licensing guidelines which allows a maximum of 30 inmates. He stated that the proposal to house La Crosse inmates continues to be worked on. Commissioners expressed that they are pleased to be working with neighboring counties to house their inmates.

File No. 8 – Recently a 0.5 FTE jailer resigned which necessitated an internal search for a replacement. HR Director Arrick-Kruger noted that there is a retention issue for the position of jailer. It was decided to hire a 1.0 FTE jailer in hopes of improving retention issues. This will result in increased cost for benefits, however, the hourly rate amount will not change. Once this position has been filled the jailer position will be fully staffed. On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to change the status of Jordan Rooker from 0.5 FTE to 1.0 FTE

effective in the current pay period. Mr. Booker came to Houston County with considerable experience from the Eau Claire, Wisconsin area.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve a change in status of Lisa Arneson from probationary to regular effective October 8, 2014.

HR Director Arrick-Kruger stated that the check from MCIT for damage sustained at the Historic Jail will be deposited soon. She continues to engage in conversation regarding the loss and payment amount. She reported that the heat for the Historic Jail was installed yesterday.

Commissioner Storlie questioned whether there are maintenance issues with the Historic Courthouse which need to be addressed prior to the winter season. HR Director Arrick-Kruger stated that there are no immediate concerns. She indicated that the steps are of concern, however they are not a slip risk and the railings are sound. The cost to repair them includes new footings which significantly increases the cost. Any repair not including new footings would be futile as the seams would continue to pull apart due to the settling.

HR Director Arrick-Kruger has not received a rejection of the Historic Courthouse grant request therefore she believes that the request is still under consideration. In the event the grant request is declined it may be possible to make application for smaller grants to defray certain costs.

Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to accept the resignation of Zach Swedberg.

File No. 9 - On the recommendation of the Planning Commission, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the issuance of the following conditional use permits:

Joel and Tricia Betcher – Black Hammer Township - Build a house on less than 40 acres in an agricultural district

Hidden Bluffs Resort – Black Hammer Township - Expand a campground

File No. 10 - On the recommendation of the Planning Commission, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the issuance of the following Zoning Permits:

Curt Wiebke and Warren Wiebke – Mayville Township - Build grain bin (17,000 bushels)

Bob Koch/Koch Dairy – Winnebago Township - Build calf barn (70' x 180') free stall barn (126' x 176')

Matt Tewes – Caledonia Township - Build shed (66' x 116')

Paul Feldmeier – Money Creek Township - Build addition on house (8' x 10')

Paul Olson – Mound Prairie Township - Build garage (28' x 28') after-the-fact

Sheldon McElhiney – Mound Prairie Township - Build moveable greenhouse/hoophouse (30' x 48')

Bernard Windschitl – Mound Prairie Township - Build gazebo – octagon (16' x 16')

Kermit Meyer – Wilmington Township - Build grain bin (28,000 bushels)

Porteous Olson – Houston Township - Build pole shed (50' x 160') after-the-fact

Michael Smith – Brownsville Township - Build non-commercial family cabin (16' x 22')

Josh Ross – Union Township - Build garage (36' x 40') and change use of church into dwelling

Nathan and Jennifer Wurm – Houston Township - Build house (34' x 64') garage (50' x 28') porch (25' x 9')

Craig Olson – Union Township - Build pole shed (30' x 64') – administratively denied

Brad King – Caledonia Township - Build attached garage (46' x 44')

Michael and Rosanna Peterson – Money Creek Township - Build house and garage (83' x 42')

Gary Wilson – Houston Township - Build screen porch on house (12' x 14')

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to recess the meeting until the public hearing which is scheduled to begin at 10:00 a.m.

Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to convene the public hearing.

Sam Whitehead provided information related to the proposed Willard Wiegrefe Senior Apartments project in Eitzen.

Kelley Stanage stated that she supports both the Willard Wiegrefe Senior Apartments and Caledonia Veterinary Clinic projects. These projects were both proposed by county residents for the benefit of county residents. The senior apartments will allow residents to remain in their community and the veterinary practice will provide for expanded services and additional jobs. She expressed her appreciation to those who proposed the projects for keeping them within the county.

Commissioner Schuldt indicated that the City of Eitzen is scheduled to meet on October 14th and will consider the Willard Wiegrefe Senior Apartments proposal at that time. He expects the discussion to be favorable.

Commissioner Schuldt shared his opinion that the Caledonia Veterinary Clinic proposal will utilize an older building located in a good location to improve services offered within the community thereby improving the community.

The time being 10:05 a. m., motion was made by Commissioner Zmyewski, seconded by Commissioner Storlie and unanimously carried to close the public hearing.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to reconvene in open session.

File No. 11 - Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to adopt the following:

RESOLUTION 14-52
Approving a Property Tax Abatement for Certain Property
in the City of Caledonia, Houston County, Minnesota, following Construction of a
Residential Complex by Willard Wiegrefe Senior Apartments

WHEREAS, pursuant to Minnesota Statutes, Sections 469.1812 to 469.1815, the Minnesota State Legislature has authorized cities, school districts, counties and towns to rebate all or part of their respective portions of a parcel's property tax as an incentive to economic development provided the designated project meets criteria as established; and

WHEREAS, the Houston County Board of Commissioners believes that a strong economy is critical to the continued comprehensive growth and health of Houston County; and

WHEREAS, the Houston County Board recognizes that many complex factors influence the economic climate of the area and the Board has and will continue to support diverse efforts to foster a positive environment for both small and large business growth, attract and retain new corporate residents, and encourage development of the local labor force; and

WHEREAS, the Houston County Board has established the Houston County Economic Development Authority (EDA) which has been designated as the body responsible for reviewing and acting upon economic development abatement requests and other business subsidies, thereby replacing the original Abatement Committee; and

WHEREAS, the Houston County Board of Commissioners held a public hearing on **October 7th, 2014**, following due notice as required by law and a recommendation by the Houston County EDA in favor of the abatement application of Willard Wiegrefe Senior Apartments, dated August 28th, 2014; and

WHEREAS, the Houston County Board of Commissioners has found and determined that:

1. It expects the benefits to Houston County of the proposed abatement agreement to at least equal the costs to the County of the proposed agreement;
2. The proposed abatement is in the public interest because it will:
 - a. Increase the County tax base by creating a new market value of **\$1,000,000**;
 - b. Create new and retain existing businesses and their employment opportunities in the County;
3. The proposed tax abatement otherwise meets or exceeds the County's Business Subsidy Criteria because:
 - a. The project will provide needed space for the construction of Willard Wiegrefe Senior Apartments, that has sufficient other financing to complete the project in a timely manner;
 - b. It will encourage a high quality of construction and promote the highest and best use of land, consistent with the County's Comprehensive Plan, the City's zoning ordinance, and other local regulations;
 - c. The project will not significantly and adversely increase the demands for service needs in the County;

- d. The project will create and retain jobs which pay desirable wages and provide support for other local business.

NOW, THEREFORE, BE IT RESOLVED that the Houston County Board of Commissioners hereby approves the abatement request of **Willard Wiegrefe Senior Apartments**, subject to the following stipulations:

1. The abatement will be payable to **Willard Wiegrefe Senior Apartments** on the appreciated tax capacity in accordance with a development agreement which will specify the terms of such payments over **ten (10)** years beginning with the first year that taxes are due following completion of the **Residential Complex**.
2. After full payment of the taxes as due each year:
 - a. In years one (1) through five (5), **Willard Wiegrefe Senior Apartments** will receive a 75% abatement of the appreciated tax capacity;
 - b. In years six (6) through eight (8), **Willard Wiegrefe Senior Apartments** will receive a 50% abatement of the appreciated tax capacity;
 - c. In years nine (9) through ten (10), **Willard Wiegrefe Senior Apartments** will receive a 25% abatement of the appreciated tax capacity.
3. In year eleven (11) and thereafter, **Willard Wiegrefe Senior Apartments** will pay 100% of the real estate taxes without tax abatement.
4. Total abatement granted for the **ten (10)** years.

File No. 12 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Storlie and unanimously carried to adopt the following:

RESOLUTION NO. 14-53
Approving a Property Tax Abatement for Certain Property
in the City of Caledonia, Houston County, Minnesota, following Renovation of a
Commercial Facility by Caledonia Veterinary Clinic

WHEREAS, pursuant to Minnesota Statutes, Sections 469.1812 to 469.1815, the Minnesota State Legislature has authorized cities, school districts, counties and towns to rebate all or part of their respective portions of a parcel's property tax as an incentive to economic development provided the designated project meets criteria as established; and

WHEREAS, the Houston County Board of Commissioners believes that a strong economy is critical to the continued comprehensive growth and health of Houston County; and

WHEREAS, the Houston County Board recognizes that many complex factors influence the economic climate of the area and the Board has and will continue to support diverse efforts to foster a positive environment for both small and large business growth, attract and retain new corporate residents, and encourage development of the local labor force; and

WHEREAS, the Houston County Board has established the Houston County Economic Development Authority (EDA) which has been designated as the body responsible for reviewing and acting upon economic development abatement requests and other business subsidies, thereby replacing the original Abatement Committee; and

WHEREAS, the Houston County Board of Commissioners held a public hearing on **October 7th, 2014**, following due notice as required by law and a recommendation by the Houston County EDA in favor of the abatement application of Caledonia Veterinary Clinic, dated August 15th, 2014; and

WHEREAS, the Houston County Board of Commissioners has found and determined that:

1. It expects the benefits to Houston County of the proposed abatement agreement to at least equal the costs to the County of the proposed agreement;
2. The proposed abatement is in the public interest because it will:
 - a. Increase the County tax base by creating a new market value of **\$550,000**;
 - b. Create new and retain existing businesses and their employment opportunities in the County;
3. The proposed tax abatement otherwise meets or exceeds the County's Business Subsidy Criteria because:
 - a. The project will provide needed space for the expansion of Caledonia Veterinary Clinic, that has sufficient other financing to complete the project in a timely manner;
 - b. It will encourage a high quality of construction and promote the highest and best use of land, consistent with the County's Comprehensive Plan, the City's zoning ordinance, and other local regulations;
 - c. The project will not significantly and adversely increase the demands for service needs in the County;
 - d. The project will create and retain jobs which pay desirable wages and provide support for other local business.

NOW, THEREFORE, BE IT RESOLVED that the Houston County Board of Commissioners hereby approves the abatement request of **Caledonia Veterinary Clinic**, subject to the following stipulations:

1. The abatement will be payable to **Caledonia Veterinary Clinic** on the appreciated tax capacity in accordance with a development agreement which will specify the terms of such payments over **ten** (10) years beginning with the first year that taxes are due following substantial renovation of the **Commercial Facility**.
2. After full payment of the taxes as due each year:
 - a. In years one (1) through ten (10), **Caledonia Veterinary Clinic** will receive an abatement equal to the amount the City of Caledonia abates or \$4824 of the appreciated tax capacity;
3. In year eleven (11) and thereafter, **Caledonia Veterinary Clinic** will pay 100% of the real estate taxes without tax abatement.
4. Total abatement granted for the **ten** (10) years.

Chairperson Walter provided a reminder of the upcoming AMC District IX meeting being hosted by Fillmore County in Preston on the last Monday in the month.

Commissioner Storlie expressed her desire to discuss the recent maintenance facilities tour. She expressed her belief that the tour was a valuable learning experience. The Caledonia City Maintenance Facility was built in 2008 at a cost of approximately \$350,000.00 which would cost approximately \$500,000.00 today. The building was built at the maximum square footage which did not require installation of a sprinkler system. It is a steel structure with overhead radiant heat. In hindsight, the City would have built the structure with increased footage between overhead doors. The space between overhead doors is 6 foot and they would prefer it to have been built with 8 foot between. The County would need to build a structure with higher clearance so that dump boxes on the county trucks could be fully raised. The city building does not include office space. Maintenance Foreman Molling has indicated that he would prefer a short concrete wall with steel siding above. The concrete near ground level would prevent rusting of the steel siding.

The Crawford County Maintenance Facility has a large parts area which has already been added onto to meet their needs. Crawford County operates 30 dump trucks, employs 3 mechanics and the maintenance facility houses 5 office staff. All vehicle repairs are performed at this single facility. Maintenance staff is housed offsite. There are 7 buildings which make up their current complex. Four buildings were erected in 2003 and three additional buildings have been constructed since then. The facility is located on a 40 acre parcel of which 15 acres are occupied by the current facilities and are paved. The population of Crawford County is 17,000 which is

slightly lower than Houston County. Crawford County is responsible for more miles of road than Houston County and is 15% larger geographically. Crawford County is contracted by the State to maintain state roadways. The Crawford County Maintenance Facility was built with expansion capabilities. It has both indoor and outdoor wash bays and they would prefer to have an additional wash bay. At the facility, they wash trucks daily to remove salt. Their sign shop is connected to the office complex which also houses a meeting room that is utilized by the community. The maintenance facility has in-floor heat. The original complex of 4 buildings cost \$3 million to build. With regard to the sign shop, they wish it had been built larger in order to accommodate pulling the sign truck into the sign shop area. The maintenance building is 160' x 80' with truck entrances off both sides, and grease and oil are piped overhead. There is fencing around the entire facility which is important for security and to prevent materials loss.

The Onalaska City maintenance facility cost \$3.3 million to build in 2007. This cost did not include the cost of the property. The facility boasts a solar wall which preheats outside air which is utilized to turn over the air within the facility. The cost for this technology as decreased since it was installed at this facility. If the city were to build this facility again they would install the solar technology in the roof in addition to the wall. HSR Associates from La Crosse, Wisconsin designed the building. Design costs are over and above the \$3.3 million construction costs. Planning and construction of the facility was a 2 year process. Through the planning process, separate meeting and break rooms were combined into one larger room utilized for both purposes. It was determined that installation of a sprinkler system in the heated and cold storage areas which are connected for possible expansion possibilities was more beneficial and as cost effective as installation of a double block wall. The sprinkler system cost \$250,000.00. The facility has a 50 year life expectancy. Flooring is maintained by the application of epoxy and the cleaning schedule for the facility is aggressive. As a result, the structure, which is several years old, is in excellent condition and appears much newer. The maintenance facility was built to minimize the requirement to back up vehicles. Many can simply drive thru. There are 24 staff members who work out of the building with an additional 14 working in the field. Their parts area is relatively small because of their proximity to local outlets allows them to obtain parts quickly. Only a single mechanic is employed. However, many of the workers perform their own welding and fabrication. Motor and transmission work is hired out. The mechanic's focus is on the smaller vehicles which he performs maintenance on, for not only his department, but also other city departments. Commissioner Kjome commented that the office spaces were small. It was noted that open floor plans provide for greater flexibility.

It was agreed to schedule a tour of several area facilities which perform large vehicle/equipment repair including Caledonia Implement, SEMA, Caledonia Haulers, in addition to the MnDOT facility and Canton Maintenance facility for next Tuesday, October 14th.

Commissioner Zmyewski reported on the frac sand ordinance writing committee meeting which he attended. Work on the ordinance continues to progress. A draft ordinance is scheduled to be prepared so that Jay Squires may review it during the first two weeks of November. The final ordinance is expected to be very restrictive.

Commissioner Kjome reported on EDA, Water Planning and Extension meetings which he attended recently.

Commissioner Schuldt reported on the SMIF luncheon which he attended. He provided a reminder that there will be an auction for the airport crop land lease later today.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to authorize Commissioner Schuldt to enter into a lease agreement for the airport land lease.

Commissioner Storlie reported on the EDA meeting which she attended.

Commissioner Walter reported on the Department Head meeting which she attended last Tuesday. She also reported on frac sand and Extension meetings which she attended. She was pleased to share that 4H participation has increased and all other 4H categories have improved. She noted that next week's finance update will include a report of the audit.

There being no further business and the time being 11:00 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, October 14, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, October 14, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Engineer Pogodzinski; HR Director Arrick-Kruger; Finance Director Lapham; Treasurer Trehus; Barb Bissen; Bruce Kuehmichel; Ken Tschumper; Sheriff Ely; Kelley Stanage; Heidi Hankins; Arlene Fischer Nelson; Chief Deputy Sheriff Yeiter

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the agenda with amendments as discussed

Motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to approve the minutes of the October 7, 2014 meeting.

File No. 1 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$116,999.40
Road & Bridge Fund	123,238.73

Total	\$240,238.13
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Barb Bissen, Hokah City resident, stated that she recently attended a conference in Mankato where she toured a couple of Historic Buildings. She shared information gathered during her tours. She encouraged the Board to plan and budget for necessary maintenance of the Historic Courthouse and Jail.

Ken Tschumper, La Crescent Township resident, shared his opinion that the frac sand ordinance writing committee is misleading the public. He indicated it is his belief that the only way to protect the public from the ills of frac sand mining is to ban frac sand mining. He

expressed concern that regulations will not be adequate. He provided information on the Florence Township Ordinance which bans frac sand mining within its borders.

HR Director Arrick-Kruger provided an update related to maintenance and improvements to the Historic Courthouse. She reported that the boilers, elevator, fire alarm system and certain electrical have been upgraded/modernized. Signage has been added, there has been an upgrade to the AC unit, some flooring has been replaced, repairs have been made to the roof, locks have been rekeyed to provide faster and easier access by fire personnel. In addition, planning for the repair of the steps, replacement of windows, additional replacement of flooring and improvements to the security system are being planned for. There is a capital improvements plan in place for the Historic Courthouse.

File No. 2 - On the recommendation of HR Director Arrick-Kruger and Engineer Pogodzinski, motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to hire Jordan Goeden as a Maintenance Specialist at step 1 of the appropriate comparable worth band effective October 27, 2014. Engineer Pogodzinski reported that Mr. Goeden was most recently employed with Sodko who has performed work on County Roads 8 and 5 projects as a sub-contractor. He expects Mr. Goeden to be a nice addition to the department.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the change of status of Malika Eisberner from probationary to regular effective October 21, 2014.

HR Director Arrick-Kruger reported that a competitive internal/external search has been conducted for the Administrative Assistant position in the Corrections Department. There were 29 applicants. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the assignment of Carol Sherburne to the position.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the posting of the vacancy and authorize a search to fill the deputy auditor position recently vacated by Carol Sherburne.

Pursuant to M.S. 13D.03, motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to recess the meeting and convene in closed session to discuss labor negotiations.

The time being 9:41 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to end the closed session.

Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to reconvene in open session.

HR Director Arrick-Kruger stated that pursuant to M.S. 13D.03 a closed session was held in order to discuss labor negotiations/strategies.

File No. 3 - Engineer Pogodzinski provided information related to the Waters of the United States definition. He expressed the concerns of various agencies that the EPA will expand its authority of waterways to include farmland drainage tile and/or road ditches and etc. These agencies would prefer the EPA meet with local agencies to develop a more precise definition so that everyone is able to understand the EPA authority. The EPA is currently accepting comments related to this through October 20th. Motion was made by Commissioner Zmyewski, seconded by Commissioner Storlie and unanimously carried to adopt the following:

RESOLUTION NO. 14-53
Proposed new Waters of the United States Definition

WHEREAS, Houston County recognizes the need to preserve, protect and enhance the quality of the waters of the United States, and

WHEREAS, Minnesota has State MPCA, MnDNR, and BWSR regulatory programs effectively accomplishing this but recognizes some States do not, and

WHEREAS, the Federal water quality regulations require a definition of waters of the United States, WOUS, to determine where the Federal water quality regulatory programs have jurisdiction, and

WHEREAS, Federal, State, and Local Governments all share the goal of a clear, concise, non-ambiguous, and practical definition of WOUS, and

WHEREAS the current definition of WOUS has been problematic and resulted in extensive Federal permit delays, project cost increase, controversies and court cases, and

WHEREAS, the proposed new WOUS definition is overly complex and subject to interpretation of several terms including “connecting”, “tributary”, and “significant nexus”, which we believe would potentially result in expansion of Federal regulatory oversight to nearly all County Highway and agricultural drainage ditches and result in costly delays and court cases,

NOW THEREFORE BE IT RESOLVED, Houston County requests the proposed new WOUS not to be implemented and the EPA work with local and State Governments to develop a map showing WOUS and/or clear and concise regional definitions.

Finance Director Lapham provided information related to the third quarter financial reports. She indicated that there are no significant concerns at this time. She explained that while certain line items appear out of line, once taxes have been received or a greater portion of the

year has expired, these will appear more in line with the budget. The differences appearing at this time are largely a result of the timing of expenses versus the timing of the offsetting revenues. There are items within the Recorder's budget which will have budget amendments proposed at a later date.

File No. 4 – Treasurer Trehus indicated that cash balances are increasing with the deadline to pay taxes nearing. The treasurer's office is charged with maintaining adequate cash balances to meet operating needs. Commissioner Zmyewski questioned when the cash on hand would be expended. Finance Director Lapham noted that cash balances cycle with tax receipts. There are significant cash balances accumulating with the payment of taxes, however this will diminish over time as portions are used to cover expenses or invested. The county maintains fund balances on hand to cover 5 months operating expenditures.

File No. 5 – Finance Director Lapham was pleased to report that the 2013 Audit Findings are the best they have been during her tenure with the County. The County has again received an unmodified opinion which is the highest opinion awarded. There were no material weaknesses identified. There were 5 findings which the county will work to improve upon. There are concerns related to the segregation of duties which is commonly found in the audit reports of small counties. The other concerns include workstation security, the need to complete a disaster recovery plan, timeliness, and the appropriate coding of certain revenues.

Commissioner Zmyewski provided an update from the most recent frac sand ordinance writing committee meeting. He indicated that he is confident with the progress being made by the committee to develop an ordinance that will protect the citizens and also current mining operations. The ordinance is coming together and soon will be sent to legal counsel for review prior to being presented for public comment. Chairperson Walter, who also attended the meeting expressed agreement with Commissioner Zmyewski's report.

Commissioner Schuldt reported on the recent airport land lease auction which he was present for.

Commissioner Storlie reported on an Emergency Communications Board meeting which she attended with Chief Deputy Sheriff Yeiter.

Chairperson Walter reported on the Veterans Service meeting which was conducted. Commissioner Kjome was also present at said meeting. She also stated that she attended an employee insurance enrollment and frac sand ordinance writing committee meetings.

File No. 6 - On the recommendation of the Sheriff's Office, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to deny the issuance of a Peddler's License requested by Thomas Costello.

It was agreed that Commissioners Storlie and Kjome would serve on the canvas board for the General Election which is scheduled to meet on Friday, November 7th at 10:00 a.m.

Auditor Meiners provided a reminder that there would be no Board meetings held on November 4th due to the election and November 11th due to the holiday. However, there is a Board meeting scheduled for Monday, November 10th.

File No. 7 - Auditor Meiners reported on the tax forfeited property located in Caledonia City. The minimum sale price was set and the auction conducted. Interested parties were unwilling to invest in the property at the price being asked. Auditor Meiners stated that the property has no working bathroom facilities which negatively impacted interest. She has discussed the condition of the property with Assessor Dybing and is suggesting the minimum sale price be reduced in hopes of generating interest which will result in the sale of the parcel and a return to the tax rolls. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adopt the following:

RESOLUTION NO 14-54

BE IT RESOLVED THAT Parcel #21.0328.000 of tax-forfeited land be classified as non-conservation land; that the basic sale price be set at \$10,000.00, and that authorization for a public sale of this land be granted, pursuant to M.S. 282.01; that the sale will be held at 8:30 a.m. on Wednesday, November 12, 2014, by the Houston County Auditor in the Commissioners Room at the Houston County Courthouse, for not less than the basic sale price; and that full payment of the purchase price and the additional costs shall be due at the time of sale.

BE IT FURTHER RESOLVED, that the property be sold “as is” and that the successful purchaser is responsible for the cleanup of the house and garage located on the property.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 8 – Correspondence regarding 2014 MCIT Annual Meeting & Election

File No. 9 – Correspondence to Hank Koch regarding tons delivered to Xcel

File No. 10 – Correspondence to payroll regarding various personnel changes

File No. 11 – Correspondence to Zach Swedberg in appreciation for his service

There being no further business and the time being 10:32 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, October 21, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, October 21, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle, Moorhead, WXOW 19; HR Director Arrick-Kruger; HS Director Bahr; Social Services Supervisor Hunter; Financial Services Supervisor Kohlmeyer; Yvonne Krogstad; Susan VanGorp; Bryan VanGorp; Bruce Kuehmichel; Steve Hartwick; Ken Tschumper; Robin Tschumper; Engineer Pogodzinski; Environmental Services Director Frank; Mike Fields; Diane Fields; PHN Director Marchel; Finance Director Lapham; Chief Deputy Sheriff Yeiter; County Attorney Hammell; Zoning Administrator Scanlan

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the October 14, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$47,859.24
Road & Bridge Fund	26,622.47

Total	\$74,481.71
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File No. 2 - Bruce Kuehmichel, Caledonia City resident, submitted a petition in support of banning frac sand mining within the County which has been signed by approximately 400 residents. Mr. Kuehmichel shared statistics gathered by various polls related to public position on frac sand mining. He suggested that the Board is out of touch with resident wishes regarding frac sand mining in the County.

Ken Tschumper, La Crescent Township resident, expressed his opinion that the public clearly and unmistakably desires to have a ban on frac sand mining put in place. Mr. Tschumper expressed concerns that the current frac sand ordinance writing study committee membership is made up of pro-mining individuals and that the draft ordinance will allow mining which will explode within the County. He indicated that planning is already taking place regarding a rail loading facility near Miller's Corner, multiple mining sites along State 16 and negotiations to purchase mineral rights for properties along State 16. He stated that the only way in which to protect the County and its residents is to ban frac sand mining. He shared his belief that the current Board is doing a disservice to the County and its residents by failing to ban frac sand mining.

Bryan VanGorp, Yucatan Township resident, made inference to attempts made to silence him. He suggested that controversy surrounding the Erickson Mine has cost tens of thousands of dollars in legal fees. He shared his belief that allowing frac sand mining will cause chaos and that county staff is incapable of enforcement. He claimed that whistleblowers within the County are punished and that he has proof of this claim. He further claimed that none of this would have happened if frac sand mining had been banned immediately. He stated that allowing frac sand mining will accelerate climate change.

Susan VanGorp, Yucatan Township resident, stated that she is a psychiatric nurse who has observed human behavior and that the best predictor of future behavior is past behavior. She appealed to the Board to implement a ban on frac sand mining.

Robin Tschumper, La Crescent Township resident, indicated that the Board directed staff to draft an ordinance to regulate frac sand mining and at the same time draft an ordinance to ban frac sand mining. She expressed her belief that since only an ordinance regulating mining has been submitted to Jay Squires, there is little regard for the areas scenic beauty, safe roadways, water quality or public health. She expressed surprise that this is taking place while Wisconsin has just recently fined a frac sand mining company \$80,000.00 for violations related to storm water runoff. In her opinion, frac sand mining needs to be banned.

Steve Hartwick, Money Creek Township resident, stated that the upcoming Planning Commission agenda includes discussion related to an after the fact variance hearing. He shared his position that it is poor policy to allow after the fact variances. He expressed concern that enforcement is problematic and that frac sand mines operating in Wisconsin are flaunting that they aren't following ordinances.

Yvonne Krogstad, Caledonia Township resident, expressed support of a ban on frac sand mining. She also provided information related to an upcoming auction featuring the Roverud Building. She questioned whether the building would meet the needs of the County and suggested that consideration be given to attending the auction.

File No. 3 – On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to enter into an agreement with Schumacher Elevator Company for preventative maintenance for the County's 3 elevators for a term expiring October 31, 2017 at a cost of \$4,015.80 annually with a 3% discount for pre-payment.

HR Director Arrick-Kruger reported that currently the Auditor's Office is experiencing high work volume due to the upcoming election. A staff member from the department has been reassigned to the Corrections Department. The Auditor's Office would benefit greatly from some assistance that could be provided by 67 day employee Bonnie Felten. Ms. Felten typically provides assistance in the Human Services Department. Discussion has been held between Human Resources, Auditor Meiners and HS Director Bahr and they feel this would be a good use of 67 day employee time and the offices are willing to work together to ensure that all needs are met while remaining within guidelines. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to allow Bonnie Felten to be shared between Human Services and the Auditor's Office without exceeding the maximum amount of time allowed for a 67 day employee.

HS Director Bahr provided an update with regard to Social Services Grant funding. The CSP (Community Support Program) grant, which benefits mental health clients, has remained consistent from 2012 to 2015. The department has been receiving the CREST grant which provides funding for specific adult mental health services has ranged between \$78,000 and \$80,000 from 2012 to 2014. There is also an annual grant of approximately \$50,000.00 which has been available to Houston County Human Services.

Human Service Directors across the region were asked to redesign the CREST grant for 2015. In response, a mobile crisis unit has been developed which will serve the region. A portion of CREST grant dollars have been designated to launch and support this initiative. In addition, 11% of CREST grant dollars are being designated for ARM (adult rehabilitative mental health services). Three counties across the region have lost funding, one of those seeing a decline in funding is Houston County. Seven other counties have seen their CREST funding increase. HS Director Bahr has learned that in order to preserve CREST funding, reporting needs to be performed differently and CREST funds need to be spent on qualifying services prior to utilizing other funding streams for the same services.

HS Director Bahr has reviewed budget projections. She indicated that grant revenues will fall short. Currently, both revenues and expenses are slightly below target. She expects, in the end, that the department will be able to remain within budget. We need to spend the CREST dollars before spending other dollars in order to preserve this funding.

Estate collections are on track to be the best since 2006 with the exception of 2012 which was abnormally high. Counties perform collections on behalf of the State for individuals who had assets and received nursing home and/or MA services. For their efforts counties are entitled

to retain 25% of collections with the balance going to the State. These collections are not something that can be predicted or used for budgeting purposes.

HS Director Bahr recently attended a SEMCAC Advisory Board meeting. Discussion was held regarding Rolling Hills Transportation. There is a lot of demand for transportation services to and from clinic appointments. Many Houston County residents travel to La Crosse, Wisconsin for medical care which does complicate reimbursement receipts.

Local Collaborative Time Study Meetings had been dormant for a period of time (since 2011). The funding is available to schools for social worker services. There are excess funds which are available to the school districts within Houston County. Both the Houston and Spring Grove school districts will be receiving uncollected funds of approximately \$60,000. The fund will continue to have an approximate \$90,000 balance which will need to be utilized, or it may be turned back to the State for non-use. Consideration is being given to the possibility of awarding grants for qualifying initiatives. Some projects under consideration include a program to provide parents with skill building, providing a safe place for children to spend time which offers appropriate activities and updates to the child interview room.

Commissioner Storlie questioned whether there is a vision for the child interview room. Grants have been applied for and estimates for paint, furniture, and technology have been solicited.

Financial Services Supervisor Kohlmeyer reported that the financial services unit has in excess of 500 MN Sure cases to convert. The State has provided little guidance related to phases 3 and 4. Open enrollment begins soon. The financial services unit anticipates the arrival of paper applications and will be responsible to process them. Financial Services Supervisor Kohlmeyer along with Maria Stemper will be attending training in St. Paul in order to process said applications. Winona county has offered the use of its training lab to Houston County for additional staff training. It is unknown how many paper applications can be expected.

Financial Services supervisor Kohlmeyer stated that the open enrollment period is a confusing time and the department will experience call volume increases.

There will be a federal audit of cases in the Human Services Financial Units. Two cases have been submitted for pre-testing. Financial Services Supervisor Kohlmeyer expects results of the pre-testing soon. This will aid the department in preparing for the upcoming Federal audit.

The Child Support Unit is adjusting well to the use of EDMS. They are required to take laptops to court as opposed to paper files. At this time, medical referrals remain in limbo and it is still unknown how MN Sure will impact child support clients.

Social Services Supervisor Hunter reported that MN Choices launched on October 8th. To date, his staff has not experienced the need for any assessments. He reported that staff have been receiving electronic communications related to malfunctions within the MN Choices system.

Staff have 90 days to work through any problems in the system. Social Services Supervisor Hunter anticipates cross training between his department and public health related to MN Choices assessments.

The State has been implementing changes to waiver management. This is resulting in the need for staff to redo certain data entry.

Social Services Supervisor Hunter was pleased to announce that the County has had a peer support graduate. This individual has been trained to assist others suffering from mental health issues. Mr. Hunter hopes that this individual will be hired by an organization to provide assistance and support to others.

Since school began, meetings with the schools have also begun. There has been an uptick in cases. This is typical with the start of school. The County has children in placement. Houston County statistics show that placement numbers are low in a statewide comparison. When comparing placement rates with past history within the County, rates are high at this time. The placements are children requiring intensive treatment which is expensive.

Social Services Supervisor Hunter stated that he expects to have two student interns from Winona State joining the department in January. The students will work 4 days each week.

Commissioner Zmyewski reported that the frac sand ordinance writing committee has completed the draft ordinance which will be sent to legal counsel for review prior to opening up a 30 day public comment period and scheduling 2 required public hearings. Copies of the draft ordinance will be available at various locations including area libraries. Commissioner Kjome questioned whether the Board can consider the ordinance in addition to a ban. Commissioner Zmyewski responded that a ban can still be considered. Chairperson Walter stated that in the event a ban were adopted, it is important that the county have a strong ordinance in place. The current ordinance is not strong. The new ordinance is highly regulatory and restrictive. The new ordinance is detailed and regulates by both setback and volume. Commissioner Kjome expressed concern that a ban should be put in place prior to the moratoriums expiration. It would be difficult to justify a ban if frac sand mining has been allowed to take place prior to a ban being implemented. Commissioner Kjome expressed his support for further investigation of banning frac sand mining. He stated that a copy of a ban has been circulated and that there must be very good reasoning and justification to support a ban. It was noted that within the draft ordinance the setbacks and thresholds are justified.

Commissioner Zmyewski stated that he has been supportive of a ban for a long time. He even suggested that a regulatory ordinance be developed parallel to a ban. Commissioner Kjome expressed concern that enforcement will be costly. Commissioner Zmyewski reported that the frac sand ordinance writing committee has a meeting scheduled to discuss the cost to the county for the enforcement of the draft ordinance. Commissioner Schuldt reiterated that if a ban were implemented and went on to be contested in court, the County needs to have a strong ordinance

in place. In addition, Jay Squires has represented the County in several land use suits and has prevailed in each one. Mr. Squires opinion is valuable and should be carefully considered. Mr. Squires has been a proponent of Interim Use Permits (IUP) and favors their use as opposed to conditional Use Permits (CUP) which run with the land. IUPs provide greater authority to the County for regulation and they sunset. In addition, discussion has taken place regarding a fee schedule and bi-ennial review so that fees keep pace with the costs of enforcement.

Commissioner Zmyewski reported that the County has had a committee in place for several years. He expressed his belief that the ordinance which has been drafted is thorough and regulation included is justified. There are still some minor details which remain in the air. However, it is expected that these will be finalized through the public comment process.

Commissioner Schuldt indicated that if interest in extraction is as great as what is claimed, a ban will most likely be challenged in which case the County needs to have a strong ordinance in place. Commissioner Kjome again expressed his concern that he doesn't want harm coming to the County or its taxpayers. Florence Township has enacted a ban on frac sand mining, however, no Minnesota County has implemented an outright ban on frac sand mining.

Commissioner Zmyewski engaged the members of the Board in discussion regarding the upcoming Roverud Building auction. The auction is scheduled for Friday and it is unknown whether Mr. Roverud has a reserve on the property. Commissioner Zmyewski questioned whether the Board should authorize a bid in a specified amount. The property has been on the market for several years and the auction may present an opportunity to acquire the property at a good price. Commissioner Zmyewski would like to see the County in a position to take advantage of an opportunity to acquire the property. He stated that there is already \$600,000 available on hand to put towards any purchase. Commissioner Storlie questioned what additional costs would be to prepare the building for County use. Commissioner Zmyewski indicated that the property has many amenities which make it attractive to the county such as office space, a heavy equipment shop, some cold storage and the fact that it is adjacent to County owned property. It was agreed to recess this meeting in order to discuss this possibility at greater length.

File No. 4 - Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to adopt the following:

RESOLUTION NO. 14-55

BE IT RESOLVED that the Houston County Board of Commissioners does hereby approve the Minnesota Lawful Gambling Application for Exempt Permit on behalf of the La Crescent Fireman's Relief Association for gambling activities to be February 21, 2015 at the Gopher State Sportsman's Club, 970 Sportsman's Valley Road North, La Crescent, MN.

The time being 10:20 a.m. and pursuant to M.S. 13D.05 subd. 2(b), motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to go into closed session to consider allegations against a county employee subject to the Board's authority and/or to determine whether disciplinary action if any is warranted.

Upon request, HR Director Arrick-Kruger revealed the identity of the subject of the meeting.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Storlie and unanimously carried to reconvene the meeting in open session.

HR Director Kruger reported that the Board met in closed session pursuant to M.S. 13D.05 subd.2(b) regarding an investigation involving a county employee subject to the Board's authority.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to accept the investigator's recommendations and to remand disciplinary action to the HR Department.

File No. 5 - It was agreed that MCIT Voting delegates and alternates would remain unchanged. Commissioner Schuldt will remain the voting delegate and Commissioner Zmyewski the alternate.

Commissioner Zmyewski reported on the frac sand ordinance writing committee meeting which he attended.

Commissioner Schuldt reported that he had participated in labor negotiations along with HR Director Arrick-Kruger. He also reported that ABLE is actively looking for a site/property and has expressed interest in purchasing 4.5 acres from the County. This would be a small portion of the 22 acre site owned by the County and located near the school.

Commissioner Walter provided a reminder of the upcoming AMC District IX meeting.

Discussion was held regarding registration and attendance at the AMC Annual Meeting. Commissioners Storlie, Walter and Schuldt plan on attending. Registration is \$350.00 per person and is non-refundable.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to place on file the following items from the consent agenda:

File No. 6 – Section 8 Vouchers by County report

File No. 7 - Bluff Country MN Multi-County HRA Minutes

File No. 8 – Correspondence to payroll regarding 67 day employee and assignment to Auditor's Office

The time being 11:40 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to recess the meeting, until 5:30 p.m. Wednesday, October 22, 2014.

The time being 5:30 p.m. on Wednesday, October 22, 2014, motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to reconvene in open session.

Commissioner Schuldt reported that he met with Mark Dokken and Roger Bentley today. They are the auctioneers in charge of the Roverud auction. They are very interested in having Houston County participate in the auction. They are disappointed with the appraisal Houston County obtained on the property in the amount of \$465,000, and they indicated that they have comparative sales information which they feel will support a value of between \$750,000 to \$1 million.

File No. 9 – Chairperson Walter stated that we must also consider the list of concerns identified by MCIT when they inspected the property.

Commissioner Storlie expressed her concern that, if the life expectancy of the building is 50 years, 30 of those years have already gone by.

Commissioner Schuldt indicated that it is turn-key in some respects, but in others it is not. Commissioner Storlie expressed her concern about the amount of money which the County would have to put into the building. She stated that the County Boards have been studying this issue for over 20 years, and we are considering purchasing a building that is already 30 years old.

Chairperson Walter stated that she has been approached by citizens who would like to see the County build only what we can afford, as we can afford it.

Commissioner Zmyewski stated that even if we spend up to \$1 million between the price of the building and improvements, we would save \$5 million. He also felt it was a good investment because of its proximity with the existing Spring Grove shop.

Commissioner Storlie stated that Engineer Pogodzinski should be included in the discussion. He is an engineer and knows the most about the needs.

Chairperson Walter stated that the Board should decide how high they are willing to bid. Commissioner Schuldt stated that the appraisal is \$465,000, however, and the assessor's office has it valued at approximately \$280,000.

Engineer Pogodzinski stated that the office space would be adequate for what we need, if the upstairs was finished off. The property has a very small fire proof vault which is smaller than the vault in the current Highway Department and would not be large enough to store the records which they would need on-site. Also, there would still be a need to have trucks in Caledonia; a large vehicle storage building would still be needed that had bathroom and break room facilities.

Discussion was held regarding the cost of connecting a facility in Spring Grove to the county's computer network. According to the IT Director, a dedicated line would be needed. We currently pay \$1,600.00 per month for the Highway Department and the CCS Building connectivity, and that involves utilizing only Ace Communications. With the Roverud Building, connectivity would include working with both Ace and Spring Grove Communications; therefore, it is difficult to know what the cost would be.

Engineer Pogodzinski expressed his concern about the inefficiency of moving the mechanic to one corner of the county, as this would make for longer trips for him when equipment breaks down on the road. He also reported that Highway Department staff make trips to the courthouse approximately twice per day for mail, meetings, etc. He felt the cost of trips back and forth between Spring Grove and Caledonia would be costly as well as inefficient.

Commissioner Zmyewski questioned Engineer Pogodzinski's projections on the cost of inefficiencies. He felt it would be wise to purchase the Roverud Building for use as a Highway Department until the bonds for the Justice Center are paid off.

Brian indicated that we would have costs to tear down the existing highway shop in order to build a facility that would still be needed in Caledonia.

Discussion was held regarding the maximum the Board felt comfortable with bidding. Commissioner Zmyewski indicated that he feels comfortable with bidding up to \$750,000.00.

After discussion, motion was made by Commissioner Walter and seconded by Commissioner Kjome to set the maximum amount the County will be on the Roverud property at \$475,000.00. The motion passed with Commissioners Storlie and Zmyewski voting in the negative.

There being no further business and the time being 6:15 p.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, October 28, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, October 28, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; HR Director Arrick-Kruger; Ken Tschumper; Bryan VanGorp; Mike Fields; Yvonne Krogstad; Finance Director Lapham; Chief Deputy Sheriff Yeiter

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the October 21, 2014 meeting.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$90,984.38
Road & Bridge Fund	103,160.40

Total	\$194,144.78
	=====

Bryan VanGorp, Yucatan Township resident, questioned the commissioners whether they would like to live across the road from a frac sand mine. He expressed concerns regarding ugliness, dust, traffic, noise, health problems and water quality.

Ken Tschumper, La Crescent Township resident, suggested that to prevent misleading perception the Board should speak clearly and loudly. He expressed his concerns related to the frac sand mining ordinance which he feels is terribly flawed. He encouraged the Board to adopt a ban on frac sand mining.

Mike Fields, Winnebago Township resident, referred to a WXOW interview where explanations related to CUPs and IUPs was, in his opinion, erroneously represented. He expressed his ongoing concerns related to mining activity in Houston County.

File No. 2 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the change of employment status for Chris Hartley from probationary to regular effective November 12, 2014.

HR Director Arrick-Kruger provided an update related to the annual enrollment period which is going smoothly.

HR Director Arrick-Kruger provided information related to a settlement with MCIT related to damage to the Historic Jail. MCIT is offering an additional \$11,292.60 for flooring, after depreciation. HR Director Arrick-Kruger stated that this increases the flooring settlement from \$53,345.00 to \$64,638.00. An agreement in this regard will be forthcoming. It was the consensus of the Board that once the settlement agreement is present they will support approval.

Discussion was held regarding the need to heat the Historic Jail. It is being minimally heated and kept at a temperature ranging from 45 to 50 degrees. Air is being circulated to prevent any microbial growth.

There is a need to schedule department head reviews, a meeting to discuss strategic planning and to appoint candidates to replace outgoing Planning Commission members. It was agreed to hold a strategic planning session on December 2nd and to schedule department head reviews on December 16th and 23rd.

File No. 3 - It was the consensus of the Board to maintain the current AMC voting delegates.

Discussion was held regarding the possible sale of between 4 and 6 acres of the property located near the Caledonia School. Commissioner Storlie indicated that she would recuse herself from sale discussions as a result of her position on the ABLE Board. Three weeks advertising and a legal description of the property for sale are required.

Commissioner Kjome reported on Planning Commission and AMC District IX meetings which he attended.

Commissioner Zmyewski reported on the AMC District IX meeting which he recently attended.

Commissioner Schuldt reported that he attended the Roverud Building auction and also the AMC District IX meeting.

Commissioner Storlie reported on Tourism and AMC District IX meetings she attended.

Chairperson Walter reported on the AMC District IX and County Association of Township Officers meetings which she recently attended.

Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to place on file the following items from the consent agenda:

File No. 4 – CBM food service menu for jail

There being no further business and the time being 9:34 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Monday, November 10, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Monday, November 10, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Finance Director Lapham; Zoning Administrator Scanlan; Engineer Pogodzinski; Yvonne Krogstad; HR Director Arrick-Kruger; PHN Director Marchel; Recorder Bauer; Jail Administrator Schiltz

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the agenda.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the October 28, 2014 meeting.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$119,268.37
Road & Bridge Fund	3,533,723.08

Total	\$3,652,991.45
	=====

Commissioner Storlie expressed appreciation for Veterans on behalf of the Board.

File No. 2 - Zoning Administrator Scanlan reported that a variance for Daryl Taylor of Union Township for an after-the-fact variance of 18 feet to meet the required 50 foot setback requirement from the west property line was tabled.

File No. 3 - Zoning Administrator Scanlan reported that the Planning Commission is recommending denial of the following interim use permit based on the following criteria for granting interim use permits: #1 Findings of Fact. He further reported that the structure wasn't

temporary, didn't sit on the same premises, and the timeframe was indeterminate. The permit did not fit the criteria for a second farm dwelling. On the recommendation of the Planning Commission, motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to deny the issuance of the following interim use permit:

Daniel and Roxane Schleich – Sheldon Township - Second farm dwelling

File No. 4 - On the recommendation of the Planning Commission, motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the issuance of the following Zoning Permits:

Laverne and Pamela Jenkinson – Money Creek Township - Build addition on house (20' x 46')

Orion Deters – Spring Grove Township - Build greenhouse (20' x 24')

John Dvorak – Money Creek Township - Build open pole shed (32' x 40')

James Chapel – Houston Township - Build pole shed (60' x 112')

Darin Bratland – Caledonia Township - Build shed (12' x 20')

Nathan Morken – Black Hammer Township - Build pole building (28' x 40')

Mark Nissalke – Hokah Township - Build garage (32' x 28') – Administratively denied (setbacks)

Arlin and Susan Peterson – Sheldon Township - Build house (32' x 62') garage (30' x 30')

Duron and Darin Bratland – Caledonia Township - Replace calf barn (28' x 72')

Robert and Diana Klankowski – Spring Grove Township - Build pole building (40' x 100')

Tony Hammell – Mayville Township - Build replacement calf barn (26' x 60')

Joel and Tricia Betcher – Black Hammer Township - Build house (44' x 88')

Brian and Melissa Mlsna – Brownsville Township - Build house (36' x 82')

File No. 5 – Motion was made by Commissioner Zmyewski, seconded by Commissioner Storlie and unanimously carried to approve one-year extensions to CUP #146 for Fred Sandvik of Old Hickory Orchards, LLC located in Mound Prairie Township and also for CUP #216 for Van Lin Orchards located in Hokah Township for temporary ag housing. There are no expansion and/or changes intended.

File No. 6 - Engineer Pogodzinski provided an overview of the pamphlet “Local Roads and Bridges Highway Users Tax Distribution Fund”.

Discussion was held regarding attendance at the Transportation Alliance meetings. Engineer Pogodzinski commented that some meetings are beneficial however the travel time involved for the 2 hour meetings does not make it a high priority for him. He stated that most attendees are from the metro because little travel time is invested. Commissioner Storlie encouraged Engineer Pogodzinski to let the Board know if it would be beneficial for a Board member to attend in the future.

File No. 7 - Engineer Pogodzinski recommended approval of the final payment for S.A.P. 28-599-073, a small bridge replacement project completed by VanGundy Excavating. The contract amount was \$210,303.00. Certified to date is \$204,500.00. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to adopt the following:

RESOLUTION NO. 14-56

WHEREAS, Contract No. 243 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 8 – Also recommended for approval is the final payment for C.P. 2014-05, the pavement marking project completed by Traffic Marking Service. The contract amount was \$94,090.89. Certified to date is \$103,436.48. The overage is the result of mis-calculated total mileage for the project. This will result in end of year budget overruns and there is adequate fund balance to cover the overage. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adopt the following:

RESOLUTION NO. 14-57

WHEREAS, Contract No. 248 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 9 – Engineer Pogodzinski reported on the Runway Paving Project known as A2801-25 & 26. The contract amount was \$419,027.75. Certified to date is \$412,773.12. Portions of this project qualified for various funding splits. The runway paving qualified for 100% funding, the apron for 80% and the balance of paving near the hangars was the sole responsibility of the County. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to adopt the following:

RESOLUTION NO. 14-58

WHEREAS, Contract No. A2801-25 & 26, project no. AIP 3-27-0016-05-13 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

Engineer Pogodzinski provided an updated related to landowner concerns regarding a particular ditch. He will be in contact with the landowners to resolve the matter.

Discussion was held regarding future FAA funding which may be impacted due to the declining plane census at the airport.

Discussion was held regarding the annexation of property located along County 25. This is the result of a landowner's request. The landowner's septic has failed and they would like the option to hook up to city sewer instead of installing a mound system. Engineer Pogodzinski stated that there are no impacts to the roadway or to State Aid Funding. Skip Wieser is scheduled to meet with the Board regarding the proposed annexation.

File No. 10 - HR Director Arrick-Kruger recommended the lateral transfer of Mary Gulbranson to the position previously held by Carol Sherburne within the Auditor's Office. Ms. Gulbranson was the candidate of choice resulting from a competitive search. Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the lateral transfer of Mary Gulbranson effective November 11, 2014.

HR Director Arrick-Kruger requested authorization to conduct a search to fill the vacancy in the License Center created by the lateral transfer of Mary Gulbranson. She suggested

advertising in conjunction with a Public Health position which will be discussed shortly. Both the Auditor's Office and License Center positions share the same classification, however the duties are significantly different. Commissioner Zmyewski questioned whether the current pool could be utilized to fill the License Center vacancy. HR Director Arrick-Kruger advised against this stating the current pool has been utilized to fill two different vacancies already, the skill set required of a License Center are different than those of the other positions and internal interest in the License Center vacancy has been indicated. She believes that it would violate union contracts and equal opportunity employment standards to forego advertising. Auditor Meiners stated she needs the ability to utilize staff where she needs them when she needs them and that all staff is trained to provide back up for all positions. She expressed her belief that all staff working within her office need to have the same skill set to perform any of the functions whether it be on the Auditor's side or the License Center side. HR Director Arrick-Kruger noted that the classification does not mean that staffs filling the positions are interchangeable. She expressed her opinion that the job duties are extremely different and require different skill sets to perform. She reiterated her recommendation that an equal opportunity search be conducted. Commissioner Zmyewski questioned why a single job description within a department can't be filled utilizing the same applicant pool. HR Director Arrick-Kruger explained that, in her opinion, while staff is trained to provide back up for short periods and during vacation and sick leave, they are not fully trained to perform the job duties for a long term period. She would consider that more ideal and stated that this type of training is involved in job sharing. She expressed concern that the job description does not accurately reflect the duties related to the positions within the department. Commissioner Storlie stated that often departments discuss lean mechanics. She indicated that lean would be to move forward and not further delaying the process with re-advertising. HR Director Arrick-Kruger stated that the current pool was not advertised in such a way that includes the duties of a position in the License Center and to be equitable it should be advertised and properly represented so that interested individuals have the opportunity to make application. Commissioner Zmyewski questioned why all inclusive questions were not included in the first round of advertising as there are many times when positions are filled internally creating a vacancy elsewhere. It would be prudent to consider this when initial interviews are conducted so that the pool could be utilized multiple times when this is a possibility. HR Director Arrick-Kruger expressed agreement with this. She works with Department Heads to develop a plan to fill vacancies. She stated in the case of the Auditor's Office, the current pool was utilized to expedite the process. No plan for the Auditor's Office was discussed or mapped out prior to making the initial hire. Both Commissioner Storlie and Zmyewski want to see advertising which meets needs to fill vacancies. Commissioner Zmyewski reiterated that in situations where staff is used interchangeably throughout an office he would like to see inclusive interview questions so that positions may be filled quickly and efficiently without the need to re-advertise and re-interview. HR Director Arrick-Kruger indicated that with planning this can be done quickly and efficiently. She stated that she has not performed an audit of this department, the positions or needs. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to initiate a search to identify a candidate to fill the vacancy in the Deputy Auditor position.

File No. 11 - HR Director Arrick-Kruger was joined by PHN Director Marchel. Together they have performed an audit of staffing for Public Health. Work has become more complicated and sophisticated. This has increased the need for accounts management and interfacing with State systems. PHN Director Marchel reported that she has taken time to review current and projected departmental needs. She has learned that there is little, if any, back up for accounts receivable or payable. MN Choices and ACA requirements are impacting work within the department. An assessment used to take approximately an hours' worth of work time and is now taking 6 to 7 hours from assessment to the completion of data entry. There is minimal foot traffic in the department with the exception of WIC clinic days or other special events. HR Director Arrick-Kruger and PHN Director Marchel have prepared a proposal to reduce reception staff from 2 FTE to 0.75 FTE and to add an additional FTE account tech. It was noted that position descriptions will be revised and will require re-banding. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt to move forward with the proposal.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve a cell phone stipend for Laura O'Heron. Ms. O'Heron's position requires her to be on call around the clock.

File No. 12 - HR Director Arrick-Kruger reported that County Attorney Hammell has reviewed the settlement agreement with MCIT related to the water damage to the Historic Jail. The agreement provides for a settlement in the amount of \$742,128.89 which includes approximately \$11,000.00 which was revised to cover additional flooring damage suffered. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to authorize the signature of Chairperson Walter on the settlement agreement.

Recorder Bauer reported that her office is moving towards e-recording. Tri-Min Software Agreements are being negotiated. The software and maintenance fees will be paid for through the use of the technology fund. The cost is \$2,500.00. She questioned whether the Board would agree to cover these fees in the event the technology fund was discontinued. It was the consensus of the Board that the County would cover the cost of the maintenance agreements in the event the technology fund was discontinued.

Jail Administrator Schiltz reported that the two transport vans have 240,000 and 222,000 miles. He is currently soliciting quotes/bids from several dealers to trade in the used vans and to purchase new 2014 models. He assured the Board that the purchases will be within the departmental budget.

Finance Director Lapham provided an update that the budget is looking good. She also reported that a meeting with the State Auditor regarding the 2014 audit has been held. She has received approval to establish mirror funds to account for designated funds which have spending restrictions so that the restricted portions are not co-mingled with funds not having restrictions.

Commissioner Kjome reported on Safety Committee, EDA and Canvass Board meetings which he has attended this past week.

Commissioner Zmyewski expressed concern that only a single person is trained on the programming of 800 MHz radios. He believes there is a need for someone to have training in order to provide backup for this individual. The County has had similar issues in the past and taken action so that there is back up for all vital positions.

Commissioner Storlie reported on HVMHC, EDA, and Canvas Board meetings which she recently attended.

Commissioner Storlie expressed concern regarding CEDA contract services. She is unaware of any schedule of the individual representing the County's interests related to Economic Development. She also noted that initially two representatives were assigned to cover the contract obligations and the County was to have some input regarding the individual who would be permanently assigned. She expressed concern that there is a disconnect and there are currently many activities moving through the process. Finance Director Lapham indicated that Mr. Whitehead has been making her aware of which days he will work onsite. Commissioner Storlie stated that the Board needs to be made aware of which days Mr. Whitehead is onsite and that it would be beneficial for him to be onsite on Tuesdays.

Chairperson Walter reported on a Solid Waste meeting which she attended.

A Planning Commission nominee for District 4 has been submitted. District 5 has not identified a nominee yet. Commissioner Zmyewski suggested that HR/Personnel Committee meet with the individual prior to making the appointment.

Commissioner Zmyewski reported that negotiations are ongoing.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to place on file the following items from the consent agenda:

File No. 13 – Correspondence from MN Historical Society
regarding Hokah Municipal Building

There being no further business and the time being 10:48 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, November 18, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, November 18, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Anne Selness; Engineer Pogodzinski; Skip Wieser; HS Director Bahr; Social Services Supervisor Hunter; Financial Services Supervisor Kohlmeyer; Finance Director Lapham

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the November 10, 2014 meeting.

File No. 1 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$56,953.22
Road & Bridge Fund	36,699.69

Total	\$96,652.91
	=====

File No. 2 - Anne Selness presented a Memorandum of Agreement including six counties working on One Watershed, One Plan and recommended its approval. Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the Memorandum of Agreement and authorize the signature of Chairperson Walter.

File No. 3 – Skip Wieser, La Crescent City Attorney, provided information related to a proposed annexation to the City of La Crescent. Property owners in La Crescent Township have petitioned the City requesting to be annexed due to their failing septic systems. Two homes are included in the request. Mr. Wieser explained the processes by which annexations may take

place. The residents and the City wish to complete annexation by ordinance which would allow for the homeowner's to hook up to City services during the next construction season, however, this requires that the parcels being annexed be contiguous to City property. The City is asking the County Board to consider including CSAH 25 right of way bordering the parcels being considered for annexation to be included on the petition, as this would provide for the necessary contiguous property. Commissioner Zmyewski clarified the process. Mr. Wieser stated that it is unique to request County participation, however, it would expedite the annexation process in this situation. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to support the annexation request and to authorize Chairperson Walter to sign any required documents associated with the annexation process.

HS Director Bahr presented several contracts for consideration. She reported that 3 of 4 contracts are renewals.

File No. 4 – The first is a regional agreement with Wabasha County being the host county. The Supplemental Nutritional Assistance Program (SNAP) Agreement involves Workforce Development, Inc.

File No. 5 – The next Purchase of Service Agreement is with Workforce Development, Inc. for MFIP/DWP Employment Services. This agreement compliments the SNAP Agreement, is a simple renewal and has no change to the dollar amount from last year.

File No. 6 – The third Purchase of Service Agreement for Mental Health Services with Hiawatha Valley Mental Health Center (HVMHC) renewal includes adjusted rates.

File No. 7 – The final agreement is with Tellurian UCan, Inc. The County entered into a short term agreement with Tellurian for the purpose of utilizing their services to see if they can provide necessary and needed services for the County and its clients. They provide crisis stabilization services for mental health clients. Individuals transitioning from a clinical setting back to their home setting often benefit from acute care services outside of a clinical setting. Tellurian offered the County 5 days at no charge which the County utilized. The cost per day of \$350.00 is approximately one-half of like services from other providers. Tellurian has several sites across Wisconsin. The La Crosse site offers 14 beds, four of which are available to those outside of La Crosse County. Tellurian does not accept MA, therefore, CSP and CREST grant funding is utilized to cover the costs.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the 4 contracts as presented.

HS Director Bahr provided updates related to the contract process. The 245D law has resulted in fewer contracts and a more streamlined contract process. In addition, HS Director Bahr reported that some contracts are renewed on a regional basis, others have increased to

multiyear and have been staggered with others to reduce the number of annual renewals. Certain contracts remain annual due to rate volatility.

HS Director Bahr stated that work continues on Winona County invoicing related to EDMS services. She has received a revised invoice for approximately \$41,000.00 for income maintenance related EDMS services. She indicated that Winona County had attempted to invoice 5 counties who agreed to purchase EDMS services from them for \$100,000.00 worth of Winona County infrastructure. The counties involved have banded together stating they were purchasing service, not investing in the overhead/infrastructure required of Winona to provide the service. HS Director Bahr expects the situation to be amicably resolved. She reported that IS Director Milde has reviewed invoices and he feels the charges are legitimate.

HS Director Bahr reported that the State is going through a re-procurement process for PMap. This is the middle income group of clients receiving health care coverage from the State. This is a huge process. Once this has been completed she doesn't expect re-procurement processes to take place again until 5 years have passed.

Social Services Supervisor Hunter reported that case numbers remain high. The department did not experience the typical lull prior to school starting. He expressed concern with a network of methamphetamine use. He has discussed this with law enforcement. He is organizing an initiative in hopes of reducing future issues. There are components to the initiative which focus on prosecution and also on parent outreach. The sustained caseload numbers have resulted in increased reimbursements.

Social Services Supervisor Hunter provided an update related to Northstar Care. He stated that recently 25 individuals had gathered at a scheduled training event and the presenter was a "no show". He expressed frustration with the lack of training. There is a rate tool/calculator that is to be used which is not available to date. Since this is a Federal program/mandate, no payment will be made to providers who have not met all licensing requirements. The department is doing its best to be prepared in spite of the challenges.

Social Services Supervisor Hunter reported that technology related to the new assessment tool is not functioning well. The current technology is slow and cumbersome. Assessments are taking 3 hours and some counties are sending out paperwork prior to performing assessments in hopes of being better prepared in the field to perform the assessments. Some are also scheduling the assessments to take place during 2 individual meetings due to the length of time it takes to complete the assessments. Social Services Supervisor Hunter expects the new assessments to result in a greater number of children qualifying for certain services.

Financial Services Supervisor Kohlmeyer reported that she recently attended a supervisor's meeting. Discussion was held regarding the lack of referrals coming through child support for health benefits. Health benefits do have a financial implication. The department

continues to receive MAXIS generated referrals. No new referrals are coming which is a concern. It is unknown when or how many referrals will be generated in the future.

Open enrollment for MN Sure started Saturday. One change for the 2015 year is the requirement for counties to process all paper applications. It has been estimated that it will take seasoned staff 45 minutes to one hour to process a paper application. It is necessary to review the paper applications for completeness prior to the start of entry. Incomplete paper applications cannot be processed.

Financial Services Supervisor Kohlmeyer stated that the entry of change in circumstance remains cumbersome. This past Monday the County was required to submit an in depth spreadsheet to the State for all tracked circumstance changes impacting MN Sure policies. The State is required to adjust the policies because the County is unable to make the necessary changes. Houston County submitted 184 changes. Financial Services Supervisor Kohlmeyer stated that individuals with a MN Sure plan are required to re-enroll. She is hopeful that the system is working better this year as she has received enrollment letters for individuals already.

HR Director Arrick-Kruger reported that she will be re-advertising for the position of drop-site supervisor. There is considerable turnover in this position. There are times when there is considerable interest in the position and times when there are positions and little interest. She is confident they will identify a candidate for the available position(s).

HR Director Arrick-Kruger reported that the current card reader system for the Historic Courthouse is past its reasonable useful life. The software is failing and they are unable to access the software. She has been working with IT Director Milde and Building Maintenance Foreman Dollar to maintain the current system and solicit quotes for a replacement. The new system will be installed at both the Historic Courthouse and County Community Services Building. There will be enhancements with an updated system which may include the ability for staff to utilize the two egress only doors for ingress again while maintaining security and also enhanced lockdown abilities. She has received 2 quotes. The low quote was provided by Bankoe in the amount of \$9,500.00 not including electrical or strike plate hardware. She indicated that the control hardware box can be reused. Custom Alarm also provided a quote which was considerably more. Commissioner Storlie questioned whether current access cards would work or not. HR Director Arrick-Kruger stated that she would check into this. She does anticipate needing new access cards for everyone. She noted that access cards are relatively inexpensive. HR Director Arrick-Kruger stated that she has funds within the maintenance budget to cover the cost of the system. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to move forward with contract negotiations with Bankoe.

Finance Director Lapham provided information related to the establishment of line items which will allow Commissioners to easily identify funds which they have designated for certain projects. She explained that she can't set up special revenue funds because the designation is not per statute, however she can set up line items which will serve the same purpose.

Commissioner Zmyewski reported on the recent frac sand ordinance writing committee meeting. The land use attorney has reviewed the draft and returned it to the committee with comments and suggestions. The committee will incorporate these and re-submit the draft ordinance for final review prior to establishing the schedule for required elements for the adoption process.

A facilities tour is scheduled for 10:30 a.m. this morning. Engineer Pogodzinski reviewed the schedule and facilities to be toured.

File No. 7a - Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to re-appoint Maynard Welscher and Wilfred Pohlman to three year terms on the CCWSD Board which will expire November 30, 2017.

File No. 8 through 11 - Auditor Meiners reported that four area snowmobile clubs have requested approval of Maintenance and Grooming Grant Agreements. Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the agreements and to adopt the following:

RESOLUTION NO. 14-59

BE IT RESOLVED By the Board of County Commissioners, Houston County, Minnesota, that it approves the Maintenance and Grooming Grant Agreement of the Gopherland Trails and authorizes the Board Chairman and County Auditor to sign the agreement with the Department of Natural Resources.

RESOLUTION NO. 14-60

BE IT RESOLVED By the Board of County Commissioners, Houston County, Minnesota, that it approves the Maintenance and Grooming Grant Agreement of the La Crescent Snowmobile Club and authorizes the Board Chairman and County Auditor to sign the agreement with the Department of Natural Resources.

RESOLUTION NO. 14-61

BE IT RESOLVED By the Board of County Commissioners, Houston County, Minnesota, that it approves the Maintenance and Grooming Grant Agreement of the Viking Ridge Trail and authorizes the Board Chairman and County Auditor to sign the agreement with the Department of Natural Resources.

RESOLUTION NO. 14-62

BE IT RESOLVED By the Board of County Commissioners, Houston County, Minnesota, that it approves the Maintenance and Grooming Grant Agreement of the Houston Money Creek Snowmobile Club and authorizes the Board Chairman and County Auditor to sign the agreement with the Department of Natural Resources.

File No. 12 - Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve an increase to Houston County's inland marine deductible from \$1,000.00 per incident to \$2,500.00 per incident. The claims history for this classification has been reviewed and this change will increase premium savings.

File No. 13 – Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve an abatement for Scott and Joyce Onstad on parcel #01.0145.000, being a reduction of \$112.00 due to incorrect classification.

A reminder was provided for the Joint Board of Health meeting which is scheduled for Tuesday, November 25th at 1:00 p.m. at the Branding Iron in Preston, Minnesota. The regularly scheduled Department Head meeting for that day has been rescheduled for December 1st.

HR Director Arrick-Kruger provided a reminder of the Personnel Committee meeting which is scheduled for 1:00 p.m. today.

Commissioner Kjome reported that he continues work to identify Planning Commission nominees for 2015. He does have one very interested individual in addition to a couple of other interested parties.

Commissioner Schuldt reported on a Semcac meeting which he attended.

Commissioner Storlie reported on Southern MN Tourism, HVMHC, and CEDA meetings which she attended.

Chairperson Walter reported on EMS and Workforce Development meetings which she attended.

Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to recess the meeting until the first scheduled stop on the facilities tour.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to place on file the following items from the consent agenda:

File No. 14 - Correspondence to payroll regarding approval of cell phone per diem

File No. 15 – Tons delivered to Xcel

File No. 16 – 2014 MCIT Dividend Payment

File No. 17 – Correspondence from citizen group regarding
Erickson mine

There being no further business and the time being 12:28 p.m., motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, November 25, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, November 25, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Engineer Pogodzinski; PHN Director Marchel; HR Director Arrick-Kruger; Bruce Kuehmichel; Mike Fields; Susan VanGorp; Bryan VanGorp; Ken Tschumper; Robin Tschumper; Sam Jandt; Jail Administrator Schiltz; Environmental Services Director Frank; Finance Director Lapham; Loretta Lillegraven; Mary Thompson; Mary Zaffke; Heather Myhre; Marcia Bauer; Diane Sullivan

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the agenda including amendments as discussed.

Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the November 18, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$40,126.71
Road & Bridge Fund	3,878.27

Total	\$44,004.98
	=====

Susan VanGorp, Yucatan Township resident, expressed concern regarding conduct of various staff of Houston County.

Bryan VanGorp, Yucatan Township resident, referred to a letter submitted to Commissioners and the Environmental Services Department alerting them to possible Zoning Ordinance infractions. Mr. VanGorp stated that he received a letter in response indicating the

concerns expressed had been thoroughly investigated. He expressed his opinion that a thorough investigation could not have taken place due to the close proximity of his submission and the response.

Michael Fields, Winnebago Township resident, indicated that Skyline Materials is an unregulated mine. He encouraged Commissioners to check into certain facts and regulations.

Bruce Kuehmichel, Caledonia resident, stated that he would be making a Public Data request of the Zoning Office. He expects that there should be a listing of mines and quarries which conform to the ordinance and those which do not.

Ken Tschumper, La Crescent Township resident, expressed his understanding that a draft frac sand ordinance has been drafted without the input of citizens. He accused the Board of manipulation. He indicated that further action related to citizen concerns is forthcoming.

Robin Tschumper, La Crescent Township resident, encouraged the Board to support SELCO in the highest amount possible.

Chairperson Walter invited the County Attorney Elect Samuel Jandt to introduce himself, which he did.

File No. 2 - Engineer Pogodzinski reported on the following bids which were received until 10:00 a.m. on November 17, 2014 for S.P. 025-599-077:

ICON Constructors, LLC Mabel, MN 55954	\$318,977.00
Minnowa Construction, Inc. Harmony, MN 55939	\$469,350.00
Brennan Construction Lansing, IA 52151	\$499,508.30
Duininck, Inc. Prinsburg, MN 56281	\$528,556.60

The engineer's estimate for the project is \$427,391.40. The low bid is in excess of 25% under said estimate. Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to accept the low bid submitted by ICON Constructors, LLC in the amount of \$318,977.00.

Engineer Pogodzinski explained that this bridge replacement project had been scheduled to take place in 2016 and has been awarded Federal Funding. The schedule has been moved up

due to the fact that during a spring 2014 inspection it was discovered that the bridge abutments had moved considerably resulting in safety concerns. Since the discovery, the bridge has been undergoing weekly inspections. Engineer Pogodzinski has secured permission from the DNR to allow the contractor to construct a bypass yet this fall. Construction of the bridge will take place next spring and the bypass will be removed following project completion.

Chairperson Walter provided an update that Zoning staff and the Committee Mediator will present information related to the draft Industrial Sand Mining Ordinance and the process by which the ordinance may be adopted at the next scheduled Board meeting.

Commissioners Schuldt and Zmyewski will be providing an update related to the Highway Department Building at a future meeting.

Discussion was held regarding the need to move forward with making a decision related to the Historic Jail. Commissioner Storlie indicated that costs for mothballing and costs for razing the structure need to be gathered. Commissioner Schuldt stated that there is a need to know what the process is to raze the structure since it is on the Historical Register. HR Director Arrick-Kruger stated that currently the building is minimally heated, has air circulation systems in place, has regular monitoring by maintenance staff and that all pipes have been drained. She believes that there is an estimate for razing the structure on file. It was agreed that HR Director Arrick-Kruger would gather and compile the requested information prior to meeting in January regarding the building.

File No. 3 - PHN Director Marchel provided an overview the 2014 Public Health Departmental Review including performance dashboards and strategic initiatives. She highlighted policy accomplishments, staffing levels, grants awarded to the department, and partner accomplishments.

File No. 4 - HR Director Arrick-Kruger and PHN Director Marchel presented information related to a Southeast Service Coop grant award to implement an Employee Wellness program. PHN Director Marchel stated the County has been awarded \$17,600 for 2015. She reported that many of the program opportunities will be offered during work hours. HR Director Arrick-Kruger supports the initiative and provided information related to how employee wellness programs result in less sick days and lower mental fatigue.

PHN Director Marchel expressed excitement with bringing a wellness program to staff. Her intention is to initiate an awesome program which will enable the County to secure future funding to continue and grow the program. She has performed research so that a worthwhile program is developed and delivered. She indicated that the program needs to incentivize staff to choose to make healthier choices and lead healthier lifestyles. The programming will be aimed at changing the behavioral and cognitive aspects. Pending Board approval she would present the program to department heads and then offer a series of Lunch and Learn sessions to roll out the program to staff. It was the consensus of the Board to support the Employee Wellness Program.

PHN Director Marchel noted that the Board will be required to accept the grant funding once a grant agreement has been received.

Commissioner Zmyewski indicated that several names of candidates to fill Planning Commission and Board of Adjustment vacancies are coming forward. He would like to make a plan to narrow the field down to the recommended appointees. It was agreed that names of candidates would be accepted until December 1st. The Personnel Committee, Environmental Services Director Frank and HR Director Arrick-Kruger would meet to discuss the candidates and to develop an interview process. The Committee will make recommendations by the end of December.

File No. 5 – SELCO members presented contract proposals in July. Houston County needs to take formal action on said proposal. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the Contract for Library Services with SELCO.

File No. 6 – Following discussion, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the lowering of the minimum purchase price of the tax forfeited parcel #21.0328.000 to \$3,500.00 and to adopt the following:

RESOLUTION NO. 14-63

BE IT RESOLVED THAT Parcel #21.0328.000 of tax-forfeited land be classified as non-conservation land; that the basic sale price be set at \$3,500.00, and that authorization for a public sale of this land be granted, pursuant to M.S. 282.01; that the sale will be held at 8:30 a.m. on Monday, December 22, 2014, by the Houston County Auditor in the Commissioners Room at the Houston County Courthouse, for not less than the basic sale price; and that full payment of the purchase price and the additional costs shall be due at the time of sale.

BE IT FURTHER RESOLVED, that the property be sold “as is” and that the successful purchaser is responsible for the cleanup of the house and garage located on the property.

File No. 7 – Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the DNR Subgrant Agreement Under the Federal Recreational Trail Program Project Agreement #0021-14-3C for the Viking Ridge Riders to purchase trail grooming equipment.

File No. 8 – Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve a disaster credit for Herman Gady on parcel #11.0269.000 in the amount of \$55.90 because of the loss of his home due to fire.

Commissioner Kjome reported on a recent Planning Commissioner meeting he attended.

Commissioner Zmyewski reported on the frac sand ordinance writing committee meeting which he recently attended.

Commissioner Schuldt reported on an AFSCME meeting he attended and on the Maintenance Facility tour which he participated in.

Chairperson Walter reported on the frac sand ordinance writing committee meeting which she attended.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to place on file the following items from the consent agenda:

File No. 9 – Section 8 Vouchers by County Report

There being no further business and the time being 10:20 a.m., motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, December 2, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, December 2, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Engineer Pogodzinski; Environmental Services Director Frank; Naomi Fruechte; Zoning Administrator Scanlan; HR Director Arrick-Kruger; Donna Buckbee; Glenn Kruse; Anne Selness; Bruce Kuehmichel; Michael Fields; Kelley Stanage; Betts Reedy; Steve Hartwick; Yvonne Krogstad; Cindy Augedahl; HS Director Bahr; Carrie O'Heron; County Attorney Hammell; Tammy Mauss; Assessor Dybing; Lori Feldmeier; Surveyor Walter; Assistant County Attorney Bublitz; Liza Jandt; Wilma Schoh; Gretchen Cook

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the minutes of the November 25, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$38,557.41
Road & Bridge Fund	4,044.29

Total	\$42,601.70
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File No. 2 - Engineer Pogodzinski reported on a Grant Agreement for Airport Improvement which is a cost share project whereby runway cracks were filled and trees were removed. The total cost of the project was \$20,087.67. The split for this project was 80% State which amounted to \$16,070.14 and 20% Local which amounted to \$4,017.53. Motion was made

by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the Grant Agreement and to adopt the following:

RESOLUTION NO. 14-64
AUTHORIZATION TO EXECUTE
MINNESOTA DEPARTMENT OF TRANSPORTATION
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT

It is resolved by Houston County as follows:

1. That the state of Minnesota Agreement No. 07134,

"Grant Agreement for Airport Consultant Services," for State Project No.

A2801-28 at the Houston County Airport is accepted.

2. That the Board Chair and County Auditor are
(Title) (Title)

authorized to execute this Agreement and any amendments on behalf of

Houston County.

File No. 3 - Engineer Pogodzinski provided a brief history of a trails agreement related to the M.R.T. (Mississippi River Trail) as part of the I-90 Bridge Project. The State will refurbish/reinstall a section of bike trail as part of the larger interstate bridge replacement project. Houston and Winona Counties and La Crescent City have agreed to share the cost of maintenance for the portion of trail. MN DOT has drafted a Cooperative Construction and Maintenance Agreement in this regard. County Attorney Hammell has reviewed the agreement. Commissioner Kjome questioned which entity would be liable for injury sustained by users. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve said agreement and adopt the following:

RESOLUTION NO. 14-65

IT IS RESOLVED that Houston County enter into Mn/DOT Agreement No. 07220 with Winona County, the City of La Crescent and the State of Minnesota, Department of Transportation for the following purposes:

To provide for local maintenance responsibilities of certain segments of the Mississippi River Trail and associated amenities construction to be performed upon, along and adjacent to Trunk Highway No. 90 from exit 273A through the south junction of T.H. 90/14/61 under State Project Nos. 8580-166, 8504-74, 8580-149 (T.H. 90=391) and .

IT IS FURTHER RESOLVED that the Board Chair and the County Auditor are authorized to execute the Agreement and any amendments to the Agreement.

File No. 4 - Naomi Fruechte provided a status report on the committee that studied mining in the County and was charged with recommending an ordinance. She provided a listing of those assigned to the committee and what expertise each brought to the discussion. She reported that 21, two hour sessions were conducted. In addition, there was “homework” between sessions. She stated that information from various sources including but not limited to EQB, DNR, MPCA, etc. was discussed in addition to the review of ordinances from the area. During one particular session 3 local owner/operators of mines were invited to provide information related to their current operations including such things as current volume of aggregate and/or sand being utilized for construction, road projects, and livestock bedding. The committee membership did not always agree, however, they were able to work together and compromise while keeping the best interest of the County in mind. The committee was cognizant of how the ordinance would impact the citizenry and preserve the area while allowing continued operations of mines currently supplying contractors and farmers with aggregate and sand for use in construction and road projects and livestock bedding. Ms. Fruechte provided a detailed description of the process going forward. She stated that the draft ordinance is available for citizens to review. Copies are available from the Zoning Office and will be made available at local libraries. Citizens may request an electronic copy also. Signed, written comments may be directed to the Auditor’s Office and must be received by January 2nd. This will be followed by a public hearing on the proposed ordinance by the Planning Commission on January 6th. The County Board will hold a public hearing on February 17th and is scheduled to take action on the proposed ordinance on March 3rd. In closing, Ms. Fruechte noted that this committee was diligent and ever mindful of the citizens of Houston County as they worked on this ordinance.

Commissioner Zmyewski reiterated the various places citizens could access a copy of the proposed ordinance. He restated how the committee worked together even though everyone serving didn’t always agree, members played devil’s advocate and were thorough and thoughtful. Now the process has moved to a period of public comment which will be followed by public hearings.

File No. 5 - Environmental Services Director Frank reported on two variances which were approved by the Board of Adjustment. The first was for John Diersen of Mayville Township for a variance of 782 feet to meet the ¼ mile setback requirement from an expanding existing feedlot to an existing dwelling to build a free stall barn. The second is for Bob Koch of Winnebago Township for a variance of 575 feet to meet the ¼ mile setback requirement from an expanding existing feedlot to an existing dwelling to build a free-stall barn.

Environmental Services Director Frank reported on a variance for Daryl Taylor of Union Township for an after-the-fact variance of 18 feet to meet the required 50 foot setback requirement from the west property line which was denied.

Motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to approve the variances for John Diersen and Bob Koch and to deny the variance for Daryl Taylor.

Motion was made by Commissioner Kjome, seconded by Chairperson Walter and unanimously carried to rescind the motion related to the variances. The Board should not have acted in this regard.

File No. 6 - On the recommendation of the Planning Commission, motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to approve the issuance of the following conditional use permits

Bob Koch – Winnebago Township - Expand a feedlot from 482 a.u. to 700 a.u.

Mark and Dianne Gerard – Wilmington Township - Build manure storage.

Environmental Services Director Frank reported that the Planning Commission tabled action related to Randy Klinski's hearing so that they could schedule a time to view the site.

File No. 7 - On the recommendation of the Planning Commission, motion was made by Commissioner Kjome, seconded by Commissioner Storlie and unanimously carried to approve the issuance of the following Interim Use Permit:

Herman Gady – Mound Prairie Township - Temporary Farm Dwelling – Manufactured Home

File No. 8 - On the recommendation of the Planning Commission, motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the issuance of the following Zoning Permits:

Karla and Hein Bloem – Money Creek Township - Build garage/aviaries (24' x 32')

Kirby and Nancy Rahn – Mound Prairie Township - Build house/garage (26'8" x 56')

Kent and Jackie Kronebusch – Crooked Creek Township - Build house (46' x 59') garage (24' x 42')

Doug Sparks – Mound Prairie Township - Build pole barn (36' x 48')

File No. 9 – Environmental Services Director Frank reported that the Planning Commission has recommended approval of an annual renewal for Travis Zenke. Mr. Zenke excavates black dirt which is dried and stockpiled for use in landscaping. The permit was first issued in 2006. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the renewal of CUP #262.

File No. 10 – Following discussion, motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the Court Appointed Agreement with Kurt J. Knuesel and authorize the signature of Chairperson Walter.

File No. 11 - HR Director Arrick-Kruger reported that building maintenance staff has been short a custodian for over one year. There is a backlog of projects and with the onset of winter, there are additional snow removal duties. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to authorize the initiation of a search for an assistant custodian.

File No. 12 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to authorize the hire of Wayne Dosch as a 67 day employee to assist as needed as a drop site supervisor at \$12.06 per hour contingent upon successful completion of the required background check.

File No. 13 - HR Director Arrick-Kruger reported that a Public Health Nurse has submitted her resignation. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to accept the resignation of Lisa Erlandson effective December 24th.

Following discussion, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to authorize a search for a Public Health Nurse.

Chairperson Walter provided a reminder of the department head meeting scheduled for 1:00 p.m. today and also the TNT meeting scheduled for 6:00 p.m. on Thursday.

Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to recess the meeting until the next scheduled appointment at 10:00 a.m.

The time being 10:00 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to reconvene the meeting.

File No. 14 - At this time the following employees were recognized for their years of service.

35 Year Awards

Cindy R Augedahl
Charlene C Meiners
Carrie L O'Heron

30 Year Awards

Carol A Lapham

25 Year Awards

Liza R Jandt
Tammy A Mauss
Nancy M Peter
Thomas N Peter

20 Year Awards

Thomas A Dybing

15 Year Award

Robert J Gross
Mark A Olson
Diane M Schulze

10 Year Award

Lori R Feldmeier
Deborah A Hartley
Jonathan A Kulas
Wilma J Schoh

At this time the board met regarding strategic planning.

Commissioner Walter reported that she and Commissioner Schuldt met with the County Attorney's Office and Human Services personnel regarding issues with paperwork not being completed in a timely manner which is affecting court cases. They felt that by hiring a case aide for Human Services, this problem could be alleviated.

Commissioner Storlie reported that she was contacted by someone who felt that the old jail would be an excellent location for a children's museum. She also mentioned that the person in charge of the La Crosse Children's Theater lives in Houston County and they may be an excellent resource. She also indicated that Mankato recently renovated an old warehouse into a children's museum. It was agreed that the Board does not want to utilize tax levy dollars for the old jail. It was also agreed to retain the insurance money received from the jail flooding issue for use on the jail project.

Discussion was held regarding the highway shop project. It was agreed that the Board needs to move forward with the project with the intent to break ground by next fall. Commissioner Storlie indicated that we need to know the cost of site preparation for both sites. Commissioner Zmyewski suggested coming up with building plans first. Commissioner Storlie responded that with the ABLE facility they were told that a building cannot be designed until a site is chosen. She also reported that other counties stress the importance of having an architect involved to ensure that things are done correctly. It was agreed that the committee needs to start meeting on a weekly basis, similar to how the frac committee met weekly, in order to keep the process moving. Commissioner Storlie suggested including someone from the Highway Department, in addition to Engineer Pogodzinski, who would be able to bring information on the needs of the building to the table.

Brief discussion was held regarding the process for the mining ordinance. Originally the County considered adopting two separate ordinances, one for industrial mining and the other for construction mining. Commissioner Zmyewski stated that the proposed ordinance is an all-encompassing ordinance which was very well thought out. He understands there may be some minor changes necessary, however, he felt there should not be a need for any major changes. Discussion was held regarding compensating Naomi Fruechte for her role on the ordinance writing committee. After discussion, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve a stipend of \$2,000.00 for Naomi Fruechte in this regard.

Discussion was held regarding the possibility of hiring a county coordinator and possible restructuring which could be done at the same time. After discussion, the Board directed Auditor Meiners to obtain job descriptions from area counties that have a coordinator.

Commissioner Storlie suggested that since Commissioners Schuldt and Zmyewski will be very busy with the Highway Department building project, two other commissioners should be on the committee regarding hiring a coordinator and any resulting restructuring.

It was agreed to set a policy that effective in January the county attorney is to attend every County Board meeting. Also, the Board indicated that they would like to have a law enforcement presence at the meetings, and felt it would be appropriate to have the Sheriff stop in at times. It was also the consensus of the Board that the Finance Director should not attend the board meetings, and that she will be called in as needed.

It was also agreed that effective in January the Board expects all county offices to be open during regular working hours, being 8:00 a.m. to 4:30 p.m., other than in emergencies.

Commissioner Schuldt reported on an Association of Township Officers meeting which he attended.

Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to place on file the following items from the consent agenda:

File No. 15 – Correspondence to Herman Gady regarding approval of Disaster Credit

There being no further business and the time being 12:05 p.m., motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, December 16, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Wednesday, December 10, 2014

8:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; IT Director Milde; Recorder Bauer; Reporters McGonigle

Presiding: Teresa Walter, Chairperson

Call to order.

Teresa Walter reported that the only item of business on the agenda is authorizing a grant agreement with the Minnesota Department of Public Safety. The deadline for the grant is Monday, December 15th.

IT Director Milde reported that this grant is for 50% reimbursement of computer hardware. Initially, Houston County received funding for the LETG Grant. This second grant will provide approximately \$30,000.00 for the purchase of equipment which is needed along as part of the LETG program.

File No. 1 - After discussion, motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adopt the following resolution:

Resolution No. 14-66 RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that Houston County enter into a grant agreement with the Minnesota Department of Public Safety, for traffic safety projects during the period from October 1, 2014 through September 30, 2016.

The Houston County Sheriff is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of Houston County and to be the fiscal agent and administer the grant.

There being no further business and the time being 8:10 a.m., motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adjourn the meeting.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, December 16, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporter Moorhead; Engineer Pogodzinski; HR Director Arrick-Kruger; Finance Director Lapham; Ken Tschumper; Bruce Kuehmichel; Donna Buckbee; Bryan VanGorp; Susan VanGorp; Michael Fields; Jail Administrator Schiltz; Kelley Stanage; Glenn Kruse; HS Director Bahr; Kelley Stanage

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the agenda.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the December 2, 2014 meeting, and the December 10, 2014 special meeting.

File No. A - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the Truth in Taxation Meeting held Thursday, December 4, 2014.

File No. 1 - Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$96,073.95
Road & Bridge Fund	1,065,972.42

Total	\$1,162,046.37
	=====

Sue VanGorp, Yucatan Township resident, shared concerns from a letter she read written by a Trempealeau County Resident related to frac sand mining.

Bryan VanGorp, Yucatan Township resident, appealed to the Board to take action to establish a ban on frac sand mining in Houston County.

Michael Fields, Winnebago Township resident, again expressed disagreement with the handling of Skyline Materials quarry infraction which took place several years ago.

Ken Tschumper, La Crescent Township resident, requested that the County hold informational meetings on the draft ordinance related to mining. He also encouraged the Board to take action to reduce the use of fossil fuel which contributes to global warming.

Bruce Kuehmichel, Caledonia City resident, shared information on insurance exclusions related to silica dust inhalation.

File No. 2 - Engineer Pogodzinski recommended approval of the final payment for C.P. 2014-04, the annual sealcoating project involving several county roads which has been completed by Scott Construction, Inc. The contract amount was \$387,189.70. Certified to date is \$461,129.10 which exceeds the contract amount due to inaccurate road mileage and additional materials needed due to road conditions. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to adopt the following:

RESOLUTION NO. 14-67

WHEREAS, Contract No. 251 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 3 – Engineer Pogodzinski recommended approval of the final payment for S.A.P. 28-605-018, a road project on County 5 completed by TJ's Trucking Excavating, Inc. The contract amount was \$568,807.34. Certified to date is \$569,465.45. The overage is due to underground water and utilities. Remaining work on the project which includes striping and a second lift of pavement will be bid and completed on a new project in 2015. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to adopt the following:

RESOLUTION NO. 14-68

WHEREAS, Contract No. 246 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 4 – Engineer Pogodzinski recommended approval of the final payment for S.A.P. 28-996-007, a road reconstruction project on Perkins Valley Road completed by JB Holland Construction. The contract amount was \$619,903.50. Certified to date is \$646,083.90. The overage is due to erosion which required additional restoration prior to project completion. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adopt the following:

RESOLUTION NO. 14-69

WHEREAS, Contract No. 216 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 5 – Engineer Pogodzinski recommended approval of the final payment for S.A.P. 28-603-024 a project on multiple roads to repair damage from flooding which occurred in 2013. The contract amount was \$145,041.00. Certified to date is \$120,092.93. Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to adopt the following:

RESOLUTION NO. 14-70

WHEREAS, Contract No. 250 has in all things been completed, and the County Board being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 6 - Engineer Pogodzinski presented a revised Bridge Replacement List for approval. He explained how the list is utilized. Engineer Pogodzinski has requested that townships review the listing and submit any feedback. Feedback from the townships may result in changes to the list. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the prioritized bridge replacement list and to adopt the following resolution:

RESOLUTION NO. 14-71

Prioritized Bridge Replacement List

December 16, 2014

WHEREAS, Houston County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government, and

WHEREAS, Houston County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years;

NOW, THEREFORE, BE IT RESOLVED that the following deficient bridges are high priority and Houston County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available,

Old Bridge #	Road # or Name	Total Project Cost	Township Bridge/or State Aid Funds	Federal Funds	Bridge Bonding	Local Funds	GF LBRR	Proposed Construction Year
6671	CR 249	652,603	0	0		235,790	416,813	2015
6940	CR 249	742,365	0	350,000	90,125	302,240	0	2015
88425	CSAH 17	422,434	114,346	245,000	63,088	0	0	2015
88419	CSAH 10	297,335	297,335	0	0	0	0	2015
L3985	Rood Rd	362,005	259,605	0	82,400	20,000	0	2015
7546	CSAH 19	559,094	559,094	0	0	0	0	2016
L4571	Bush Valley Rd	500,745	480,745	0	0	20,000	0	2016
1703	Looney Valley Rd	373,437	226,129	0	127,308	20,000	0	2016
L2547	Daley Creek Dr	442,395	242,042	0	180,353	20,000	0	2016
L3994	Wildflower Dr	463,613	321,609	0	122,004	20,000	0	2016
L4011	Rooster Valley Road	477,522	331,858	0	125,664	20,000	0	2017
8161	CSAH 12	384,640	384,640	0	0	0	0	2017
L4549	Fort Ridgley Rd	477,522	331,858	0	125,664	20,000	0	2017
L3990	Old Indian Trail Rd	406,494	386,494	0	0	20,000	0	2017
L3984	Wiebke Hill Road	407,434	258,000	0	129,434	20,000	0	2018
L3983	Wiebke Hill Rd	407,434	258,000	0	129,434	20,000	0	2018
L4573	Bush Valley Rd	491,847	342,413	0	129,434	20,000	0	2018
L9501	Prairie Ridge Road	491,847	342,413	0	129,434	20,000	0	2018
L3974	Eitzen Creek Drive	491,847	342,413	0	129,434	20,000	0	2018
L9669	Swede Bottom Rd	491,847	342,413	0	129,434	20,000	0	2018
92280	CSAH 4	408,064	408,064	0	0	0	0	2019
L9037	Gates Coulee Drive	373,286	353,286	0	0	20,000	0	2019
6110	Dotseth Road	373,286	353,286	0	0	20,000	0	2019
28501	Looney Valley Road	979,587	959,587	0	0	20,000	0	2019
		11,478,683	7,895,630	595,000	1,693,210	878,030		

FURTHERMORE, Houston County does hereby request authorization to replace, rehabilitate, or remove such bridges; and

FURTHERMORE, Houston County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

File No. 7 - At this time HR Director Arrick-Kruger recommended approval of a status change. HS Director Bahr spoke in regard to Jennifer Daley-Oakes contributions and experience. Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve the status change of Jennifer Daley-Oakes from probationary to regular effective December 24, 2014.

HS Director Bahr requested consideration to hire a full time case aide to provide support for the social workers. Social workers do not have an assigned case aide. HR Director Arrick-Kruger stated that this is inefficient and not economically prudent to have social workers completing case aide duties. In addition, it distracts social workers from other important duties. The lack of case aide support impacts outcomes with case management and support work for the County Attorney's Office. At one time the social workers had 2 full time case aides. HS Director Bahr reported that over the years, the duties which a case aide could perform have been performed by various staff including social workers, interns and temporary employees of the department. Recently, the County Attorney's Office has expressed concern that they have not been receiving documentation needed in court in a timely manner. In order to meet deadlines, staff have resorted to banking comp time which they don't have time to utilize resulting in blocks of comp time paid out.

HS Director Bahr indicated that MACSSA (Minnesota Association of County Social Services Administrators) is lobbying the State for additional funding for child protection services. The group is confident they will be successful in this effort.

The desired outcome of adding a full time case aide would be to improve the timeliness of transferring reports to the County Attorney's Office and reducing the amount of comp time. Commissioner Storlie questioned whether the desired outcome could be achieved with only a part time case aide.

HR Director Arrick-Kruger expressed concern that certain reports are lengthy which may be the result of social workers having inadequate time to prepare, review and edit them so that a more brief and concise report may be submitted. The potential liability of the social workers cannot be estimated. While the County has provided resources in the form of comp time, it has not dedicated other support for the social workers. The County Attorney's Office has indicated that the desired result of child protection court outcomes are not being achieved.

Commissioner Storlie expressed that she feels she is receiving mixed signals related to need. She questioned whether comp time accruals will be eliminated with the additional of a case aide. It was reiterated that the social work unit lost 2 case aide positions. The department shifted resources to cover needs. The department will accept a part time case aide, to continue to study need with the possibility that if need is evident the position could be extended to full time.

HR Director Arrick-Kruger indicated that in addition to the number of cases a social worker is managing, the complexity and depth of cases is unique.

HR Director Bahr stated that the social work unit will soon be learning new Northstar Care for Children which is a revision to the foster care system in addition to complying with IV-E deadlines. She stated that there is a huge meth ring in Houston County, and some of the involved families have 3 and 4 children. These cases have significant complexity.

Motion was made by Commissioner Zmyewski to table the request to authorize the hire of a full time case aide in order to gather more information. The motion failed for lack of a second.

Commissioner Storlie indicated that Human Services is an area which she has special interest in. However, the County is facing budget concerns and this request adds staff. HS Director Bahr expressed again that approval of a part time case aide would alleviate some stresses within the department while allowing for further study. Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to authorize the hire of a part time case aide with the understanding that in the event external funding is secured the position may be changed to full time.

HR Director Arrick-Kruger provided an update related to the Historic Jail. She received quotes for razing the structure from 3 contractors. Two contractors have subsequently withdrawn their quotes. Generation X is the only remaining quote at \$75,000.00 not including any required asbestos or lead abatement. Commissioner Zmyewski suggested that the structure be formally offered to the Historical Society. Informal discussion indicates that the Historical Society does not want the structure. It is expected that the Historical Society would turn down the offer formally providing documentation for the County.

File No. 8 – HS Director Bahr presented an Addendum to Crest Initiative Cooperative Agreement 2015. This addendum reflects how funding will be allocated amongst Cooperative members. Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve the Addendum to Crest Initiative Cooperative Agreement 2015.

File No. 9 - HS Director Bahr provided a memo explaining the implementation plan for a 5% rate increase for continuing care services. The State is mandating a specified rate increase which is based on a formula. HS Director Bahr has reviewed the requirements and found that the County is in compliance. Due to the fact that the County has collective bargaining units there is a need to obtain a letter of acceptance from affected units.

HS Director Bahr reported on several legislative initiatives including the following: support recommendations of program uniformity and simplification; County representation on the MN Sure Board; alignment of Federal and State SNAP requirements; support and fund data exchange between MN Sure and other State systems; clarify definitions related to child protection; streamline child support; align funding with vulnerable populations; amend child

support standards to take into consideration economic situations; and increase access to sliding fee child care.

HS Director Bahr stated that there are regional contracts which are being negotiated and will come before the Board in the future.

HS Director Bahr was pleased to report that respite care funding has increased and qualifications for its use are more liberal allowing for greater use.

At this time Finance Director Lapham provided her monthly finance update. She noted that all departments are under the percentage of the year for expenditures. She has been working with various departments, including Recorder's, to prepare budget amendments which will impact various accounts. She reported that both the trial and cash balance reports are in good order. Recently, cash balances improved due to receipts from the MCIT Settlement related to water damage sustained in the Historic Jail and for an airport project reimbursement funds received for a project with expenditures in the previous year.

Commissioner Storlie requested that recommended fund balance amounts be provided to commissioners in conjunction with the reports. This way they can review the report and know whether fund balances are at an appropriate amount or whether they have increased or been depleted.

Finance Director Lapham reported that Police State Aid receipts have been greater than anticipated. She will be updating 2015 budgets to reflect health care designations. She also provided a reminder that the final budget and levy will need to be adopted soon. Discussion was held regarding the Soil and Water appropriations request which increased significantly over the past year.

Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve an additional ACH payment to T. Becker which wasn't included on claims reports.

Commissioner Zmyewski reported that a meeting regarding the Highway Department Building is scheduled for this Thursday.

File No. 8 - Following discussion, motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to appoint Tony Schultz to the EDA Board.

File No. 9 – Motion was made by Commissioner Schuldt, seconded by Commissioner Zmyewski and unanimously carried to approve a disaster credit for Leigh Goetzinger on parcel # 04.0068.000 in the amount of \$219.97 because of the loss of her home due to fire.

File No. 10 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve the issuance of the following Tobacco Licenses for 2015: Money Creek Haven, Inc., River Valley Convenience, Inc., and Houston Food Mart.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to recess the meeting until the next scheduled appointment at 11:00 a.m.

Commissioner Kjome reported on EDA, Water Planning, TNT & Extension meetings which he attended.

Commissioner Zmyewski reported that he recently attended a Houston Chamber of Commerce meeting.

Commissioner Schuldt reported on Strategic Planning and Semcac meetings, the AMC Conference, and negotiations with the 49ers Collective Bargaining Unit which he as attended recently.

Commissioner Storlie reported on Department Head, TNT and CJC meetings which she has attended in addition to her attendance at the AMC Conference.

Chairperson Walter reported on Department Head, TNT, and Workforce Development meetings which she has attended in addition her attendance at the AMC Conference.

The time being 11:00 a.m., the Board met individually with the following department heads for their 2014 performance review: IT Director Milde, Environmental Services Director Frank, Assessor Dybing, Auditor Meiners, HR Director Arrick-Kruger, Surveyor Walter, HS Director Bahr, Engineer Pogodzinski, Finance Director Lapham, Recorder Bauer and Treasurer Trehus.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to place on file the following items from the consent agenda:

File No. 11 – Public notice of sealed bids being accepted for 2015 printing

File No. 12 - Historical Society financial report

File No. 13 - Tons delivered to Xcel

There being no further business and the time being 3:00 p.m., motion was made by Commissioner Storlie, seconded by Commissioner Walter and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, December 23, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, December 23, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Finance Director Lapham; HR Director Arrick-Kruger; Engineer Pogodzinski; Glen Kruse; Recorder Bauer; HR Director Arrick-Kruger; Jeremy Cripps; Tim Lange; Julie Lange; Michelle Massman; County Attorney Hammell

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to approve the agenda.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to approve the minutes of the December 16, 2014 meeting.

File No. 1 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$103,385.65
Road & Bridge Fund	33,131.75

Total	\$136,517.40
	=====

File No. 2 - Engineer Pogodzinski requested approval of Houston County Right of Way Plat No. 60 in connection with S.P. 28-617-010 on C.S.A.H 17 in Wilmington Township. This is a bridge replacement project which qualifies for Federal funding. Land will need to be acquired from a single landowner. Motion was made by Commissioner Storlie seconded by Commissioner Schuldt and unanimously carried to approve the plat and to adopt the following resolution:

RESOLUTION NO. 14-72
APPROVING AND ACCEPTING HOUSTON COUNTY RIGHT OF WAY PLAT NO. 60
FOR RECONSTRUCTION PROJECT SP 028-617-010

WHEREAS, Houston County desires to improve and reconstruct that part of C.S.A.H. 17, located 1.9 miles South of the Junction with State Trunk Highway 44, with the Replacement of Bridge No. 88425 with Culvert No. 28J48 and Approach Grading Project identified as SP 028-617-010; and

WHEREAS the Houston County Highway Department and the Houston County Surveyor have prepared Houston County Right of Way Plat No. 60 to identify and delineate the right of way and temporary easements required for this project; and

NOW THEREFORE BE IT RESOLVED that Houston County approves and accepts Houston County Right of Way Plat No. 60 as designating the definite location of that part of C.S.A.H. 17 located in Sections 16 and 17, Township 101 North, Range 6 West, as presented on this date, December 23, 2014, and authorizes it to be filed of record with the Houston County Recorder.

BE IT FURTHER RESOLVED that Teresa Walter, County Board Chairperson, is hereby authorized to execute and sign the certification statement on said plat on behalf of Houston County.

File No. 3 - Engineer Pogodzinski requested approval of Houston County Right of Way Plat No. 59 in connection with S.P. 28-598-011 on County 249. This project also qualifies for Federal funding. The balance of funds needed will be local. Motion was made by Commissioner Schuldt seconded by Commissioner Storlie and unanimously carried to approve the plat and to adopt the following resolution:

RESOLUTION NO. 14-73
APPROVING AND ACCEPTING HOUSTON COUNTY RIGHT OF WAY PLAT NO. 59
FOR RECONSTRUCTION PROJECT SP 028-598-011

WHEREAS, Houston County desires to improve and reconstruct that part of C.R. 249, located 2.7 miles West of the Junction with State Trunk Highway 26, with the Replacement of Bridge No. 6940 with Culvert No. 28J49 and Approach Grading Project identified as SP 028-598-011; and

WHEREAS the Houston County Highway Department and the Houston County Surveyor have prepared Houston County Right of Way Plat No. 59 to identify and delineate the right of way and temporary easements required for this project; and

NOW THEREFORE BE IT RESOLVED that Houston County approves and accepts Houston County Right of Way Plat No. 59 as designating the definite location of that part of C.R. 249 located in located in Section 28, Township 102 North, Range 4 West, as presented on this date, December 23, 2014, and authorizes it to be filed of record with the Houston County Recorder.

BE IT FURTHER RESOLVED that Teresa Walter, County Board Chairperson, is hereby authorized to execute and sign the certification statement on said plat on behalf of Houston County.

File No. 4 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to approve a disaster credit for James Gantenbein on parcel #20.0198.000 in the amount of \$646.46 because of the loss of his home due to fire.

File No. 5 – On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to hire Renee Wagner as License Center Clerk/Deputy Auditor effective January 12, 2015 contingent upon successful completion of the required background check at step 1 of the appropriate comparable worth band. Ms. Wagner has been most recently employed at Riverfront Inc. and comes with extensive experience with invoicing, general office, book keeping and customer service.

HR Director Arrick-Kruger reported that interviews for the vacancy in Public Health will be conducted December 31st. The field has been narrowed to three candidates. She expects the Case Aide vacancy to be posted either this weekend or next.

HR Director Arrick-Kruger provided an overview of County and Collective Bargaining Agreement Policies governing vacation accrual. On occasion, a unique circumstance could prevent an employee from reducing vacation balance to an approved carry forward level. Doug Twite originally scheduled the use of some vacation in November. However, a longer than normal construction season prevented him from using the vacation time as planned. He would be able to reduce accruals to acceptable carry forward amounts if he were given until December 31st to do so. Motion was made by Commissioner Zmyewski, seconded by Commissioner Storlie and unanimously carried to allow Doug Twite until December 31, 2014 to reduce his vacation accruals to an acceptable carry forward level before the accruals in excess of the allowable are forfeited.

File No. 6 - Finance Director Lapham presented the annual Technology Fund budget amendment in the amount of \$58,124.00. Recorder Bauer explained how revenue from the Technology Fund is utilized to cover qualified expenses including such things as computer hardware and maintenance fees, furniture etc. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the budget amendment.

Discussion was held regarding interest income generated by the Technology Fund balance. If the Board preferred, the budget amendments could be completed twice annually. This would provide that the interest earned is applied appropriately.

File No. 7 – Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the budget amendment request submitted by the Highway Department. The adjustments will more accurately reflect how funds were spent.

Finance Director Lapham stated that it is necessary to adopt the final levy today. She provided information related to final budget requests. Discussion was held regarding the 1.0 FTE position requested by IT. It was noted that the filling of said position may be delayed until June 2015 or possibly as late as January 1, 2016. Soil and Water requested a sizeable increase in their appropriation as did Semcac. Chairperson Walter indicated her preference to hold appropriations to 2014 amounts.

Commissioner Zmyewski indicated that adopting a 2% levy increase, granting no pay increases and reducing the Highway Department's equipment and maintenance line item by one-half would reduce the burden on taxpayers and prevent the need to balance the budget utilizing fund balance. Commissioner Storlie expressed concern with budgeting too tightly. She indicated that this Board has been faced with budget concerns due to a lack of planning and saving inherited from past Boards. She indicated that the Highway Department has been analyzing their budget and expressed options for funding a proposed Highway Department Building. She does not want to see the department penalized for offering to forego certain expenses in order to cover the cost for a new building. In addition, it is not beneficial to continually forego the replacement of equipment because it results in rapidly increasing maintenance budgets. Commissioner Zmyewski responded that it is his opinion that there are funds available within the highway department's budget to cover the cost of new equipment if they choose to allocate the funds that way. Commissioner Zmyewski expressed his desire to alleviate the burden on taxpayers. He is not in favor of hoarding money when it could be utilized to cover expenses. Commissioner Storlie stated that the highway department has funds which are being saved and designated for specific projects. In talking with other counties, Commissioner Storlie has come to the conclusion that 4% is a reasonable levy amount, which should have minimal impact. Taxpayers seem to be more concerned with the impact they are suffering resulting from changes implemented by the State, not a minimal levy increased imposed by the County

Commissioner Zmyewski shared information about real estate tax trends and projections.

Finance Director Lapham stated that the County strives to maintain a fund balance which is between 45% and 60% of the most recently approved levy. The State Auditor's review information to ensure the minimum is being maintained.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome to adopt a final levy of 2% and to reduce the Highway Department's equipment and maintenance line item in the budget by one-half. This would eliminate the need to utilize fund balance to balance the budget. A roll call vote was taken: District 1 – no; District 2 – yes; District 3 – no; District 4 – no; District 5 – yes. The motion failed.

File No. 8 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt to adopt a final levy of 4%. A roll call vote was taken: District 1 – yes; District 2 – no; District 3 – yes; District 4 – yes; District 5 – no. The motion carried to adopt the following:

RESOLUTION NO. 14-74

BE IT RESOLVED, that the proposed levy after the deduction of County Program Aid (CPA), in the amount of \$11,346,709 be made on all taxable property in the County of Houston for taxes payable in 2015 in the following amounts by County Fund:

County Revenue	\$7,138,136
Road & Bridge	2,523,543
Human Services	1,307,232
Bond Fund – 2009B Jail CIP Bonds	451,369
Bond Fund – 2009C Jail Bonds	268,288
Bond Fund – 2010A Jail CIP Bonds	285,006
Bond Fund – 2010B Jail Bonds	224,707

Total	\$12,198,281
Less CPA	(851,572)

Total Levy	\$11,346,709
	=====

Chairperson Walter explained how the Planning Commission was moving forward with receiving public comments, reviewing the draft ordinance and hosting public hearings as part of the process to adopt the ordinance.

Commissioner Zmyewski reported on a meeting held regarding the Highway Department Building. Changes to the original plan are being considered in order to reduce the cost. Meetings are expected to take place on a regular basis in an attempt to keep the project moving forward.

At this time, HR Director Arrick-Kruger requested the Board convene a closed session pursuant to M.S. 13D.01 subd. 2 in order to discuss matters related to an employee subject to the Board's authority. There may or may not be action taken following the closed session.

Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to go into closed session. The time was 10:06 a.m.

The time being 10:33 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to reconvene in open session.

HR Director Arrick-Kruger restated that the purpose of the closed session was to matters related to an employee subject to the Board's authority pursuant to M.S. 13D.01 subd. 2.

Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve separation of employment with Timothy Lange effective immediately.

Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to recess the meeting until the next scheduled appointment which is to conduct department head evaluations.

File No. 9 - At this time, the Board met individually with the following department heads for their 2014 performance review: PHN Director Marchel, County Attorney Hammell, VSO Gross, and Sheriff Ely

Commissioner Kjome reported on interviews which he participated in for Extension to hire a new 4-H Coordinator.

Commissioner Zmyewski reported on Planning Commission interviews which he participated in.

Commissioner Schuldt reported on Planning Commission interviews and department head evaluations which he participated in. He also reported that he had met with both the County Attorney & County Sheriff elects.

Commissioner Storlie reported on meetings with the County Attorney and County Sheriff elect, Board of Adjustment, and also on an ITV meeting with the Radio Board.

Chairperson Walter reported that she had also met with the County Attorney and County Sheriff elects.

It was noted that next week salaries for elected officials will need to be set. If time permits, non-union member salaries can also be set.

Chairperson Walter reported that beginning in January 2015 both the Board of Adjustment and Planning Commission will hold their meetings in the CJC. This is due to the handicap accessibility of the building.

Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to place on file the following items from the consent agenda:

File No. 10 – Section 8 Vouchers by County Report

File No. 11 – MCCC Ratification Statement

There being no further business and the time being 12:05 p.m., motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, December 30, 2014.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, December 30, 2014

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Judy Storlie, Justin Zmyewski, Steve Schuldt, Teresa Walter and Dana Kjome

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle & Moorhead; Environmental Services Director Frank; HR Director Arrick-Kruger; Bruce Kuehmichel; Bryan VanGorp; Donna Buckbee; Environmental Services Director Frank; HS Director Bahr; Chief Deputy Sheriff Yeiter; Recorder Bauer; Treasurer Trehus; Ted Hanson; Sheriff Ely; GIS Coordinator Krzoska; Sheriff Elect Inglett; Assessor Dybing; IS Director Milde; Ken Tschumper; Jack Knight

Presiding: Teresa Walter, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Schuldt and unanimously carried to approve the agenda.

Motion was made by Commissioner Kjome, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the December 23, 2014 meeting.

File No. 1 - Motion was made by Commissioner Storlie, seconded by Commissioner Kjome and unanimously carried to approve payment of the license center and Human Services disbursements and the following claims:

County Revenue Fund	\$87,232.74
Road & Bridge Fund	24,236.49

Total	\$111,469.23
	=====

Jack Knight, Allamakee County Soil and Water Commissioner and RCD (Resource, Conservation and Development) member, expressed concern regarding a proposed sand loading sight south of New Albin. Riley Corporation is proposing the sight. Mr. Knight shared that Minnesota legislation is proposing a tax at the point of loading. If the loading takes place outside Minnesota borders, the tax will not apply. This proposed loading sight has Allamakee residents genuinely concerned. He appealed to the Board to take action to enact a restrictive ordinance,

ban frac sand mining, and/or deny CUP's which would allow trans loading. Any of these measures would be appreciated by the residents of Allamakee County. Mr. Knight commented that Allamakee county implemented a restrictive ordinance governing frac sand mining and to date there have been no applications.

Bruce Kuehmichel, Caledonia City resident, referenced an article which appeared on December 29th in the Rochester Post Bulletin. He disputed the article's claims stating that it was his belief that there are desirable loading sights within a reasonable area, and that frac sand from Houston County is of good quality and can be mined at a profit in spite of the overburden.

Bryan VanGorp, Yucatan Township resident, expressed that a ban on unwanted activity is possible and plausible. He explained the difference between special interests/miners that benefit from personal gains from their lobbying activities and environmentalists whose lobbying efforts benefit the common good. He stated that banning frac sand mining is the only logical option.

Ken Tschumper, La Crescent Township resident, provided examples of local and state governments which have banned hydraulic fracking within their political boundaries. He indicated that frac sand mining should be banned for the same reasons as hydraulic fracking.

Donna Buckbee, Yucatan Township resident, expressed her displeasure with the Board's Policy for public comment and stated that the limited time is inadequate to discuss complex concerns such as the ramifications of frac sand mining.

It was clarified that the Planning Commission will hold the January 6th Public Hearing to discuss the proposed sand mining ordinance. Commissioners are welcome to attend.

File No. 2 - Environmental Services Director Frank provided an overview of licensing requirements for haulers under the Solid Waste Ordinance. Motion was made by Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to approve the following: Collection and Transportation License Applications for Richard's Sanitation, Waste Management, Hilltoppers, Harter Quick Clean-up, Midwest Roll Off, Inc., Tow Guys and a Dumpster, Bob Giblin and Houston County Recycling Center; and Intermediate Solid Waste Disposal Facility Licenses for Richard's Sanitation and Houston County Recycling Center.

File No. 3 - Environmental Services Director Frank reported that Richard's Sanitation is, by contract, entitled to a consumer price index increase for 2015. This increase is approximately 2% with each drop site having a unique rate due to its proximity to the delivery destination. Motion was made by Commissioner Schuldt, seconded by Commissioner Storlie and unanimously carried to approve the rate increase for Richard's Sanitation as presented.

File No. 4 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve the Recycling Center Agreement with Woodland

Industries for drop site and recycling center staff which includes a 3% increase over the previous year. Environmental Services Director Frank stated that the County has worked with Woodland Industries for several years.

File No. 5 - On the recommendation of Environmental Services Director Frank, motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the Agreement for Collection of Lamps with Xcel Energy.

Environmental Services Director Frank reported that he is currently soliciting bids for drop-site recycling. Hilltoppers currently provides this service and has agreed to provide service until the time a new contract is executed. In the past, this service has been provided by Waste Management. Recently, Harter's added this type of sorting/processing to their list of services. Environmental Services Director Frank hopes that with three vendors in close proximity, bids will be competitive and the County will benefit.

At this time, Environmental Services Director Frank is engaged in negotiations with Dynamic Recycling for e-waste. He does not anticipate any change to service. He does expect rates to be adjusted. He explained a formula which included rebates. Those rebates have decreased and he expects the result to be a simple fee based structure instead of the old structure which included rebate values. Chairperson Walter inquired whether e-waste has been increasing. Environmental Services Director Frank explained that with Christmas and tax return time there is an influx of e-waste as consumers tend to upgrade electronics during these times. He stated that approximately 40% of e-waste is TV's.

File No. 6 - HR Director Arrick-Kruger presented an Implementation Plan for a 5% rate increase for continuing care services mandated by legislation and explained in Minnesota Department of Human Services Bulletin #14-69-03. HS Director Bahr provided information related to this during the December 16th Board meeting. Discussion has been held about the intent, impact and implementation of the legislation. Once there was a firm understanding, HS Director Bahr worked with HR Director Arrick-Kruger and Finance Director Lapham to develop an implementation plan. This plan must be approved by the Board and accepted by the impacted Union being AFSCME. The County is compliant with the legislation. Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the Implementation Plan as presented.

HR Director Arrick-Kruger presented 3 options for non-represented step and wage increases, and 2 options of a 2015 Non-Union Wage Grid with Steps. She provided an overview of the options proposed. She recommended the adoption of the third option for non-represented step and wage increases and the 2015 Non-Union, Appointed and Elected Official Wage Grid which includes the 9 step option eliminating the "discretionary range". Her recommendation prevents salary compression and is equitable to affected employees. Her recommendations include a 2% COLA and steps as appropriate. She explained that the County has historically utilized the grid as a guideline for setting elected officials salaries. Chairperson Walter

commented that the recommended grid is similar to the one adopted by MAPE. Commissioner Zmyewski clarified that wages will be set dependent upon which grid is adopted. Commissioner Storlie questioned why salaries could not be set individually. HR Director Arrick-Kruger responded that setting individual salaries could increase concerns with wage equity and comparable worth. She stated that historically discretionary range increases have been granted as a percentage and across those eligible. Motion to adopt the 9 step grid without a 2% COLA was made by Commissioner Zmyewski, and seconded by Commissioner Kjome. A roll call vote was taken: District 1 – no, District 2 – yes, District 3 – no, District 4 no, District 5 – yes. The motion failed.

File No. 7 - Motion was made by Commissioner Storlie to adopt the 9 step grid including a 2% COLA and to grant step increases to those employees who qualify. The motion was seconded by Commissioner Schuldt. A roll call vote was taken: District 1 – yes, District 2 – no, District 3 – yes, District 4 yes, District 5 – no. The motion carried.

File No. 8 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to appoint Jamie Hammell as Assistant County Attorney at step 9 of the appropriate wage band effective January 5 following the swearing in of the County Attorney Elect.

On behalf of elected officials, HR Director Arrick-Kruger brought forth salary recommendations which are in-line with those adopted today for non-represented employees. She noted that the Recorder is at maximum and that it would be appropriate for both the Auditor and Treasurer to be granted a wage that would be in line with a step increase.

Motion was made by Commissioner Zmyewski to grant no increase to these elected officials. The motion failed for lack of a second. It was noted that elected officials in Houston County represent some of the lowest paid elected officials in the state.

File No. 9 - Motion was made by Commissioner Storlie, and seconded by Commissioner Schuldt to set the elected officials salaries as follows:

Auditor	\$70,428.80
Recorder	\$61,838.40
Treasurer	\$57,470.40

A roll call vote was taken: District 1 – yes, District 2 – no, District 3 – yes, District 4 – yes, District 5 – yes. The motion carried.

Motion to maintain the Commissioner's salaries at the 2014 rate of \$19,016.34 was made by Commissioner Storlie, and seconded by Commissioner Schuldt. A roll call vote was taken: District 1 – yes, District 2 – yes, District 3 – yes, District 4 – yes, District 5 – yes. The motion carried.

Discussion was held regarding the salary to be set for the Sheriff. It was noted that Sheriff Ely currently earns \$86,371.95. Commissioner Storlie expressed her opinion that the salary for the Sheriff Elect should be less than that of the outgoing Sheriff who has 8 years of experience. Chairperson Walter expressed a desire to set the Sheriff's salary 2% over the current year salary for the same position. Commissioner Kjome expressed agreement with Commissioner Storlie and indicated that he would prefer to base the salary on performance and that he would prefer to start low and increase the amount following a performance evaluation. Sheriff Elect Inglett commented that a newly elected Sheriff typically won't have experience because they don't become a Sheriff in a certain county and then run for Sheriff in a different county once they have experience. Motion was made by Commissioner Schuldt, and seconded by Commissioner Storlie to set the Sheriff's salary at \$86,371.95. A roll call vote was taken: District 1 – no, District 2 – yes, District 3 – yes, District 4 – yes, District 5 – yes. The motion carried.

The County Attorney's current salary is \$91,017.17. During recent meetings, the County Attorney Elect requested a salary 10% greater than the current salary. He comes with significant experience as a public defender and indicated that the use of outside attorneys would be significantly reduced once he takes office. Commissioner Schuldt stated that the County Attorney Elect expects to eliminate the need for outside counsel. Commissioner Zmyewski expressed concern with setting any precedence. Commissioner Storlie encouraged considering each newly elected individual on his/her own merits. It was noted that the Houston County Attorney is the lowest paid in the area. Not taking into account the salary of the Olmsted County Attorney, the average County Attorney in this area earns \$105,000.00. Commissioner Kjome stated again that he prefers to pay based on performance. The newly elected officials have no performance to base wages on, however, the salaries may be re-evaluated in the future and adjusted accordingly. If the County Attorney Elect greatly reduces the need for outside counsel that can be taken into consideration at that time. Following discussion, motion was made by Commissioner Zmyewski, and seconded by Commissioner Kjome to set the County Attorney salary at the same rate as 2014 being \$91,017.17. A roll call vote was taken: District 1 – no, District 2 – yes, District 3 – no, District 4 – yes, District 5 – yes. The motion carried.

File No. 10 - Motion was made by Commissioner Storlie seconded by Commissioner Zmyewski and unanimously carried to approve the Professional Services Agreement with CEDA for EDA services.

File No. 11 - Motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried to approve the Professional Services Agreement with CEDA providing for grant writing services at a rate of \$55.00 per hour.

GIS Coordinator Krzoska met with the Board to discuss membership in PIUG (Property Information User Group) through MCCC. Membership in PIUG was approved in April 2013. The annual fee for membership is \$1,000.00. Included with the first year's membership was

\$1,200.00 worth of tools for Beacon which the County utilizes. In addition to the membership fee is a \$300.00 fee for the annual enhancement fund. This fund covers the cost of enhancements to Beacon software which members benefit from. When approval was granted it was the intent to cover the cost for the membership from the Compliance Fund, however, this was not explicitly stated in the motion. Recorder Bauer noted that when Compliance funds are authorized a “not to exceed” amount should be included in the motion. This allows the motion to cover modest increases associated with annual fees. Otherwise, she would need to return to the Board for authorization each time a fee increased. Motion was made by Commissioner Zmyewski, seconded by Commissioner Storlie and unanimously carried to authorize the use of the Compliance fund to cover the cost of the annual membership and enhancement fund fees to the PIUG in an amount not to exceed \$1,500.00.

File No. 12 - Motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to approve budget amendments as presented for the following departments: Road & Bridge, GIS, Recorder, and Sheriff.

File No. 13 - Following discussion, motion was made by Commissioner Storlie, seconded by Commissioner Schuldt and unanimously carried to adopt the following:

RESOLUTION NO. 14-75
RESOLUTION ADOPTING 2015 OPERATING BUDGET

	Revenue	Expenditures	Revenues Over (Under) Expenditures
	-----	-----	-----
County Revenue	\$11,269,366	\$11,269,366	\$ 0
Road & Bridge	11,437,383	11,437,383	0
Human Services	4,389,672	4,389,672	0
Debt Service	1,229,370	1,229,370	0
	-----	-----	-----
Grand Total			
County Funds	\$28,325,791	\$28,325,791	\$ 0
	=====	=====	=====

On the recommendation of Finance Director Lapham, motion was made by Commissioner Storlie, seconded by Commissioner Zmyewski and unanimously carried commit to the specified projects the following funds: County 249 funds in the amount of \$500,000.00 and to County 17 funds in the amount of \$1,127,000.00.

Finance Director Lapham stated that the County has 3 major funds which are the General, Road & Bridge and Human Services Funds, it also has a minor fund for debt service. In addition she would like to establish subsidiary funds for specific projects. Motion was made by

Commissioner Zmyewski, seconded by Commissioner Kjome and unanimously carried to authorize the establishment of the appropriate subsidiary funds.

It was noted that the Planning Commission has scheduled a Public Hearing to consider the proposed sand mining ordinance for Tuesday, January 6, 2015 at 7:00 p.m. to be held at the CJC. Following the public hearing, the Planning Commission will meet with the ordinance writing study committee to incorporate or revise the ordinance as appropriate and provide a final recommendation to the County Board prior to the public hearing which the County Board will hold in February.

Chairperson Walter and Commissioner Kjome noted that the Planning Commission has scheduled its public hearing during evening hours. The County Board typically schedules public hearings for 10:00 a.m. This provides opportunities for those with varied schedules to attend one of the meetings.

A meeting to discuss the proposed Highway Department Building is scheduled for January 5th.

Commissioner Schuldt reported that he recently attended department head reviews, and an LELS negotiation meeting.

File No. 14 - Commissioner Zmyewski stated that 2 candidates have been identified for appointment to the Planning Commission. Motion was made by Commissioner Zmyewski, seconded by Commissioner Schuldt and unanimously carried to appoint Ed Hammell and Larry Hafner to the Planning Commission for three year terms which will expire December 31, 2017.

Pursuant to M.S. 13D.03 subd. 1(b), motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to go into closed session to consider strategy for labor negotiations.

Motion was made by Commissioner Schuldt, seconded by Commissioner Kjome and unanimously carried to return to open session.

It was noted that the purpose of the closed session was to consider strategy for labor negotiations.

There being no further business and the time being 11:15 a.m., motion was made by Commissioner Kjome, seconded by Commissioner Schuldt and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, January 6, 2015.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Teresa Walter, Chairperson

Attest: _____
Charlene Meiners, County Auditor