

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, January 3, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters McGonigle, Moorhead, & Graff; Bryan VanGorp; Betts Ready; Ted Hanson; HR Director Arrick-Kruger; Glenn Kruse; Yvonne Krogstad; Finance Director Lapham; IT Director Milde; Environmental Services Director Frank; HS Director Puleasa; Sheriff Inglett

Presiding: Auditor Meiners, Chairperson pro tem

Call to order.

Auditor Meiners requested nominations for Chairperson for the year 2017. Commissioner Miller nominated Commissioner Zmyewski. Commissioner Arnold nominated Commissioner Miller. A roll call vote was taken on electing Commissioner Miller as 2017 Chairperson: District 1 – yes; District 2 – yes; District 3 – no; District 4 – yes; District 5 – yes. The motion carried.

Chairperson Miller requested nominations for Vice-Chairperson for the year 2017. Commissioner Connor nominated Commissioner Zmyewski. Commissioner Arnold moved that nominations cease. Motion carried unanimously to elect Commissioner Zmyewski as Vice-Chairperson for the year 2017.

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

Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve the minutes of the December 27, 2016 meeting.

File No. 1 - Motion was made by Commissioner Walter, 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

\$123,973.44

Road & Bridge Fund	22,235.12
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Total	<u>\$146,208.56</u>
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IT Director Milde reported on improvements to the sound system in the Commissioner's Room. He explained how the system works and for best results how individuals should utilize the various types of equipment.

File No. 2 - Environmental Services Director Frank provided an overview of licensing requirements for haulers. He requested approval of 2017 Collection and Transportation and Intermediate Solid Waste Disposal Facility Licenses for several vendors all of which have submitted application including required proof of insurance. Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve the following: Collection and Transportation License Applications for Midwest Roll Off, Inc., Hilltopper Refuse, Two Guys and a Dumpster, Harter's Trash & Recycling, Richard's Sanitation, Waste Management, Schoh Trucking LLC, Comstock Trucking Inc. 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 2017. This increase is 1.5% with each drop site having a unique rate due to its proximity to the delivery destination. This is based on the La Crosse Area CPI. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the rate increase for Richard's Sanitation as presented.

File No. 4 - On the recommendation of Environmental Services Director Frank, motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to approve the Agreement for Collection of Lamps with Xcel Energy and to authorize Environmental Services Director Frank to sign on behalf of the County. Environmental Services Director Frank reported that this agreement has been in effect since the mid 1990's and the County has a good working relationship with Xcel Energy. He commented that approximately 8,000 to 10,000 bulbs are collected annually under this agreement which provides for residents and businesses to properly dispose of up to 10 bulbs at no fee, with any bulbs in excess being assessed only a nominal fee. The annual collection has historically taken place on the first weekend in April. Chairperson Miller questioned whether collection could take place more frequently. Environmental Services Director Frank responded that residents may take bulbs to either Winona County Household Hazardous Waste or to the La Crosse County Hazardous Waste collection facility at any time during the year due to agreements Houston County has in place with these organizations. Residents will be charged a nominal fee for bulbs delivered to these locations. A 2 to 4 foot FLB would be assessed a \$0.14 fee and an 8 foot FLB \$0.31. The Recycler Brochure is available on the County's website and at local libraries, and a copy is included with all new building permits.

Environmental Services Director Frank reported that dates for Household Hazardous Waste Collections have been established. The first will take place on May 18th at the Houston County Recycling Center located in Houston. The second is scheduled for July 6th at the Spring Grove County Highway Facility. The final collection is scheduled for August 22nd at the La Crescent Drop Site. All of the collections take place between 1:00 p.m. and 6:00 p.m. Commissioner Arnold questioned when ag chemicals would be collected. Environmental Services Director Frank responded that ag chemicals would be accepted at all of the Household Hazardous Waste Collection days scheduled.

Ag bag waste recycling literature was included in the feedlot renewal mailing. Feedlot owners have until the end of January to call the toll free number to sign up. There is a minimum requirement for the program to officially take place in the County. Environmental Services Director Frank will make every attempt to monitor enrollment numbers and encourage participation to ensure the program takes root in Houston County. Discussion was held regarding possible placement of ag bag recycling dumpsters at the drop site locations for those small farmers who may only generate a minimal amount of ag bag plastic waste.

File No. 5 – It was reported that Houston County contracts with ABC for recycling center and drop site staff. This has been an ongoing arrangement dating back to the 1990's. It is a beneficial arrangement. The agreement provides for 3 client workers, one of whom works 36 hours per week and 2 others who work on an as needed basis. The cost for these services is \$13.70 per client hour. In addition, certain aluminum recycling services are provided through the agreement. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the Professional/Technical Service Agreement with Ability Building Center.

File No. 6 - HR Director Arrick-Kruger provided an overview of a service agreement with Professional Security Solutions, LLC for maintenance of security doors and cameras within the Justice Center. This company provided the same services last year and the fees associated with the agreement have been budgeted for. Houston County staff completes as much maintenance as possible in house, and this company has assisted in training staff to properly realign door locks. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the Professional/Technical Service Agreement with Professional Security Solutions, LLC.

File No. 7 - HS Director Pugleasa reported on an addendum to the Cooperative Agreement CREST Initiative which was approved on November 15, 2016. The addendum provides for participation in mobile crisis services for both children and adults through Zumbro Valley Mental Health Centers. There is no cost associated with the addendum. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the Addendum to Adult & Children's Mobile Crisis Grant Cooperative Agreement. Commissioner Arnold questioned how often the services are utilized. HS Director Pugleasa

noted that it is intermittent. Chairperson Miller questioned whether bed shortage remains an issue. HS Director Pogleasa responded that adequate availability of mental health beds remains a challenge.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to accept the \$499.00 donation from the Sheriff's Posse for training equipment.

File No. 8 – Following discussion, motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve an abatement on parcel 10.0411.003 for taxes payable 2016 in the amount of \$854.00 due to an error in assessment.

File No. 9 – Following discussion, motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-1

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. 10 – Following discussion, motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to adopt following resolution:

RESOLUTION NO. 17-2

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. 11 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to approve the following 2017 Appropriations:

SE Minnesota Initiative Fund	2,700.00	
SEMAAA	2,000.00	
SELCO	\$138,437.00	
Emergency Medical Service	10,000.00	
SEMCAC - Senior Driving Program	1,000.00	
SEMCAC - Senior & Caregiver Advocacy	1,000.00	
SEMCAC - Senior Nutrition	2,000.00	
Historical Society	37,500.00	
Historical Society - Matching Funds	5,000.00	Maximum
Southern MN Tourism//Historic Bluff Country	951.35	
Agricultural Society	18,000.00	*
Bluff Country HRA	5,000.00	

Commissioner Arnold reported that the agricultural society is in the process of considering the replacement of the sheep and hog barns located on the east side of the fairgrounds. The sheep building has already been torn down as a result of safety concerns. It is advisable that the boundaries be surveyed to ensure any new construction is within them since technology has changed. Commissioner Arnold referenced two known monuments within or near the fairgrounds. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to direct the County Surveyor to survey county owned property to include the fairgrounds and county highway department.

Commissioner Arnold reported that there has been significant discussion regarding the County Highway Department. This discussion has been repeatedly put off over the past decade. While committees have been convened, they lacked direction and formal record keeping. Currently, the committees listing references a Highway Department Building Committee comprised of 2 commissioners and the County Engineer. Commissioner Arnold stated that this needs to be addressed. He suggested assembling a committee of perhaps 5 to 6 individuals, providing them with direction, goals and reporting deadlines. Commissioner Zmyewski commented that there is a need to determine a location and budget. He also expressed his opinion that the option to purchase a turnkey facility adjoining the current Spring Grove Highway Department satellite location has never been fully discussed and/or evaluated. Chairperson Miller suggested that Commissioner Zmyewski prepare agenda items for discussion and act as a “lead” for the project. Community members with expertise could be invited to attend

meetings to contribute to the discussion. It was agreed to continue this discussion during the January 17th meeting.

File No. 12 - At this time the printing bids for calendar year 2016, filed pursuant to advertisement, were opened and read:

Official Newspaper for 2017

Spring Grove Herald

(with all notices also published in the Caledonia Argus) \$6.00 per column inch

Miscellaneous Notices

Spring Grove Herald

\$8.00 per column inch

Caledonia Argus

\$9.00 per column inch

First Printing of 2016 Financial Statement

Caledonia Argus

\$6.00 per column inch

Second Printing of 2016 Financial Statement

Spring Grove Herald

\$5.00 per column inch

Publication of Delinquent Tax List

Joint bid Spring Grove Herald/Caledonia Argus

\$6.00 per column inch

Auditor Meiners reported that the low bid of \$6.00 per column inch for the official newspaper was submitted jointly by the Spring Grove Herald and Caledonia Argus. She stated that typically all bids for miscellaneous notices are accepted. The Financial Statement is required to be published two times in different newspapers, therefore the first printing should be awarded to the newspaper which submitted the low bid of \$6.00 per column inch which is the Caledonia Argus and the second printing to the next lowest bid of \$5.00 per column inch which was submitted by the Spring Grove Herald. The Delinquent Tax List should be awarded to the low bid submitted jointly by the Spring Grove Herald and Caledonia Argus in the amount of \$6.00 per column inch. Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to accept the bids as outlined by Auditor Meiners.

Commissioner Zmyewski stated that he supports having the public comment period take place at the beginning of each regularly scheduled Board meeting. Chairperson Miller commented that has no problem with discussing issues as they arise subject to the Chairpersons meeting prerogative. Discussion was held. Concern was expressed that the meeting needs to remain timely. Commissioner Walter provided information on how various counties conduct public comment at their meetings. Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to hold public comment for a 15 minute period beginning at 9:00 a.m. each meeting.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to establish an additional closing comment period for members of the public prior to adjournment of each meeting.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to insert an actionable item section on the agenda prior to discussion items.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve credit cards for Commissioners Connor, Miller, and Arnold.

File No. 13 - Discussion was held regarding the meeting schedule for 2017. Commissioner Walter expressed support for 3 meetings per month at 9:00 a.m. Commissioner Zmyewski expressed his support for evening meetings. He shared his opinion that evening meetings would promote a greater pool of commissioner candidates while allowing community members to participate/attend. Commissioner Walter commented that the meetings are for the purpose of conducting business with the majority of appointments including departmental staff that is on site during working hours. Winona County holds 2 meetings monthly at 9:00 a.m. and a single evening meeting held at 7:00 p.m. Chairperson Miller expressed support to hold one evening meeting monthly. Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to approve a 2017 meeting schedule with meetings held at 9:00 a.m. on the first and fourth Tuesdays and at 5:30 p.m. on the second Tuesday. There would be no regularly scheduled meetings on either the second or fifth Tuesday of any given month.

Discussion was held regarding the current list of standing committees. It was agreed to combine the land use and public works committees into a single committee and to disband the law committee. Further committee discussion and appointments was tabled until January 17th.

At this time the Board took a brief recess.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to return to session.

At this time Chairperson Miller invited public comment.

Bryan VanGorp, Yucatan Township resident expressed his opinion that this meeting appeared more efficient and inviting. He also wanted to express his appreciation for the job of Rick Frank with regard to waste disposal and recycling.

Betts Ready, Money Creek Township resident encouraged continued willingness to work together and with citizens.

Yvonne Krogstad, Caledonia Township, pointed out the public comment period for the evening meeting should be addressed.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to establish a public comment period for the evening meeting be held between 5:30 and 5:45 p.m.

There being no further business and the time being 10:49 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, January 10, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, January 10, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, McGonigle & Graff; County Attorney Jandt; HR Director Arrick-Kruger; Finance Director Lapham; Dave Walter; Bob Scanlan; Engineer Pogodzinski; Bruce Kuehmichel; PHN Director Marchel; Yvonne Krogstad

Presiding: Justin Zmyewski, Vice-Chairperson

Call to order.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and carried to approve the agenda as amended.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes of the January 3, 2017 meeting.

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

County Revenue Fund	\$50,151.84
Road & Bridge Fund	18,735.15

Total	\$68,886.99
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Vice-chairperson Zmyewski opened the floor for public comment of which there was none.

File No. 2 - HR Director Arrick-Kruger along with PHN Director Marchel met with the Board regarding two resignations from the Public Health Department. On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to accept the resignation of Diane Sullivan effective, March 21, 2017 and to thank her for her 26 years of dedicated service to Houston County.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to conduct a competitive search for a dietician to work between 24 and 28 hours weekly. This is a part time position.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to accept the resignation of Anne Scheetz effective February 10, 2017 and thank her for her service to Houston County. Ms. Scheetz is a Public Health Nurse.

PHN Director Marchel provided a reminder of the Bridges out of Poverty seminar which will be taking place later this week. This seminar is the result of a collaborative effort involving the County Attorney's Office, Human Services, and Public Health Nursing to bring it to the area.

File No. 3 - HR Director Arrick-Kruger reported that VSO Thoen is nearing the completion of his one year probationary period pursuant to the MAPE Collective Bargaining Agreement. The appropriate employee evaluation has been completed giving Mr. Thoen satisfactory remarks. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the change of status from probationary to regular of Rob Thoen.

File No. 4 - Finance Director Lapham reported on a Letter of Understanding with the State Auditor to perform the annual county audit. The State has provided audit services to the County for many years. Houston County is obligated to utilize the services of the State Auditor. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the Letter of Understanding with the Office of the State Auditor.

Finance Director Lapham reported that the initial planning meeting for the upcoming audit is scheduled for Thursday at 9:00 a.m. and noted that it has been past practice that at least one commissioner attend. It was agreed that Commissioners Arnold and Connor would attend the planning meeting.

File No. 5 - At this time Dave Walter, SWCD District Manager and Bob Scanlan SWCD Assistant Manager met with the Board regarding a joint powers agreement and resolution for One Watershed, One Plan. BWSR (Board of Water and Soil Resources) has approved the plan. Former Commissioner, Dana Kjome, served on the committee which developed the One Watershed, One Plan. This single plan encompasses the entire Root River Watershed and replaces numerous local entity plans with a single comprehensive plan. Bob Scanlan provided an overview of timelines outlined in the resolution. The County Attorney has reviewed both the resolution and Joint Powers Agreement. Commissioner Zmyewski questioned the involvement of the Crooked Creek Watershed District. Mr. Scanlan responded the CCWSD is included in the plan as are the Bear Creek Watershed District and Bee and Duck Creeks. The SWCD will coordinate the involvement of all impacted entities following anticipated approval and adoption by the County. Commissioner Arnold commented how the plan appears logical and questioned

whether there has been any opposition. Dave Walter responded that he is unaware of any opposition. This is an attempt by all entities that have historically competed against one another for grant funding to make application as a single large entity. The plan will prioritize projects within the watershed and ensure that projects benefit the watershed as a whole. Fillmore County has acted as the lead on the Plan and is expected to continue to do so while Winona County acts as the fiscal agent. Adoption will allow for the process to continue and the entities to come together towards this common goal. Commissioner Connor questioned whether funding streams are known. Mr. Scanlan responded that much more related to funding will be known following the submission of the first grant application. It was noted that this will be the first inclusive watershed plan in the State. There are waters listed as pristine within the watershed which the plan will aid in safeguarding. County Attorney Jandt noted the Plan does not supersede our zoning authority, there is an out clause and indemnification. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to adopt the following:

RESOLUTION NO. 17-03
Resolution to Adopt and Implement the Root River
Comprehensive Watershed Management Plan

WHEREAS, Houston County has been notified by the Minnesota Board of Water and Soil Resources that the Root River One Watershed, One Plan Comprehensive Watershed Management Plan has been approved according to Minnesota Statutes §103B.101, Subdivision 14 and Board Resolutions #14-46 and 14-68:

NOW; THEREFORE, BE IT RESOLVED, the county hereby adopts and will begin implementation of the approved Comprehensive Watershed Management Plan for the area of the county identified within the Plan.

BE IT FURTHER RESOLVED after the adoption of the Plan, the county shall amend existing water and related land resources plans and official controls as necessary to conform them to the Comprehensive Watershed Management Plan.

BE IT FURTHER RESOLVED after the adoption of the Comprehensive Watershed Management Plan or amendments to the plan, Houston County shall notify local units of government within its jurisdiction or within the Crooked Creek Watershed. 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 for review as per Minnesota Statutes, Section 103B.321.

BE IT FURTHER RESOLVED that within 180 days, the county shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls and the Comprehensive Watershed Management Plan. Houston County shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the Comprehensive Watershed Management Plan.

BE IT FURTHER RESOLVED if a local unit of government or watershed 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 county, 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 county for review and recommendations.

File No. 6 – Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the Joint Powers Agreement, One Watershed, One Plan for the Root River Watershed.

Dave Walter provided an update related to the 3 phase tree planning project which is taking place at Wildcat Park. Phase 1 has been completed and phase 2 is planned for Arbor Day. The SWCD is partnering with DNR Forestry on the project. The Lazy Lopers 4H Club, based in the Hokah area, will be providing a planting crew. Phase 2 will include a planting of Swamp Oak and Birch or Hackberry well suited to the area to replace dying ash, hollow cottonwood and boxelder which will be removed from the area. Most of this phase will impact the north half of the park where phase 1 impacted the southern half.

File No. 7 - Engineer Pogodzinski reported on a single quote received for the cutting of rumble strips. Discussion has been ongoing between Fillmore and Houston Counties and TZD regarding the intersection of Highway 44 and CSAH 8. CSAH 8 was recently regraded and concrete paved. Concern has been raised regarding drivers blowing through a stop sign located at the intersection and there have been close calls and minor fender benders at the location. It is the recommendation of TZD to install rumble strips on CSAH 8 as it approaches the intersection. Engineer Pogodzinski indicated that he expects 2 sections of rumble strips, however, 3 sections could be grooved. Commissioner Arnold questioned why only a single bid was received. Engineer Pogodzinski responded that there is little competition for this type of work. He has been in contact with others and they find the bid to be in-line with bids submitted for similar work in other areas. Motion made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to accept the bid of Diamond Surface Inc in the amount of \$9,680.00 to cut rumble strips.

File No. 8 - Commissioner Zmyewski expressed a desire to table discussion regarding the Board meeting schedule until the return of Chairperson Miller. Commissioner Walter commented that the proposed change has minimal impact and has been suggested in order to accommodate policy and procedures related to bill payments made the third week each month. Following discussion it was agreed to table the discussion until the next regularly scheduled meeting.

Commissioner Arnold reported on a Fair Board Building Committee meeting which he attended recently. The committee is excited about the possibility of working with the County on a shared building. He also commented that he'd met with Commissioner Zmyewski in this regard.

Commissioner Walter reported on a meeting she had with HS Director Pogleasa and another with Zoning Officer Lacher.

Commissioner Zmyewski reported on the meeting with Commissioner Arnold regarding the possibility of a shared building with the Fair Board.

Vice-chairperson Zmyewski opened the floor for closing comment by members of the public.

Bruce Kuehmicel, Caledonia City resident, commented how the Board took action to approve the JPA One Watershed, One Plan for the Root River Watershed and adopt the resolution. He requested clarification regarding financing for the plan. Vice-chairperson Zmyewski responded that it was his understanding that grant funding could be leveraged as a result of the inclusive nature of the plan and collaboration of entities involved. Mr. Kuehmicel questioned how Houston County funds would be spent when activity or inactivity upstream could impact projects completed locally. Commissioner Connor expressed his understanding that an out clause in the agreement allows for Houston County to be protected. The JPA (joint powers agreement) provides for Houston County to have input and local zoning ordinance supersedes the agreement further safeguarding autonomy. There are several safeguards in place and inclusion in the JPA is expected to improve the potential for grant funding.

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

File No. 9 – Correspondence to newspapers regarding acceptance of bids

File No. 10 – Notice of MCIT Board Vacancy

There being no further business and the time being 9:55 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, January 17, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Justin Zmyewski, Vice-Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, January 17, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead & McGonigle; County Attorney Jandt; Bryan VanGorp; HR Director Arrick-Kruger; Finance Director Lapham

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and carried to approve the agenda as amended.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the minutes of the January 10, 2017 meeting.

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

County Revenue Fund	\$113,225.46
Road & Bridge Fund	209,243.19

Total	\$322,468.65
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At this time public comment was held. Brian VanGorp, Yucatan Township resident, stated that he understands appointments will be made to the Planning Commission and Board of Adjustment soon. He asked that the County Board direct these two Boards to enforce the ordinance.

Dan McGonigle, Caledonia City resident and local reporter, stated that the county's sidewalks were the best maintained of any around town today.

File No. 2 - Wayne Stenberg, Semcac, reported that last year they commemorated 50 years of Semcac in the region. He reported on the various services offered by Semcac including, but not limited to: the Houston County Food Shelf, Senior Dining, Head Start, the Senior

Volunteer Advocacy Program, and the Fuel Assistance and Weatherization Programs. He also reported on the Houston & Fillmore County Bluff Country HRA.

File No. 3 – At this time Environmental Services Director Frank presented the Agricultural Best Management Practices Program report. He explained the program and funding streams. After discussion, motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the report and to approve the program funding request.

Motion was made by Commissioner Walter and seconded by Commissioner Connor to place on file several consent agenda items. Commissioner Zmyewski commented on the cost information related to a plow truck which has been budgeted for. He is reconsidering the policy which allows for the purchase of budgeted items without confirming the purchase with the Board. He commented how the budget is discussed in August and several months have passed. He would prefer departments expending sizeable sums meet with the Board to affirm approval of the expenditures, noting something could have happened which would impact the budget or take a higher priority. Discussion would provide for review to ensure expenses related to high priority items can be covered. He used an example that if a family intends to purchase a new car and the furnace goes out, the family may need to reconsider the car purchase in order to cover the expense of replacing the furnace. Environmental Services Director Frank recently commented that his department may need to replace a hook truck at a cost of approximately \$95,000. The Highway Department recently gained approval to spend up to \$75,000 to replace the mechanic's truck, and the Board is currently considering the needs for a Highway Department Building. There is significant funding set aside for equipment which could be diverted to offset the cost of the building project therefore, Commissioner Zmyewski expressed his opinion that it is appropriate to question the need for this particular piece of equipment. In addition, there are three new commissioners who may have questions since they were not a part of the most recent budget discussion. Commissioner Connor stated months may pass between the time a plow truck is spec'd out and delivery is made. He questioned whether there is a cancellation clause which the County is bound by at this time. Commissioner Connor also questioned how many things would the Board be required to revisit in the event the policy is changed. Discussion was held. Finance Director Lapham reported that a vehicle can't be purchased for less than \$20,000 and any capital or equipment purchases exceeding \$10,000 need to be depreciated. She noted that IT has license agreements which exceed this. The members of the Board have no desire to revisit license agreements which have been approved and budgeted. They do wish to reconsider the policy related to vehicle and equipment purchases and Finance Director Lapham was directed to draft a policy in this regard for further discussion at the next regularly scheduled meeting. Following discussion, Commissioner Walter rescinded her motion to place on file several consent agenda items.

File No. 4 - At this time discussion was held regarding the County Board meeting schedule. It was agreed that members wished to proceed by holding 3 meetings monthly with one of those being held at 5:30 p.m. and the others at the traditional 9:00 a.m. time. It was noted

that one commissioner would prefer the evening meeting be held on the third Tuesday to allow him to continue assisting with an outside commitment. Commissioner Zmyewski commented that department heads would likely prefer to bring their matters to the meetings which are held during work hours and adopting a schedule to hold an a.m. meeting on the first Tuesday, a p.m. meeting on the third Tuesday and an a.m. meeting again on the fourth Tuesday could be confusing for the public or negatively impact department heads since the a.m. meetings would essentially take place back to back versus being spread out. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to adopt "Option A" as presented for the 2017 Board Meeting & Committee Schedule which provides for meetings to be held on the 1st, 3rd and 4th Tuesdays of each month with the evening meeting being the 3rd Tuesday and the others being held at the traditional 9:00 a.m. time.

Finance Director Lapham reported that the Commissioners per diem policy doesn't align with State Statute which allows only a single per diem per day. She stated that a per diem is a per day payment, not a per meeting payment. She further reported that her office has been following Statute with regard to payments. Discussion was held. It was noted that any change to the per diem policy must be made in December when annual salaries are set. Any change made at this time will not go into effect until next year. Commissioner Zmyewski stated that action by the Board will show intent to be in compliance with Statute. Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to amend the Commissioners Per Diem Policy to align with Statute to reflect only a single per diem will be paid on any given day and that per diems will only be paid for meetings attended which appear on the Committee Listing and a commissioner has been assigned to or in which attendance has been pre-approved by the County Board.

Finance Director Lapham stated travel vouchers are to be submitted timely. Any expenses submitted more than 60 days after the expense occurred become taxable.

Commissioners Arnold, Connor, and Zmyewski reported on discussions they had regarding the proposed Highway Department Building. Commissioner Connor clarified how the Board intends to proceed. Commissioner Arnold reported he also had discussion regarding the possibility of a shared building with the Ag Society.

Commissioner Zmyewski stated that each individual has unique views. To ensure everyone is on the same page regarding the Proposed Highway Department Building it has been agreed that the discussion will take place with the full board as opposed to assigning a committee and having one or two commissioners represent the Board. It is likely that discussion will take place at the p.m. meeting to allow for public participation. Commissioner Zmyewski has proposed meeting with the three areas of the Highway Department being maintenance, engineering and office staff to discuss needs. He stated that he is open to various options. Over time, discussion has changed from a maintenance building to a multi building complex and there is a need to get to the bottom of it all. It is necessary for the Board to understand how the areas work together so that the final decision is one that meets needs and is efficient. Commissioner

Connor expressed that the areas may work more closely and overlap in ways not realized making it difficult and inefficient to separate them as opposed to keeping them located under a single roof. Chairperson Miller expressed confidence that modern technology provides for additional options. Commissioner Arnold noted that he would like to see information in written form and then presented verbally. It was agreed that commissioners would develop questions which they have and submit them to Engineer Pogodzinski and copy the board. This would allow Engineer Pogodzinski the opportunity to assign questions to the appropriate area, the Board will allow time for the specific areas to prepare information in response which will be sent out on the packet followed by meeting with individuals for oral presentation of the information. It was agreed that the Board would schedule discussion for February 7th.

At this time Chairperson Miller invited any closing public comment. No one commented.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to recess for a period of 5 minutes.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to reconvene in open session.

File No. 5 – Following discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to approve the committee appointments as discussed.

Chairperson Miller provided a good order reminder from County Attorney Jandt that once the regular meetings have adjourned, commissioners should disperse and refrain from engaging in discussion.

There being no further business and the time being 11:42 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, January 24, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, January 24, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Deputy Auditor Quinn; Reporters Moorhead, McGonigle & Graff; County Attorney Jandt; Zoning Officer Lacher; Courtney Bergey; Rob Gross; Judge Sturino; Darlene Larson; Sheriff Inglett; HR Director Arrick-Kruger; Engineer Pogodzinski; Bryan VanGorp; Bruce Kuehmichel; Betts Reedy; Kelley Stanage; Donna Buckbee; David Grahek; Wayne Feldmeier; Larry Gaustad; John Beckman; Michael Fields; Glenn Kruse; Yvonne Krogstad; Steve Hartwick; Julia Massman; Ken Tschumper; Robyn Tschumper; Eric Johnson; Gretchen Cook; VSO Thoen; Chief Deputy Sheriff Lapham; Environmental Services Director Frank; Zach Strassburger

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and carried to approve the agenda.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the minutes of the January 17, 2017 meeting.

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

County Revenue Fund	\$216,434.65
Road & Bridge Fund	119,474.51

Total	\$335,909.16
	=====

Betts Reedy, Money Creek Township resident, reminisced about the public hearing regarding frac sand mining. She noted that we have been safe over the past few years however, concern is growing that the tides are changing following the recent election. She appealed to the Board to ban frac sand mining.

Bryan VanGorp, Yucatan Township resident, stated Winona County has banned frac sand mining and Fillmore County has highly regulated it. In his opinion, Houston County has failed to take action leaving citizens vulnerable. He felt that the majority of residents support a ban and that the reasoning and justification has been developed to support such a ban. He encouraged the Board to revisit the issue and take action to enact a ban.

Ken Tschumper, La Crescent Township resident, expressed support for action to ban frac sand mining and offered that the Houston County Protectors would be willing to resubmit their proposal and pay the required fee to hold the required public hearing.

John Beckman, Houston Township resident, stated that he has attended many meetings and follows County Board proceedings online. The Board takes some action which he agrees with and some which he does not. He questioned why they recently reduced the number of monthly meetings by 25% yet continue to receive the same salary. He noted that the Board often speaks of budget constraints. He expressed his opinion that in the event an employee could finish their assigned work in less than 40 hours they would certainly receive less compensation or they would be assigned additional duties.

Commissioner Arnold responded that he has tracked the hours he spends on County business outside of the weekly meetings and has logged 63 hours this month already. Commissioner Zmyewski stated that the salary isn't for meetings alone and commended the Board's action to streamline the business meeting and conduct necessary business in 3 meetings as opposed to four. He indicated that Commissioners' responsibilities have not changed. Chairperson Miller noted how evening meetings will provide working individuals with the opportunity to attend and become more involved with local government. He also noted that the average salary for commissioners across Minnesota is \$26,000. Chairperson Miller stated that he spends a considerable amount of time performing work, in addition to the time he spends in meetings. Mr. Beckman commented that as a member of the town board, he too spends time outside of meetings performing work and preparing and he expressed that time is covered by the meeting pay and considered public service. He also stated that commissioners are paid per diems for meetings on the committee list which they attend. Commissioner Zmyewski stated that meetings are a minute portion of duties and commissioner salaries have increased very little over the past several years.

Chairperson Miller expressed his understanding that a revised frac sand ordinance was near completion when he last left office.

Eric Johnson, Houston Township resident, stated that the Zoning Ordinance has been revised to limit the size of sand mines. It is his understanding that since that ordinance was put in place there have been no applications for new mining in the county. It is also his understanding that the main concern for the incoming Board is the proposed Highway Department Building as this was a significant campaign issue. However, many people who have been public supporters of

banning frac sand mining over the past several years are present today and have spoken in the same regard. He would like to see the Board stick with the campaign issue related to the Highway Department Building and allow the revised ordinance to work for residents.

Chairperson Miller noted that public comment will be allowed again at the close of the meeting.

File No. 2 - Zoning Officer Lacher presented a resolution for consideration. It augments language already present in the Zoning Ordinance. There are times when expert knowledge may be necessary to complete a required review and this resolution outlines the process and funding streams to provide for said expertise. Failure to adopt the resolution could result in the County being in the position which subsidized a private interest. Zoning Officer Lacher indicated that the resolution has been drafted in advance of any requests. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to adopt the following:

RESOLUTION NO. 17-04
RESOLUTION ESTABLISHING A POLICY REGARDING CHARGING COST FOR
ENVIRONMENTAL REVIEW

WHEREAS, the State of Minnesota has adopted the Environmental Review Program, Minnesota Administrative Rules Chapter 4410; and

WHEREAS, the process for preparation, review, and determination of the adequacy of an Environmental Assessment Worksheet (EAW) or Environmental Impact Statement (EIS) is described in the above rule; and

WHEREAS, the County may be the designated Responsible Governmental Unit (RGU) for decision-making regarding the preparation, review, and determination of the adequacy of an EAW or EIS for a project within the county; and

WHEREAS, it is in the best interests of the residents of Houston County to be assured of the highest quality of environmental review;

NOW, THEREFORE, BE IT RESOLVED that Houston County adopts a policy whereby the County may hire a consultant to prepare or review an EAW or EIS and the County may charge the necessary and reasonable direct costs to the project proposer.

BE IT FURTHER RESOLVED that payment for the necessary and reasonable direct costs shall be paid in full within 20 days after the final approval of the review document and no permits shall be issued by the County to the purpose until such payment in full has been received.

File No. 3 – Courtney Bergey provided an annual review of the EDA. She is pleased with the accomplishments of the past year. The public awareness of the services offered by the EDA

has been increased. A recently completed process has resulted in the addition of \$90,000 to the revolving loan fund. In the coming year the EDA will be hosting events to assist many small businesses which lack capacity in the areas of Human Resources and advertising through workshops and educational opportunities in these areas. They will also be completing the process of revising the bylaws.

File No. 4 – Rob Gross, Veteran’s Cemetery Director, provided information from the first year of activities at the Veterans Cemetery. He reported that 169 burials took place, several of which were Houston County residents. Of the approximate 700 pre-registrations, 100 have come from Houston County. He continues with outreach initiatives and works closely with County VSO’s. Recently, a rifle squad was added. The cemetery provides a no cost option to qualifying veterans and their spouses. While funeral costs remain the responsibility of the family, there is no cost for the plot, headstone, opening or closing of the grave or perpetual care. Mr. Gross provided an overview of general requirements. The pre-registration process is actually more akin to a notice of interest and allows for research to be conducted ensuring eligibility. In addition to County VSOs, he also works with Human Services departments who may assist him in making services known to indigent veterans. He anticipates the annual number of burials to increase over the next couple of years to the performance of between 300 and 350 burials annually. In closing he provided an overview of staffing at the cemetery, its size and scope. Staff is responsible for all care and operations of the cemetery.

File No. 5 - Commissioner Walter reported on a recommendation to appoint Dick Walter to the Parks Committee and to replace Commissioner Walter on said committee if Mr. Walter is appointed. Mr. Walter has intimate knowledge of the history and boundaries of Botcher Park and a desire to be involved in the future of Houston County parks. In order to avoid any appearance of conflict Commissioner Connor has agreed to replace Commissioner Walter on the committee so that spouses are not serving on the committee together. Motion was made by Commissioner Zmyewski and seconded by Commissioner Arnold to appoint Dick Walter to the Parks Committee and to replace Commissioner Walter with Commissioner Connor on said committee. The motion carried with Commissioner Walter abstaining.

File No. 6 – Following discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to adopt the following:

RESOLUTION NO. 17-05

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 Jack Miller, 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 3, 2017.

File No. 7 - HR Director Arrick-Kruger reported on the search for citizen appointees to the Board of Adjustment (BOA). She is pleased to present the search committees recommendation to appoint Ken Anderson, Dana Kjome, Yvonne Krogstad and Ken Visger each to a 3 year term expiring December 31, 2019. Consideration continues regarding how to stagger term expirations in the future. Zoning Officer Lacher and HR Director Arrick-Kruger will return to the Board with a recommendation in this regard. Motion was made by Commissioner Connor and seconded by Commissioner Walter to maintain the historical membership, consisting of 3 members, of the BOA for 2017. Commissioner Connor stated that it is his understanding that the decisions of the BOA are final and the only recourse when there is disagreement with their decisions lies within the judicial branch. He expressed his desire to more fully understand the types of decisions the Board is entrusted with making and noted he hasn't met the candidates. He indicated that the decision is too important to make hastily. He's looking for time to learn and understand more. Commissioner Zmyewski shared his perspective that a 3 member BOA lacks adequate diversity. The positions are significant when considering there is no review except judicial. In addition, there is a process in place which unfortunately doesn't include the full board. Commissioner Connor expressed his understanding of the significance of the positions and that is why he does want involvement in the process whereby appointees are selected. HR Director Arrick-Kruger stated that in the past there was no process. A process has been developed and followed which involves commissioners, zoning staff and her department. Criteria has been established and every attempt has been made to make the process fair and impartial. She expressed her opinion that the process has provided for increased neutrality. She did not encourage changing the process at this point. She suggested that changes in the future may include some level of search committee interviews followed by interview by the full board during an open meeting. Chairperson Miller was under the impression that the Board membership was increased for a purpose. Commissioner Connor suggested that one compromise may be to maintain a 3 member BOA for 2017 and appoint an additional 2 members beginning in 2018. This would result in a 5 member board with staggered terms, allow him time to feel more comfortable making the necessary decisions, be more inclusive and provide for improved policy/procedure. Commissioner Zmyewski expressed it is more important to him that the Board exhibit adequate diversity which can be followed by developing a method to stagger terms. The BOA has historically been a 3 member board. Commissioner Arnold reported that he was present at the meeting where the vote was taken to increase the membership and he recalls he felt the decision was made in haste. He also expressed appreciate that changes were implemented in an attempt to increase neutrality. It is positive that criteria has been established and a thorough process implemented. He indicated that he is open to Commissioner Connor's suggestion

whereby 3 members are maintained for the current year and the membership increased the following year which will result in staggered terms. He also expressed his belief that there is diversity among the pool of recommended candidates. Commissioner Zmyewski invited County Attorney Jandt to share his thoughts. County Attorney Jandt responded that most of the discussion is centered on policy issues which are the Board's prerogative. Zoning Officer Lacher stated that the BOA must make decisions timely and that failure to do so results in petitioner's being automatically granted their requests. There have been instances where a member was disqualified which is limiting when a quorum is required. A 5 member board would provide for greater flexibility. Commissioner Zmyewski requested a roll call vote.

District 1 – no, District 2 – no; District 3 – yes; District 4 – yes; District 5 – yes. The motion carried to maintain a 3 member BOA for the 2017 year.

Commissioner Zmyewski questioned why Commissioner Connor waited until today to express his concerns. Commissioner Connor stated that it is important to him to feel well prepared when making decisions. There have been numerous issues introduced very quickly with action being requested and he felt it appropriate to request a bit of patience so that when decisions are made they are well thought out. His actions aren't in agreement or disagreement with anything. He is just looking for a bit of patience so he can get up to speed and be confident that he has performed due diligence.

Donna Buckbee, Yucatan Township resident, commented that Commissioner Connor may feel decisions are being made quickly, however she feels that changes are coming at a painfully slow pace.

Wayne Feldmeier, Yucatan Township resident, commented that historically commissioners nominated a representative from their district which also provided for diversity.

Robin Tschumper, La Crescent Township resident, respectively disagreed that commissioners making nominations only benefits friends of those individuals.

At this time there is a need to determine how to fill the 2 BOA vacancies. Recommendations to fill 4 seats have been put forth. Candidates were interviewed and ranked. It was agreed that the top two ranked individuals should be appointed to the available seats. HR Director Arrick-Kruger explained the quantitative process also took into consideration diversity of background and representation. She provided the ranking of candidates, not including the consideration for diversity and/or representation. The candidates were ranked Ken Visger, Dana Kjome, Yvonne Krogstad and Bryan VanGorp, Ken Anderson, and Mr. Ingvalson. Motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to appoint Ken Visger and Dana Kjome to the vacancies on the 3 member BOA with terms to expire December 31, 2019. Chairperson Miller noted that those serving on the BOA need to be able to understand the ordinance and apply it without bias.

File No. 8 - Sheriff Inglett reported on some changes on the horizon in his department. He indicated that he would like to proceed with the replacement of a single vehicle and that funds are budgeted to cover the expense. Motion was made by Commissioner Walter, seconded Commissioner Zmyewski and unanimously carried to affirm the purchase of a vehicle for the Sheriff's Department utilizing budgeted funds.

File No. 9 – At this time, Judge Sturino, Court Administrator Darlene Larson, and Law Clerk Zach Strassburger, met with the Board to provide an overview of the local judicial branch and how activities in the judicial area impact county run departments such as the County Attorney and Sheriff's Offices and Human Services. A PowerPoint presentation was shared. Darlene Larson reported that her position is appointed and she is fortunate to have 4 staff members with tenure ranging between 27 and 44 years each. Judge Sturino encouraged commissioners to take advantage of her open door policy and meet with her should they have any questions. She did ask that they schedule an appointment to ensure her availability.

HR Director Arrick-Kruger reported that the terms of two members of the Planning Commission (PC) expired as of December 31, 2016. A process to fill vacancies has been adopted. Three applications for those seats have been received however, one candidate also submitted an application to serve on the BOA and was appointed to a three year term. HR Director Arrick-Kruger requested clarification as to how the Board desired to proceed regarding the seats. Commissioner Walter stated that term limits have resulted in positive change and she is aware that both individuals whose terms expired are eligible and interested in serving another term if that is the Board's desire. Motion was made by Commissioner Walter and seconded by Commissioner Connor to reappoint both Dan Griffin and Rich Schild to the Planning Commission for terms to expire December 31, 2019. Commissioner Zmyewski questioned why a single commissioner took it upon them self to contact the individuals whose terms expired and stressed the need to follow the process which was established. Commissioner Connor expressed his interest in participating in the process. Chairperson Miller expressed his displeasure that a commissioner acted without first taking into consideration the policy in place. Commissioner Connor questioned what has been the procedure historically. Commissioner Zmyewski stated that term limits were implemented to allow more individuals to become involved. Automatic reappointment goes against the purpose. Individuals whose terms have expired and have not exceeded term limits are welcome to reapply. The most well qualified individuals will be appointed to fill the vacancies. If reappointment is automatic you essentially guarantee a 9 year term, others have less opportunity to become involved and there is no review of performance. Commissioner Connor confirmed that the vacancies had not been posted. In order to comply with policy the vacancies would need to be posted on the website and interviews would need to be conducted. It was noted that quorum requirements can be attained for the meeting scheduled for Thursday without action regarding the vacancies. Chairperson Miller wants non-political membership on the PC. He noted how the PC is an advisory Board unlike the BOA which is a decision making body. Commissioner Connor expressed again his desire for full Board involvement with regard to making appointments to the PC. HR Director Arrick-Kruger suggested that small group interviews will perform the majority of vetting of applicants which

could be followed by a brief interview involving the full Board. Commissioner Zmyewski questioned how this was possible when he was denied access to applicant data in the past. HR Director Arrick-Kruger stated that she can perform the required redaction of private data and provide copies of public information to commissioners. She would be required to collect the materials once the interview was completed. The question was posed whether commissioners could interview candidates in groups of 2 however, this raised concern regarding open meeting laws. Commissioner Arnold expressed a desire to have a sound process. Commissioner Connor would like the process to be the same for both the PC and BOA. Commissioner Zmyewski indicated that the PC acts in an advisory role while the BOA is a decision making board. It was agreed to discuss options considered with counsel. Commissioner Connor shared his opinion that new commissioners are at a deficit when they are installed due to the immediate need to take action and make appointments to multiple Boards and committees of which they have limited knowledge. In response to lengthy discussion, Commissioner Connor rescinded his second of the motion to re-appoint both Dan Griffin and Rich Schild to the Planning Commission. Chairperson Miller called for a second to said motion, being none, the motion failed.

It was agreed that HR Director Arrick-Kruger would post the PC vacancies and also that she and Commissioner Connor would work with counsel to develop a policy. It was reaffirmed that anyone serving whose term has expired but has not exceeded term limits will need to reapply if they are seeking reappointment.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to post 2 Planning Commission vacancies.

Bruce Kuehmichel, Caledonia City resident, questioned since the Board took action to continue with a 3 member BOA whether an alternate needs to be appointed.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to reaffirm the appointment of Rich Schild as alternate to the BOA and who is in mid-term of a term which is set to expire December 31, 2018.

File No. 10 - Engineer Pogodzinski provided information related to the age of the current plow truck fleet, the cost for repairs and maintenance to the fleet and the budget trends. It was noted that in years when a new plow truck was not purchased the repair and maintenance budget increased noticeably. Commissioner Zmyewski confirmed his understanding that the maintenance budget increases would have covered the cost to replace the trucks in the years when no replacements were purchased. Engineer Pogodzinski reported that there are 10 plow routes each serviced by a truck. If one plow truck is budgeted annually it provides for trucks to be replaced once in ten years. It takes approximately 9 months from the time an order is placed, until delivery. Engineer Pogodzinski provided information from an Iowa study which shows the most cost effective plow truck rotation schedule is to replace trucks every 6 to 7 years. He indicated that was not his desire and he is aware of a single county which has their trucks on an 8 year replacement rotation. He indicated that the 10 year replacement rotation Houston County has

attempted to maintain serves his department well. He proposed the purchase of a single plow truck. It was the consensus of the Board that the item was budgeted for by the department and the authorization to make the purchase was affirmed.

Commissioner Connor reported on CJC meeting which he attended recently.

Commissioner Zmyewski commended Engineer Pogodzinski for the preparation and discussion. He also suggested bringing in a company which provides tracking for fleet vehicles. He stated that Tri-State Ambulance utilized such a service. It tracks location, mileage, speed, repair costs etc. This information could be utilized to maximize use and manage the fleet.

Chairperson Miller reported on the BOA candidate interviews of which he participated in.

It was agreed that Chairperson Miller is authorized to speak with Dennis Gavin regarding the possibility of having County vehicle warranty work completed by Caledonia Haulers if Mr. Gavin would have the capacity and desire to provide such service to the County.

Steve Hartwick, Money Creek Township resident, expressed his ongoing concerns related to the frac sand industry, potential road impacts and lack of reclamation enforcement and bonding requirements.

Eric Johnson, Houston Township resident, encourage members to familiarize themselves with the ordinance. He expressed his opinion that the significant concern expressed by guests today is politically motivated. He also shared his concern that the Board has expressed a desire to remove politics from the PC and BOA yet the applicants are well known within the community as being members of the Houston County Protectors.

Gretchen Cook, La Crescent City resident, stated that the Houston County Protectors will experience no gain for their work to protect the environment and neighborhood.

Kelley Stanage, Winona County resident, participated on the frac sand study committee and is an appointee to the state advisory panel. She has been studying the frac sand issue for 5 years now. Regulation continues to omit protections for water and against flocculants use. She recommended a closer review of recommendations made by the EQB regarding silica sand mining as it is her opinion that the current Houston County Ordinance does not adequately protect citizens.

Donna Buckbee, Yucatan Township resident, expressed strongly her opinion that while there is a lack of activity related to frac sand mining currently she anticipates significant change and increased activity.

Yvonne Krogstad, Caledonia Township resident, expressed concern that the current ordinance fails to provide the protections she, as a citizen, expects.

Commissioner Zmyewski expressed his displeasure with those making public comment labeling others. People have the right to be judged on their merits not based on labels applied to them by others. The Board is striving to get away from this and to appoint committee and Board members from a position of neutrality based on a ranking method taking into consideration experience and responses. Any person meeting the minimal eligibility requirements is welcome to submit application.

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

File No. 11 – Correspondence in appreciation of appropriation
from SMIF

File No. 12 – Correspondence to H Koch regarding tons
delivered to Xcel

File No. 13 - Notice of Public Hearing regarding Caledonia
City property

There being no further business and the time being 12:07 p.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, February 7, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, February 7, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Deputy Auditor Quinn; Reporters Moorhead & Graff; County Attorney Jandt; Finance Director Lapham; Environmental Services Director Frank; Engineer Pogodzinski; Sheriff Inglett; HR Director Arrick-Kruger; HS Director Puleasa; Courtney Bergey; Bruce Kuehmichel; Chief Deputy Sheriff Lapham; Yvonne Krogstad; Zach Strassburger; Glenn Kruse

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and carried to approve the agenda.

Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the January 24, 2017 meeting.

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

County Revenue Fund	\$79,320.87
Road & Bridge Fund	51,883.49

Total	\$131,204.36
	=====

File No. 2 – Courtney Bergey presented amended bylaws for consideration. Ms. Bergey explained the various amendments. It has been agreed that a membership of seven meets needs and this as well as criteria to meet a quorum have been defined in the amendments presented. In addition, an amendment defining term length reducing them from 6 years down to three to reflect special legislation is included. Other amendments included make the bylaws mirror County Policy. In order to officially adopt the revisions a public hearing is required. Ms. Bergey suggested that a meeting be scheduled and recommended a date and time at which to hold the hearing. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and

unanimously carried to approve calling the required public hearing on Tuesday, February 28, 2017 at 10:00 a.m.

File No. 3 – Following discussion, motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve an abatement on parcel #21.0468.000 for taxes payable 2016 in the amount of \$469.00 due to incorrect classification.

File No. 4 - Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the Farm Lease with Dennis & Annette Holte for the acreage located near the Caledonia High School. Commissioner Zmyewski commented how the rental price for the property has remained strong.

File No. 5 - Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the Application for Exempt Permit (gambling permit) for Ability Building Center (ABC) for an event to be held at Wildcat Landing & Campground on August 12, 2017 and adopt the following:

RESOLUTION NO. 17-06

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 and Campground in Brownsville Township, with no waiting period.

File No. 6 - HR Director Arrick-Kruger reported on the retirement of Sheriff Deputy Kurt Kuhlbers and recommended acceptance of his resignation. Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to accept said resignation and draft a letter in appreciation of Mr. Kuhlbers years of dedicated service to the County.

File No. 7 - Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to schedule the Board of Equalization meeting for Tuesday, June 20, 2017 at 6:00 p.m.

File No. 8 – Sheriff Inglett and Chief Deputy Sheriff Lapham presented information related to the position of Emergency Manager/Court Security held by Deputy Sheriff Kurt Kuhlbers. Sheriff Inglett shared a PowerPoint Presentation which he prepared. He explained that currently the Deputy Sheriff assigned to this position is spending 40 hours weekly providing courtroom security and only 10-15% of his time overall is dedicated to Emergency Management. Sheriff Inglett stated that courtroom security has developed into a full time position and is required per Minnesota Statute. The purpose of the position is to provide security for courts, staff and attending members of the public. There is greater need for courtroom security when both

courtrooms are being utilized. The demands for adequate courtroom security are putting a significant demand on the Sheriff's Office.

Sheriff Inglett queried Sheriff's across the State regarding how they go about staffing court security. The majority of respondents utilize Deputy Sheriff's to fulfill courtroom security duties. A single county responded that they have been utilizing contract services to provide courtroom security staff. However, the arrangement is not working out well and they are looking at options to terminate the contract. Sheriff Inglett noted that by assigning a Deputy Sheriff to the position of providing court security he will maintain greater control over training which will limit county liability in the event something major takes place. He also noted that assigning a Deputy Sheriff would be the more costly option. He recommended filling the court security position with a Deputy Sheriff and this recommendation is supported by the County Attorney, Judge and Court Administrator.

Discussion continued regarding the Emergency Management duties. Sheriff Inglett reported that this position has been lacking significantly due to the other demands of the combined position. The position of Emergency Management is also required by State Statute and necessary. This position is necessary for the preparedness for natural disaster or other large scale events. It works closely with area law enforcement, local elected officials, EMS, and schools. Sheriff Inglett reported that Fillmore County employs an Emergency Management Director part time and Dodge and Wabasha Counties both employ a full time Emergency Management Director.

Houston County has been experiencing a significant increase in civil process which is impacting Lieutenant Swedberg's position. While civil process is considered non-critical it is taking away from time Lieutenant Swedberg could be utilizing for supervision and also overnight patrol coverage. Sheriff Inglett proposed that the Emergency Management position be combined with Civil Process duties to offer a single full time position. He believes that by paring the critical functions of Emergency Management with the non-critical duties of civil process, the successful candidate will be able to manage time in order to fulfill all duties required. In addition, this will allow the Lieutenant to return to supervisor and coverage duties.

Sheriff Inglett has discussed his proposal and learned that if his proposal is approved the position would qualify for use of EMPG Grant Funding to offset the costs of the position. He stated that between \$17,000 and \$19,000 could be utilized to offset staffing costs. In closing, Sheriff Inglett is requesting authorization to initiate a search for a 1.0 FTE Deputy Sheriff to fulfill the court security duties; and further, to restructure the Emergency Management and civil process duties into a 1.0 FTE position with authorization to initiate a search for a Deputy Sheriff to fulfill that position also.

Commissioner Zmyewski expressed appreciation for the preparedness of Sheriff Inglett's presentation. He questioned whether needs could be met by hiring a 1.0 FTE Deputy Sheriff for court security and collaborating with Fillmore County so that their 0.5 FTE Emergency

Management Director could work the other 0.5 FTE to serve as Houston County's Emergency Management Director. Civil process would remain a duty of Lieutenant Swedberg. Sheriff Inglett was questioned whether sharing an Emergency Management Director with Fillmore County would best serve the residents of Houston County. He also questioned how the Lieutenant would meet his duties with the civil process portion increasing significantly. Sheriff Inglett has attended Emergency Management meetings and there is a need for staff dedicated to Emergency Management. He expressed concern that collaborating with Fillmore County to share staff would likely take a great length of time to agree upon terms and this could put Houston County at a deficit in the interim. Commissioner Zmyewski pointed out the Deputy Kuhlers was only dedicating between 10 and 15% of his time to Emergency Management, and by collaborating with Fillmore County this would increase to 50% which is a significant increase. Sheriff Inglett expressed concerns with an emergency manager based in another county and the response and priority Houston County would receive.

Commissioner Connor clarified that grant funding could be utilized to offset staffing costs for the combined position proposed by Sheriff Inglett. When asked if a Deputy Sheriff would be required to fulfill emergency management duties. Sheriff Inglett responded that in order to combine the position with Civil Process duties it would be necessary to employ a Deputy Sheriff in the position. Commissioner Zmyewski suggested that offering a part time emergency Management position that a civilian could fulfill would be less costly. Commissioner Arnold questioned whether a Deputy Sheriff is employed for the Emergency management position in Fillmore County. It was noted that a Deputy Sheriff is in the emergency Management Director position in Fillmore County. Commissioner Connor questioned whether EMPG Grant Funding has been offsetting the costs for staffing. Sheriff Inglett responded that due to the limited staff time dedicated to Emergency Management, Houston County did not qualify for use of EMPG grant funding to offset the staffing costs. However, grant funding has been secured and utilized to purchase equipment to enhance emergency preparedness across the County. Previous administration had not been pursuing this funding. However, Sheriff Inglett has made this a priority upon taking office. Commissioner Walter questioned whether the jailer/dispatchers could be utilized to fulfill Emergency Management duties. Sheriff Inglett responded that jail staff has specific duties.

Commissioner Arnold commented that there are three areas within the County where additional staffing needs are being projected. He urged caution with granting any request for staffing without first reviewing countywide expectations for staffing. He does not want to grant additions piecemeal. Commissioner Zmyewski expressed strong agreement with Commissioner Arnold and also his concern regarding personnel expenses and the increased burden on taxpayers if staffing levels are increased. Chairperson Miller stated that Houston County has lost population over the past 10 years and he can't understand how departments continue to be overwhelmed with workloads. He wants to be cautious not to tax residents out of the County. Sheriff Inglett stated that no positions have been added in the Sheriff's Department over the past 10 years. He shared his belief that the last position added was the Emergency Management position over 10 years ago. The Sheriff's Department doesn't just deal with Houston County

residents, because unfortunately, others come into the County and commit crimes. He reported that his department continues to see an increase in workload. Chairperson Miller clarified that Sheriff Inglett is requesting a 1.0 FTE Deputy Sheriff for court security and a 1.0 FTE deputy Sheriff for Emergency Management/Civil Process for a total of 2 positions, one of which is the backfill for the retiring Deputy Kuhlers. Discussion was held that the jail recently added three 1.0 FTE jailer/dispatcher positions, 2 of which were covered by the contract with Winona County to house a minimum of 15 of their inmates. Motion was made by Commissioner Zmyewski and seconded by Commissioner Walter to hire 1.0 FTE Deputy Sheriff for court security. Discussion was held. Commissioner Connor clarified that this hire would backfill the position which was held by Deputy Kuhlers however, it would amend the duties to include only court security and not Emergency Management. Commissioner Zmyewski stated that there are several options regarding Emergency Management duties which need to be considered and evaluated. Sheriff Inglett indicated that time is critical. Deputy Kuhlers' last day is March 10th. There is a need to provide for court security and it is his preference that Deputy Kuhlers be available to at least bring a replacement up to speed regarding where certain grant applications are in process. Commissioner Arnold suggested that contracting for court security, while not ideal, would buy time to evaluate needs and options. At this time Commissioner Zmyewski withdrew his motion to hire a 1.0 FTE Deputy Sheriff to provide for court security.

Commissioner Connor questioned whether a Deputy Sheriff could be hired for court security and a 0.5 FTE Emergency Management Director. While this would result in an increase in staffing it would also improve Emergency Management. Commissioner Walter would support hiring staff to provide for court security however, she would prefer additional time to consider options with regarding to Emergency Management duties, needs and options. Discussion was held regarding how to proceed. Commissioner Arnold expressed a desire to address the court security needs and indicated that staffing should be considered as part of the budgeting process.

File No. 9 - Environmental Services Director Frank provided information related to CUP requests put forth by Thomas Hoscheit of Mayville Township and Josh Dahl of Yucatan Township. It was noted that the only concern was preventing damage to the township road which Mr. Dahl lives along during spring weight restrictions. Environmental Services Director Frank provided details regarding the conditions assigned to each CUP. Discussion was held regarding dirt, manure, and debris on the roadways as a result of hauling manure. Engineer Pogodzinski stated Highway Department staff may clean any dirt, manure and/or debris from roadways and bill the farmer if the farmer fails to clean up after himself. This has been a successful approach and farmers choose to clean up any mud left on the roadways when manure is hauled.

File No. 10 - On the recommendation of the Planning Commission, motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to approve the issuance of a conditional use permit for Thomas Hoscheit of Mayville Township to expand a feedlot over 300 animal units (a.u.) from 248 a.u. to 434 a.u.

File No. 11 - On the recommendation of the Planning Commission, motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve the issuance of a conditional use permit for Thomas Hoscheit of Mayville Township to expand an existing manure storage structure with a capacity over 20,000 gallons.

File No. 12 - On the recommendation of the Planning Commission, motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to approve the issuance of a conditional use permit for Josh and Jerry Dahl of Yucatan Township to expand a feedlot over 300 animal units (a.u.) from 243 a.u. to 342 a.u.

File No. 13 - On the recommendation of the Planning Commission, motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold to approve the issuance of a conditional use permit for Josh and Jerry Dahl of Yucatan Township to expand an existing manure storage structure with a capacity over 20,000 gallons.

Following discussion, it was agreed that the County Board would no longer approve zoning permits which have traditionally been approved after the fact. It was agreed that provided all requirements have been met and the Planning Commission has approved and issued the permits, there is no need for the County Board to reaffirm approval.

File No. 14 - HS Director Pugleasa reported that he continues to thoughtfully review each contract. He presented a contract with Workforce Development, Inc. for employment training services required under MFIP (Minnesota Family Investment Program) statutes and rules. This is a State program providing assistance much like the federal TANF (Temporary Assistance to Needy Families) program. These programs require recipients to participate in employment training services which must be offered by the County or a vendor contracted by the County. HS Director Pugleasa stated that funding to cover the costs for the program come from funding streams which are not comprised of levy dollars. The cost for the contract is driven by usage. The training provided is related to employer needs in the region. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the Purchase of Service Agreement with Workforce Development, Inc. and the accompanying Business Associate Addendum. The addenda provides for HIPPA compliance.

File No. 15 - HR Director Arrick-Kruger provided an overview related to the PC and BOA process options. It was agreed to add option 6, a suggestion received from Commissioner Connor. Discussion will be scheduled for the February 21st Board meeting.

Bruce Kuehmichel, Caledonia City resident clarified the closing date of Thursday, February 9th for applications submitted by persons interested in serving on the Planning Commission.

File No. 16 - Engineer Pogodzinski recommended approval of the final payment for C.P. 2016-03. This is for the seal coating project completed by Scott Construction, Inc. The contract

amount was \$422,927.90. Certified to date is \$458,060.16. The overrun amount can be covered within the current Highway Department budget. Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to adopt the following:

RESOLUTION NO. 17-07

WHEREAS, C.P. 2016-03 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. 17 - Engineer Pogodzinski recommended approval of the final payment for C.P. 2016-1101. This is for flood repairs completed on CSAH 11 by Griffin Construction Company, Inc. The contract amount was \$6,500.00. Certified to date is \$6,650.00. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to adopt the following:

RESOLUTION NO. 17-08

WHEREAS, Contract No. 269 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. 18 - Engineer Pogodzinski recommended approval of the final payment for C.P. 2016-BR01. This is for flood repairs completed on bridges by Griffin Construction, Inc. The contract amount was \$64,990.00. Certified to date is \$66,605.00. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to adopt the following:

RESOLUTION NO. 17-09

WHEREAS, Contract No. 266 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. 19 - Engineer Pogodzinski recommended approval of the final payment for C.P. 2016-401. This is for flood repairs completed on CSAH 4 by Griffin Construction Company, Inc. The contract amount was \$11,305.00. Certified to date is \$12,315.00. Motion was made by

Commissioner Connor, seconded by Commissioner Walter and unanimously carried to adopt the following:

RESOLUTION NO. 17-10

WHEREAS, Contract No. 267 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. 20 - Engineer Pogodzinski reported on the salt contract. Houston County contracted for its salt supply through the State contract. The contract established provisions such as the provider being responsible to supply between 80 and 120% of the requested amount and delivery deadlines based on order date. The supplier had a longer period in which to deliver salt ordered during summer months as opposed to salt ordered in the winter season. Cargill was the supplier for this season and failed to meet delivery deadlines resulting in penalties in the amount of \$31,370.12, or approximately 17% of the annual salt order. Engineer Pogodzinski reported that the delayed shipments had little impact on County operations. The contract allows for the buyer to waive a portion or all of the penalties assessed. In discussing penalties with area County Engineers it was learned that each County has a different approach. Some counties waive 100% while others waive a portion and some assess all penalties calculated. Engineer Pogodzinski reported that historically Houston County has waived 50% of the calculated penalty amount. Engineer Pogodzinski stated that in the event we assess the full penalty amount, it could result in Cargill refraining from submitting a bid in the future. Typically Houston County receives only 2 or 3 bids. Cargill could also increase their bid in an attempt to recover lost revenue due to penalties paid. Long term affects should be considered when determining how to proceed with the penalty assessment, as full assessment resulting in a \$30,000 windfall could cost the County long term through increased salt pricing. Commissioner Connor expressed concern that Houston County is a small buyer and Cargill is a very large company. However the County proceeds sets precedence. Commissioner Arnold questioned Engineer Pogodzinski's recommendation. Engineer Pogodzinski responded that since this was the first time Cargill has delivered late and historically Houston County has waived 50% of the total penalty, he would have no issue reducing the penalty by 50% or down to \$10,000 since the late delivery did not significantly impact operations. Commissioner Connor expressed favor for reducing the penalty and would like written documentation that the County did so due to it being a first time violation and due to no history of late delivery. Commissioner Zmyewski referred the matter to County Attorney Jandt who will review the contract language and draft verbiage related to the reason for waiving a portion of the assessed penalty.

File No. 21 - Engineer Pogodzinski reported that the County's survey equipment is 7 to 10 years old and due for replacement. He presented a quote from Frontier Precision, the area sales and service provider for this type of equipment. He has discussed the purchase with

Surveyor Schmitt and it has been agreed to keep the aging equipment to use in the event of a breakdown and/or malfunction. Commissioner Zmyewski noted that modern survey equipment has made a significant difference in the work and increased efficiency greatly. It was noted that the purchase has been budgeted for. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the purchase of the total station from Frontier Precision in the amount of \$28,770.30.

At this time Engineer Pogodzinski shared a PowerPoint presentation providing a historical overview of all past discussion regarding a proposed Highway Department Building.

Chairperson Miller reported that he approached Dennis Gavin, owner of Caledonia Haulers regarding the possibility of having Caledonia Haulers perform warranty work on County Vehicles. He questioned in the event an agreement could be arrived at, how that would impact the needs of a Highway Department Building. Engineer Pogodzinski responded that it could impact needs. Discussion was held regarding benefits and limitations of an arrangement such as this. Engineer Pogodzinski questioned whether Caledonia Haulers would be able to provide service when there are breakdowns which could take place in the middle of the night during a snow event and also would they have the capacity to stock parts which the Highway Department vehicles frequently require.

Engineer Pogodzinski questioned whether the Board wishes to meet with the mechanic, maintenance supervisor, accountant and himself during the meeting on February 28th. It was noted that February 28th is the Joint Board of Health meeting in Mabel and the Highway discussion should be rescheduled.

Commissioner Arnold reported on the AMC, EDA and Extension meetings which he attended.

Commissioner Walter reported on a Public Health and an Extension meeting which she attended. Next week she will attend the Legislative Conference as well as the State Extension meeting.

Commissioner Connor reported that he has met with the Judge to discuss security. Courts are considering making application for a Safe and Secure grant which requires a 50% local match.

Commissioner Zmyewski reported on a Planning Commission meeting and also discussions held with Sheriff Inglett and Engineer Pogodzinski. Commissioner Zmyewski requested that discussion be held regarding the number of members of both the Planning Commission and Board of Adjustment at the next meeting.

Chairperson Miller reported on AMC meetings which he attended and discussions held with staff from Public Health and Dennis Gavin, owner of Caledonia Haulers. He also reported

on discussion held with Gary Hendrix, AMC President who is supportive of the Off Road vehicle park located in his county.

Bruce Kuehmicel, Caledonia City resident, questioned whether energy efficiency translates into reduced overall maintenance costs and increased longevity of new buildings.

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

File No. 22 – Correspondence to committee members

There being no further business and the time being 12:08 p.m., motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, February 21, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, February 21, 2017

5:30 p.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Bergey & Graff; Sheriff Inglett; Chief Deputy Sheriff Lapham; Bruce Kuehmichel; Finance Director Lapham; IS Director Milde; Ted Hanson; County Attorney Jandt; HR Director Arrick-Kruger; Yvonne Krogstad; Lisa Inglett; Dan Griffin; Jim Hobelsberger

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and carried to approve the agenda.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes of the February 7, 2017 meeting.

File No. 1 - Motion was made by Commissioner Walter, 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	\$40,000.80
Road & Bridge Fund	270,371.95

Total	\$310,372.75
	=====

Ted Hanson, Caledonia Township resident, suggested the Board enact both a hiring and wage freeze.

File No. 2 - Sheriff Inglett and Chief Deputy Sheriff Lapham met with the Board to continue discussion regarding a staffing request. Sheriff Inglett has requested a 1.0 FTE to backfill court security and an additional 1.0 FTE that would be responsible for Emergency Management, civil process and back up for court security. Commissioner Connor noted Judge Sturino feels strongly that full time court security is necessary. However, he feels the Emergency

Management needs do not equate to a 1.0 FTE. Motion was made by Commissioner Walter and seconded by Commissioner Connor to authorize a 1.0 FTE hire to provide for court security.

The Board questioned how many hours, on average, court is in session. County Attorney Jandt responded that he can only estimate the time he and his staff spend in court. He explained that there are many court events which require court to be in session that his staff is not present at. Sheriff Inglett stated that court session fluctuates on a daily basis. He reported that Deputy Kuhlers has been averaging 40 hours weekly providing court security. There are many variables which impact the courts schedule. Commissioner Arnold commented that it would be difficult to contract for services with the nature of courts. There are times when matters settle and the time scheduled for trial is no longer necessary and there are times when cases run longer than anticipated causing the schedule to become delayed.

Commissioner Zmyewski noted that a metal detector is located in the first floor lobby and is seldom utilized. He questioned whether this is the best use of man hours and equipment. Sheriff Inglett stated that his office lacks adequate staffing to operate the metal detector on a daily basis. In addition, it is intrusive to subject the general public to the search when they are there with questions or visiting an inmate. Sheriff Inglett proposed moving the equipment to the second floor. Unfortunately, the first floor has in-floor electric for the equipment and the second floor does not.

Commissioner Connor stated that the Judge has ongoing concerns related to court security. Sheriff Inglett explained that the department is constantly adjusting and covering shifts utilizing 67 day employees or staff on overtime. Both Court Security and Emergency Management are mandated. When an emergency occurs and requires the time of the Emergency Manager those duties trump all other duties. There have been several times over the past 10 years when Deputy Kuhlers was required to address emergency situations for months at a time and the department was forced to cover court security duties. Emergency Management is a critical position for the County. The person in charge of Emergency Management has many duties in addition to addressing emergency situations when they occur. The position is responsible for preparedness, grant funding, reporting, updating of plans and networking.

Commissioner Zmyewski expressed hesitation with adding a 1.0 FTE position in the Sheriff's Department as the dual position has been working for the County until this time. Commissioner Connor questioned what the person assigned to court security will do when court is not in session. Sheriff Inglett responded that the person can be utilized to cover shifts for others on vacation or out sick. Chief Deputy Sheriff Lapham reported that he is currently working on the first schedule following Deputy Kuhlers last day. He stated that there are only 2 half days without scheduled court in the 3 weeks following Deputy Kuhlers retirement. In order to provide court security 12 full shifts of overtime will be required with current staffing levels. Sheriff Inglett reiterated that there is a need to devote adequate time to Emergency Management and it is not prudent to put forth minimal effort only.

The motion carried unanimously to approve the hire of a 1.0 FTE to provide for court security.

Commissioner Connor reported that he has engaged in lengthy discussion with Judge Sturino and Sheriff Inglett regarding court security, emergency management and Sheriff's Department staffing. Emergency Management is required and Sheriff Inglett has suggested that Emergency Management be combined with civil process and court security back up for a 1.0 FTE position. This position would include both critical and non-critical functions. While Emergency Management is required, it is not necessary for the position to fall under the Sheriff's Department umbrella. Sheriff Inglett stated that he is happy to provide the function, if he has adequate staffing to do so. He expressed his expectation that with adequate staffing and once staff is fully trained, overtime could be reduced.

The second position would be expanding the department. The Board agrees that there is a need for a part time Emergency Management position. Commissioner Walter has spoken with representatives from Fillmore County and suggested holding further discussions with the regarding possible collaboration. She also reported that in some counties Emergency Management falls under Public Health or the Sheriff's Department, and in some instances it is shared between a county and large city. It is her understanding that failure to designate an Emergency Manager will result in the duties becoming those of the Board Chair.

Sheriff Inglett reported how fees are assessed for civil process. Last year, civil process fees generated \$18,000.00 in revenue. Recently, deputies assigned civil process duties have been assaulted. Therefore, he will not employ a civilian for such duties. EMPG funding has been level at approximately \$17,000.00 annually. In the event the program in Houston County is improved or expanded, additional funding would become available. The available funding would also be eligible for use in offsetting staffing expense. Mark Marcey, Emergency Management Coordinator for the Southern Region, confirmed that an expanded program would increase grant funding and funding could be utilized to offset staffing expense. Mr. Marcey stated that increased grant funding is the incentive for counties to grow their programs. He indicated that the emergency management program is comprised of a complex network of resources, relationships and continuing education. He also noted that there are counties smaller than Houston which employ full time emergency managers. Currently, Houston County claims to provide 40% of an FTE to Emergency Management which results in the current funding levels. Emergency Management is required to submit quarterly reports which are audited prior to funding being granted. An increase to 50 or 75% would result in additional grant funding. Increasing the FTE dedicated to the program would provide time for additional duties to be completed. Sheriff Inglett stated that if the 1.0 FTE position is granted, 60% of the time would be dedicated to increasing the emergency management program and 40% would be divided between civil process and secondary court security duties.

It was noted, per collective bargaining agreements, schedules modified to cover shifts are eligible for overtime unless the modification has taken place more than 10 days in advance of the change.

Chairperson Miller expressed concern with the amount of clerical duties being performed by highly paid deputies. Sheriff Inglett explained that recently a lieutenant spent 5 days' worth of time processing a writ of execution resulting of a court order to seize and sell property in order to meet a financial obligation. This process did generate revenue. Chairperson Miller expressed his opinion that the County should not be paying high wages for clerical duties. Sheriff Inglett stated that paperwork is required for most positions and includes reports, logging of evidence and appearing for court.

Commissioner Zmyewski questioned whether the County could continue with the status quo until more can be learned and decided, at which time things could be adjusted. Sheriff Inglett responded with all due respect that it is not the Board's position to dictate duties. It is the Board's duty to establish a budget and the Sheriff's duty to work with the staff he has to meet obligations.

Sheriff Inglett reported that it requires 263 hours of training to become certified as an Emergency Manager. Most of the training is offered face to face while some is offered online. The reality is that Deputy Kuhlers last day is March 10th, and as of March 11th there is no one currently assigned to fulfill emergency management duties. Commissioner Zmyewski suggested that Sheriff Inglett seriously consider cross training within his department. Commissioner Connor shared his desire to establish funding for a 0.5 FTE. Mark Marcey stated that he can offer support and assistance and that he is available as a resource. He would not be available to come onsite to deal with an emergency situation for Houston County. He also explained the EMPG funding formula and noted that the funding is federal dollars which pass through the State.

Motion was made by Commissioner Walter and seconded by Commissioner Arnold to authorize a 0.5 FTE position for the Sheriff's Department. Discussion was held regarding the savings for the portion of the year which is already expired and the time in which it will take to fill the position if one is approved. Commissioner Zmyewski noted that while the county could hire and pay only a partial year salary, expanding the department would result in a financial obligation moving forward into coming years. HR Director Arrick-Kruger stated that an emergency management position is a professional position which has never been classified. She can work with the Sheriff in order to complete this in a brief time period. She expressed concern that a significant amount of training is required and a ½ time position with this level of requirements in this geographic area may be difficult to fill. Sheriff Inglett stated he would need time to analyze this proposal. Commissioner Zmyewski commented that others are assuming we can't fill a part time position when in reality, perhaps we can.

The motion to authorize a 0.5 FTE position in the Sheriff's Department carried with Commissioner Connor voting in the negative.

Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to authorize the backfilling of any vacancies created by the retirement of Deputy Kuhlers within the department.

File No. 3 - Chief Deputy Sheriff Lapham requested approval for the 2017 Boat and Water Safety Grant. Houston County is eligible for both a State and Federal Grant. The State grant amount fluctuates, however, the Federal Grant has been and remains \$5,000.00 annually. Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve the 2017 State of Minnesota Annual County Boat and Water Safety Grant Agreement in the amount of \$3,893.00 and to adopt the following:

RESOLUTION NO. 17-11

WHEREAS, the Houston County Sheriff's Office has been awarded a grant through the Minnesota State Boating Safety Grant Program.

NOW, THEREFORE, BE IT RESOLVED that the Houston County Board of Commissioners hereby approves and authorizes the Houston County Sheriff's Office to accept said grant funding; and

BE IT FURTHER RESOLVED that the Houston County Board of Commissioners hereby names Houston County Sheriff Mark Inglett as the authorized signer on behalf of Houston County in regard to this specific grant, from this day forward.

Chairperson Miller questioned whether arrests are made on the river. Chief Deputy Sheriff Lapham reported that last season there were 2 citable incidents. In addition, several written warnings were given along with numerous verbal warnings. He also explained how previous administration scheduled boat patrol during the week and on weekends, whereas now the scheduling is focused on weekend hours only.

File No. 4 – On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to hire David Benson as a 67 day employee to assist as a drop site supervisor at step 5 of the appropriate comparable worth band.

Commissioner Walter reported on Houston County Township Officers, EMS, Workforce Development and State Extension meetings which she attended. She also reported on the AMC Legislative Conference in which she participated. Commissioner Walter provided a reminder of the upcoming annual meeting of the Houston County Township Officers Association which is scheduled for April 4th.

Commissioner Zmyewski reported on personnel committee meetings which he attended.

Chairperson Miller reported on Emergency Communications Board, Semcac and Personnel Committee meetings which he attended. He also reported that he has met with Dennis Gavin of Caledonia Haulers and is scheduled to meet with him again regarding the possibility of a maintenance arrangement between Caledonia Haulers and the County.

Ted Hanson, Caledonia Township resident, requested a report on how much maintenance is being completed at the shop in Caledonia. Commissioner Connor suggested that the question be referred to Engineer Pogodzinski.

Jim Hobelsberger, La Crescent Township resident, expressed appreciation for evening meetings which provide for greater public participation. He expressed support for the part time emergency management position which was approved and indicated that the Highway Department Building project will be a significant issue going forward. He encouraged the Board to continue to be prudent with regard to tax dollars as they are a finite resource.

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

File No. 5 – Correspondence to H Koch regarding tons delivered to Xcel

File No. 6 – Public notice regarding Caledonia City zoning hearing

There being no further business and the time being 6:51 p.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, February 28, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, February 28, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead & Bergey; County Attorney Jandt; Emergency Manager Kuhlers; Bryan VanGorp; Larry Gaustad; Donna Buckbee; Bruce Kuehmichel; Yvonne Krogstad; Finance Director Lapham; Dan Griffin; Glenn Kruse; John Beckman; Environmental Services Director Frank; Zoning Officer Lacher; HR Director Arrick-Kruger; Engineer Pogodzinski

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and carried to approve the agenda.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the minutes of the February 21, 2017 meeting.

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

County Revenue Fund	\$63,000.68
Road & Bridge Fund	33,888.88

Total	\$96,889.56
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File No. 2 – Emergency Manager Kuhlers reported that following a year and a half long process, the Houston County All – Hazard Mitigation Plan has been updated and received the approval of FEMA, Homeland Security and the State of Minnesota. The final step to complete the process is adoption of a resolution by the County Board. The plan will not require updates for 5 years. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to adopt the following:

RESOLUTION NO. 17-12

ADOPTION OF THE HOUSTON COUNTY
ALL-HAZARD MITIGATION PLAN

WHEREAS, Houston County has participated in the 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 County 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 businesses; and

WHEREAS, the Houston County Plan includes a risk assessment including past hazards, hazards that threaten the County, an estimate of structures at risk, a general description of land uses and development trends; and

WHEREAS, the Houston County Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the Houston County Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how Houston County will maintain public participation and coordination; and

WHEREAS, the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and

WHEREAS, the Houston County All-Hazard Mitigation Plan will make the county and participating jurisdictions eligible to receive FEMA hazard mitigation assistance grants; and

WHEREAS, this is a multi-jurisdictional Plan and cities that participated in the planning process may choose to also adopt the County Plan.

NOW THEREFORE BE IT RESOLVED that Houston County supports the hazard mitigation planning effort and wishes to adopt the Houston County All-Hazard Mitigation Plan.

File No. 3 - Environmental Services Director Frank reported he that desires to defer decision regarding his request to purchase a recycling trunk until he has had time to review certain specifications which have raised concern.

File No. 4 - Environmental Services Director Frank along with Zoning Officer Lacher requested direction from the Board regarding Environmental Review Services provided by the Zoning Office. Zoning Officer Lacher reported that a draft EAW from Bruening Rock/Skyline

Materials has been received for a proposed expansion of their Winnebago Quarry. A CUP application has not been submitted at this time, however, one is expected. The EAW was prepared by Bruening staff. Houston County is the RGA (Responsible Government Authority) and as such, is required to ensure the EAW has been prepared properly. This review requires expertise not yet available within the Zoning Office. Recently, action was taken to authorize the department to contract for services and to charge back to the applicant the costs for said services. The County will enter into an agreement, pay associated fees and seek reimbursement from the proposer. Zoning Officer Lacher requested authorization to advertise an RFP (request for proposal). He also provided background related to the operation which is currently comprised of a non-conforming quarry. The owners have property located on both sides of CSAH 5 and are seeking to expand operations to both sides of the road. It was noted that there have been issues in the past related to fly rock, erosion and neighbors, all of which have been resolved. The EAW will identify all environmental concerns which should be considered prior to action being taken with regard to any CUP. Environmental Services Director Frank commented that the mine has been operating in this location for many years. The rock quarried from the mine has been utilized in various ways including for road projects. The EAW will assist to flush out reclamation concerns and planned use of addition property which has been acquired. Third party review of the EAW will ensure all concerns are appropriately considered. The RFP will identify qualified reviewers, secure quotes and ensure availability. Zoning Officer Lacher stated that the quarry does not meet the threshold mandating an EAW and this process is being undertaken voluntarily and in good faith. Chairperson Miller questioned whether the roadway has been impacted by the activity taking place at this site. Environmental Services Director Frank responded that the company has worked closely with the County Highway Department to address concerns. This area is significant for drainage and several ditches are located nearby. At times, the company has reshaped the ditches to ensure they function as designed. The EAW will be completed prior to CUP consideration and allow for concerns to be addressed within the CUP if warranted. Chairperson Miller questioned the total number of acres impacted. Zoning Officer Lacher responded that the total scope of the expansion is unknown at this time. County Attorney Jandt noted that this process would provide for the hiring of an expert and provide a solid foundation on which to place limitations on the CUP and track conditions. It would provide a level of expertise the County would not otherwise have. Commissioner Connor clarified that expenses would be recovered from the proposer. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the RFP.

File No. 5 - Engineer Pogodzinski met with the Board to continue discussion related to penalty which may be assessed as a result of salt deliveries not being made timely. The County has the authority to assess a penalty in an amount ranging between \$0 and a maximum of \$31,000.00 per contract. Historically, the County has assessed approximately 50% of maximum allowable penalties. This supplier has not had a history of late delivery and as a result of mild weather the delayed deliveries had only minimal impact on County operations and budget. It was suggested the Board identify a specific penalty amount as opposed to taking action to waive the penalty. Chairperson Miller questioned the average number of bids submitted for this product. Engineer Pogodzinski reported that typically the State bid receives 2 or 3 bidders on an annual

basis. In the past, when the County went out for bid, only a single bid was received. Engineer Pogodzinski assured the Board that he has been in discussion with the supplier regarding the penalty. He has taken action to foster a good working relationship and wishes for that to continue moving forward. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to assess a penalty in the amount of \$12,500.00.

File No. 6 – Engineer Pogodzinski reported that a new senior housing facility has been erected along CSAH 2, on the edge of Eitzen City. The City has requested that the speed limit in this area be reviewed. A resolution is required in order for the State to perform the speed study. Commissioner Arnold questioned what items are considered during a speed study. Engineer Pogodzinski responded that the number of residences located within a stretch, the speed at which traffic travels through the area, traffic volume and visual barriers are all taken into consideration. Staff from the Rochester District Office perform the study and it takes, on average, 6 months to complete. The cost for the most recent speed study conducted in Houston County was between \$1,200.00 and \$1,500.00. Engineer Pogodzinski indicated that the last speed study was completed in 2009. Building has impacted the area in question. The area in question now houses 8 units designated for senior housing. If the city speed zone were extended to this area it would impact an additional 1,000 feet of CSAH 2. No negative comments related to the speed study request have been noted. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to adopt the following:

RESOLUTION NO. 17-13

BE IT RESOLVED that the County of Houston Board of Commissioners requests the Minnesota Commissioner of Transportation conduct a speed zone study on CSAH 2 from the intersection of State Highway 76 and CSAH 2 (000+00.000) to 0.933 miles east (000+00.933), for the purpose of identifying the safe and prudent legal speed.

File No. 7 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to accept the resignation of Nathan Rask from the position of Maintenance Operator effective March 24, 2017.

Commissioner Zmyewski questioned how HR Director and Engineer Pogodzinski wished to proceed in filling the vacancy in light of the fact this person was only recently hired and the applicant pool remains. HR Director Arrick-Kruger noted that the applicant pool will be reviewed and they may see if interest remains. In addition, there may be internal interest. At this point it is beneficial to exhaust these options before spending additional advertising funds. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve moving forward with a search to fill the vacancy created by Mr. Rask's resignation. HR Director Arrick-Kruger may return with a recommendation at a future meeting which would require separate action.

File No. 8 - HR Director Arrick-Kruger requested authorization to purchase a John Deere X754 tractor, 54" mower deck and sander/spreader. She explained that the maintenance department is limited by the current equipment which has been experiencing frequent breakdown and is not sanding/spreading capable. The proposed tractor could be utilized to sand and salt both sidewalks and parking lots in addition to mowing lawn. The sander/spreader is an attachment which carries an additional cost, however the expense will be recovered as a result of not having to contract for sanding/salting services for the parking lots. It will provide greater reliability for sanding/salting also. This year there have been many complaints related to ice on the walkways and two falls which fortunately did not result in significant injury.

Over the past few years the maintenance department has been diligent to save funding and has reduced the budget between 2 and 12% annually. The new tractor has been budgeted for and the funds for the sander/spreader can be found within the department budget also. Staffing in the maintenance department remains lean. Even with the additional square footage and mechanical maintenance involved with the Justice Center only a single FTE was added. Four staff are providing maintenance for 3 buildings and significant grounds.

The addition of the requested equipment will improve safety and maintain the lean staffing requirements. Quotes have been secured from SEMA in Caledonia and Breyer's in La Crescent. The zero turn Husqvarna mower will be traded in. The new equipment, in addition to the push mowers, will well serve the county.

Commissioner Zmyewski stated he has extensive experience with regard to mowing. He would not move away from a zero turn mower due to increased efficiency and reduced mowing time. He stated that the mowing season is longer than the winter season and more grass is mowed than snow removed from the sidewalks. He admitted that there is a need to treat the sidewalks in the winter however, there are many pieces of County owned equipment which could be utilized for this. He suggested that a pickup could have a sander installed to treat parking lots. He also expressed displeasure with investing in a new piece of equipment and then subjecting it to sand and salt which will causes damage. HR Director Arrick-Kruger commented that maintenance staff has carefully evaluated needs and assessed options. Sidewalks are not being adequately cared for, hand spreaders leave puddles of salt and do not spread evenly. A tractor would reduce the need for hand removal of snow from the walkways. She further noted that Sentence to Service is utilized to mow grass and has not been available to assist with snow removal and/or ice treatment as work needs to be scheduled. The recommendation of the maintenance crew has taken this into consideration and feels the recommendation will save time and money and provide for efficient completion of tasks. HR Director Arrick-Kruger noted that at times the various campuses are competing for resources. It becomes difficult to tend to walkways when jury trials are scheduled at the same time as a WIC clinic is being hosted. Commissioner Walter expressed support for the research performed by the maintenance department and their recommendation. Commissioner Zmyewski commented that Gravely offers cab and broom attachments for their zero turn mowers. HR Director Arrick-Kruger noted that Maintenance Foreman Olson has a lawn care and snow removal service operating in the Winona

area and he can be made available for questions. Motion was made by Commissioner Walter to authorize the purchase of a John Deere X754 tractor and 54" mower deck from SEMA Equipment and also a sander/spreader attachment. The motion failed for lack of a second.

The time being 10:02 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to recess the regular meeting in order to convene the scheduled public hearing to consider revisions to the EDA Bylaws.

File No. 9 - Chairperson Miller questioned whether commissioners have had an opportunity to review the proposed changes to the EDA Bylaws. He invited Finance Director Lapham to speak in regard to the proposed changes. Finance Director Lapham provided an overview of the revision process and timeline. She expressed concern that the current enabling resolution (Resolution No. 06-02) does not mirror the proposed Revised EDA Bylaws and this is necessary. Discussion was held. It was the consensus that the intent is to establish and maintain an EDA Advisory Board comprised of 7 members and not 9 as stated in Resolution Number 06-02. It will be necessary to present both the revised EDA Bylaws along with an enabling resolution for approval/adoption. Finance Director Lapham stated that under current practice the County contracts for EDA services therefore language contained in section VI.2. Executive Director is not necessary and she recommended omitting it. It was agreed that Finance Director Lapham would communicate with Courtney Bergey to update the Bylaws and enabling resolution. These will be presented for consideration during a future meeting. Chairperson Miller questioned whether there were additional comments from the gallery of which there was none.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to close the public hearing. The time was 10:14 a.m.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to reconvene the regular meeting.

File No. 10 - Following discussion, motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adopt the following:

RESOLUTION NO. 17-14
AUTHORIZING APPLICATION FOR MINNESOTA HOUSING & FINANCE AGENCY
FAMILY HOMELESS PREVENTION & ASSISTANCE PROGRAM

WHEREAS, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide funds for Family Homeless Prevention & Assistance Projects; and,

WHEREAS, the Southeastern Minnesota Housing Network, working through: 1) Three Rivers Community Action, Inc. – Grantee and, 2) Sub-Grantees (historically) Semcac and

Lutheran Social Services – LINK, has developed a renewal application for the Minnesota Housing Finance Agency Family Homeless Prevention & Assistance Program; and

WHEREAS, the Southeastern Minnesota Housing Network working through: Three Rivers Community Action, Inc, and Sub-Grantees has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Family Homeless Prevention & Assistance Program;

NOW, THEREFORE, be it resolved that the Southeastern Minnesota Housing Network is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency Family Homeless Prevention & Assistance Program in the county of Houston, in Minnesota.

HR Director Arrick-Kruger listed information provided to Commissioners related to PC and BOA appointment procedure which includes the following: survey results how counties make appointments, listing of options, options how to stagger terms, current search checklist for both PC and BOA and also Commissioner Connor's alternate process outline.

Commissioner Zmyewski expressed great hesitation to change procedure mid-way through the process of appointing BOA (Board of Adjustment) representatives. He provided a historical perspective related to the present situation. He expressed his ongoing concern that process is being amended following the selection of appointees. He also expressed his displeasure that the Board had taken action to return the BOA to a 3 member Board. He questioned whether it was the Board's intent to establish a 5 member BOA. He explained that the PC (Planning Commission) is a seven member board which serves in an advisory capacity and the BOA is a quasi-judicial decision making board. The County Board, which is also a decision making board, is only a 5 member board. He questioned why an advisory board should be assigned greater membership than the decision making boards. Commissioner Walter shared her understanding that the BOA was temporarily reduced to 3 members until December 2017 at which time two additional members will be appointed to serve on said board. This will result in a 5 member board with members having staggered terms. Commissioner Zmyewski stated that the BOA has been responsible for decisions which have resulted in court action, and staggered terms can be accomplished simply without delaying appointment for nearly a year. The terms could be assigned to result in varied expirations. Chairperson Miller expressed his understanding that Commissioner Connor simply requested the process be placed on hold in order to review it and ensure it would be viable long term. Commissioner Connor has a desire to be involved just as others desire to be involved. Commissioner Zmyewski reiterated his concern with changing the policy at the mid-way point and with changing an established policy. Commissioner Connor commented that without some adjustment he would have nearly no involvement until the last year of his term as commissioner. Commissioner Zmyewski continued to question whether established policies were going to be amended with each election or every two years with the installment of new board members. Commissioner Connor stated that he cannot answer for those who may be elected to office in the future. He does feel strongly that a well thought out process

may stand the test of time and he is simply requesting time to understand and evaluate the process. Chairperson Miller questioned whether it is the Board's intent to micromanage everything in which case there is no need for a process. He noted that from the survey results, there is no consensus across Minnesota how appointments are made. He expressed his opinion that Houston County's process is neither flawed nor preferable. He expressed his support for requiring applications from interested individuals. Commissioner Arnold clarified his impression that the Board intends to increase the BOA membership to a total of 5 over a brief period. Chairperson Miller stated there is a need to determine how December appointments will be made and what process will be followed to make said appointments. Commissioner Zmyewski commented that a hybrid option may best serve Houston County. It appears that there is often concern when a committee makes a recommendation and inadequate information is shared to justify recommendations. Commissioner Zmyewski expressed his desire to access applications in order to gain perspective on the pool and resulting recommended appointees. Full board interviews pose certain difficulties and data privacy concerns. Separate interviews quickly become cumbersome. Discussion was held regarding what information is gleaned from the review of a resume versus information gathered and/or fleshed out during an interview. Commissioner Zmyewski expressed a desire to enact a process which will stand up to scrutiny and non-participating members don't feel excluded. He also questioned whether this process shouldn't be extended across more hires/appointments.

HR Director Arrick-Kruger stated that the County employs a tight hiring process which protects applicant identity and complies with EEO and data privacy requirements. She has implemented a process which involves full Board interviews for those positions which report directly to the Board. She feels this additional step has been beneficial. The process for making PC and BOA appointments is not subject to EEO hiring however, the process provides a certain degree of EEO and due process.

Commissioner Zmyewski expressed his strong opinion that it is critical for commissioners to review all applications. HR Director Arrick-Kruger indicated there are data practice concerns, as much applicant information is private until the applicant is considered a finalist for a given position at which time certain information becomes public. The elements involved in the hiring process do not qualify for closed meetings of the full board. Access to applications is based on business purpose. Laws in this regard are clear.

Commissioner Zmyewski indicated that there is a need to properly vet applicants. He indicated that individuals who know an applicant should have the opportunity to share concerns and/or express support based on personal knowledge. HR Director Arrick-Kruger stated that EEO requires objective, not subjective hiring process. Individuals with a prior relationship to a particular candidate should recuse themselves from a hiring committee as it is commonly viewed that a prior relationship prevents objective thought.

Discussion was held regarding the scope of applicants the Board desires to be involved with reviewing. Commissioner Arnold questioned whether Department Head candidates and all

appointees was too broad. Commissioner Connor expressed concern that reviewing all appointments would require significant amounts of time and he has no desire to micromanage that much. Commissioner Zmyewski stated that direct reports should involve the full board.

HR Director Arrick-Kruger reiterated a need to comply with data practices and EEO. She stated that full board interviews can be performed. Those involved with rating applications as part of the hiring process have a business purpose to access applicant files. She cautioned that vetting must be objective. During interviews there is a degree of subjective analysis and anyone with a prior relationship should recuse themselves as they may not act as a jury for talents and a reference for or against, as this would expose the County to significant liability. She offered to discuss concerns with legal counsel and if 3 or more Board members are involved with the hiring, develop a process to comply with EEO and data practice laws. Discussion was held. It was the consensus of the Board that they desire to be part of the process for department head hires, PC and BOA appointments.

Chairperson Miller stated that, as things currently stand, the BOA will have 3 members. In December, an additional 2 members will be appointed to the BOA. The PC stands at 7 members. Commissioner Zmyewski questioned again why an advisory Board should have a more expansive membership than a quasi-judicial Board. It was noted that the PC performs a significant amount of research and is divided into 3 sub-committees. To reduce the membership would only increase an already significant workload. The research is necessary in order to make recommendations. Commissioner Arnold noted that the purpose and function of the PC is much different than the BOA. The membership of the PC was established to provide for good representation across the county which would be difficult to provide if the membership were reduced. Commissioner Zmyewski continued to argue his concern. Chairperson Miller responded it is necessary to exercise extreme care regarding who is appointed to the BOA due to the great responsibility and authority the Board has.

File No. 11 - Finance Director Lapham reported that the new budget has begun. Many budget items appear out of line and she reported this is due to the fact that many maintenance and insurance fees are due and payable in January. There are also items which will require budget amendments however she is hesitant to process some of the amendments due to a concern that other action will negate the need for the amendments and result in additional work that would otherwise be unnecessary. In short, the reports are in-line with expectations at this time of the year. There are some significant bills for work performed in 2016 which are to be made payable in 2017. Budget amendments related to these will be processed so that the timing does not skew the current year budget.

Commissioner Arnold stated that he serves on the livestock building committee for the Fair Board. They are willing to collaborate with the County on a shared building. He also reported on an Extension meeting he attended.

Commissioner Walter reported on a La Crescent City planning meeting which she recently attended. She also referenced a letter she drafted to legislators regarding CPA.

Commissioner Connor suggested that the Fair Board and County Engineer should discuss the possibility of collaborating on a dual purpose/shared building.

Commissioner Arnold stated the Fair Board needs 10,000 square feet to meet their needs. It is believed the Highway Department needs a minimum 5,000 square feet for cold storage; however they would utilize an additional 5,000 square feet if it were available. For a shared building to be beneficial, the stored items should be easily removed by 2 workers taking ½ day or less to complete. Chairperson Miller cautioned planning for two buildings when plans for a single building haven't even been agreed upon.

Commissioner Zmyewski reported on a Planning Commission meeting which he attended. He also suggested a budget for the proposed Highway Department Building project be developed prior to discussing a shared building.

Chairperson Miller reported on the La Crescent City planning meeting which he attended. He also referenced several cooperative initiatives which seem to be taking shape.

Bruce Kuehmicel, Caledonia City resident, explained that the quarry discussed earlier in the meeting currently involves two twenty acre parcels, one lying on each side of CSAH 5. In addition a 15.5 acre parcel has been acquired by the mining operator adjacent to one of the parcels. Adjacent to the 15.5 acre parcel is an additional 28.5 acre parcel on which Kruckow Rock Products operates another quarry.

Commissioner Zmyewski indicated Mr. Kuehmicel's concerns should be included in the EAW. He also provided a reminder that expense reports should be submitted timely as it is the end of the month.

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

File No. 12 – Correspondence from Selco regarding negotiation of new agreement

File No. 13 – Correspondence to payroll regarding recent hire

File No. 14 – Correspondence to legislators regarding CPA

There being no further business and the time being 11:29 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, March 7, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, March 7, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Bergey & Graff; County Attorney Jandt; Courtney Bergey; Emily Johnson; Sheriff Inglett; HR Director Arrick-Kruger; Betts Reedy; Bruce Kuehmichel; Yvonne Krogstad; Ted Hanson; Finance Director Lapham; Engineer Pogodzinski; John Beckman; Assessor Dybing; IT Director Milde; Highway Accountant Schroeder; Highway Mechanic Vesterse

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the agenda.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the minutes of the February 28, 2017 meeting.

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

County Revenue Fund	\$60,371.57
Road & Bridge Fund	55,572.73

Total	\$115,944.30
	=====

Bruce Kuehmichel, Caledonia City resident, expressed concern regarding performance bond requirements referenced in the Houston County Zoning Ordinance.

File No. 2 - Following discussion, motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to adopt the EDA Bylaws as amended and to adopt the following amended resolution effective March 7, 2017 with the understanding that this resolution will replace Resolution No. 04-5:

RESOLUTION NO. 17-15
AMENDED RESOLUTION ENABLING THE CREATION OF A
HOUSTON COUNTY ECONOMIC DEVELOPMENT AUTHORITY
Decreasing the number of EDA Members from Nine to Seven Members

BE IT RESOLVED by the County Commissioners of the County of Houston, Minnesota as follows:

SECTION 1. BACKGROUND and FINDINGS.

- 1.01. Houston County, as a county located outside of the metropolitan area, is authorized under Minnesota Statutes, Chapter 469 (Act) to establish an Economic Development Authority (EDA) to coordinate and administer economic development and redevelopment plans and programs of the County.
- 1.02. In February, 2001, in accordance with the Act and Section 469.1082, the County created a committee to explore and recommend options for a county economic development service provider. The exploratory committee recommendation was to establish a county economic development authority that includes the powers of a housing and redevelopment authority.
- 1.03. It is therefore found and determined by the Houston County Commissioners that the encouragement and financial support of economic development and redevelopment in the County is vital to the orderly development and financing of the County and in the best interests of the health, safety, prosperity and general welfare of the citizens of Houston County.
- 1.04. It is further found and determined that the economic development and redevelopment of the County can best be accompanied by the establishment of an EDA that includes the powers of a housing and redevelopment authority as authorized by the Act.
- 1.05. The Houston County Commissioners have in accordance with the Act provided public notice and conducted a public hearing on June 5, 2001, concerning the establishment of an EDA at which all persons wishing to be heard expressed their views.

SECTION 2. ENABLING RESOLUTION.

- 2.01. The Houston County Economic Development Authority (EDA) is hereby established.
- 2.02. The EDA shall have all the powers, duties and responsibilities set forth in Sections 469.090 to 469.1081 excluding 469.094 of the Act and as said Act may be amended from time to time and all other applicable laws, except as limited by this Resolution.
- 2.03. The EDA shall consist of a governing body being the five members of the County Board.

An advisory committee shall be appointed consisting of seven members, two of whom shall be members of the Houston County Board of Commissioners and the remaining five shall be appointed by the County Board Chair with the approval of the County Commissioners. Those initially appointed were appointed for terms of one, two, three, four, five years, and two members for six years, respectively. Effective the date of adoption of this resolution, all members appointed or re-appointed to the EDA Board will serve for three year terms per legislation enacted in 2015 allowing for 3 year terms. A vacancy is created in the membership of the advisory committee when a member of the advisory committee ends his/her term of office.

SECTION 3. LIMITS OF POWERS.

- 3.01. The following limits shall apply to the Houston County Economic Development Authority and its operation:
 - (a) The sale of all bonds or other obligations issued by the EDA shall be first approved by the County Board.
 - (b) The EDA shall follow the budget process for County Departments as may be provided by the County and in accordance with County policies.
 - (c) Development and redevelopment actions of the EDA shall be consistent with the County Comprehensive Plan and official controls implementing the Comprehensive Plan.
 - (d) The EDA shall submit its proposed plans for development and redevelopment to the County Board for approval in accordance with County planning procedures and law.

- (e) The administrative structure and management practices and policies of the EDA must be approved by the County Board.
- (f) The EDA must submit to the County Board a detailed annual report outlining its activities, receipts and expenditures during the preceding calendar year, and shall include a description of current and proposed projects as well as general development goals for the County.

3.02. As provided in the Act it is the intention of the Houston County Commissioners that nothing in this Resolution nor any activities of the EDA shall be construed to impair the obligations of the County under any of its contracts or to effect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the County. The County Board shall not modify any limit in effect at the time any bonds or obligations are issued or contracts executed to the detriment of the holder of the bonds or obligations or any contracting party.

SECTION 4. IMPLEMENTATION.

- 4.01. The County Board shall from time to time and at the appropriate time adopt such ordinances and resolutions as are required and permitted by the Act to give full effect to this Resolution.
- 4.02. The County Board Chair, the County Auditor, and other appropriate County Officials are authorized and directed to take the actions and execute and deliver the documents necessary to give full effect to this Resolution.
- 4.03. This Enabling Resolution may be modified to make any changes as authorized by the Act.

Courtney Bergey provided an update regarding planned activities being hosted by the EDA. The first event focused on how small business can increase their marketing presence via the web and social media and was hosted in Spring Grove. It was attended by more than 60 individuals. The next scheduled event will be hosted at Corky's in La Crescent one week from today over the noon hour. The topic for the event is cybersecurity. Ms. Bergey noted that all EDA loans are current as of the present time. She has sent out the request for annual information to those with EDA loans and/or receiving incentives tied to requirements/benchmarks to ensure goals are being met. The Tourism taskforce is continuing work to establish goals. There were marketing funds available for use on print materials or web based. An RFP is being developed to update the website.

File No. 3 - Emily Johnson, Secretary for the Houston County Fair Board, has come before the Board with a couple of items. She expressed the Fair Board's appreciation for the debt, dating back to 2007, which the County Board has forgiven. The County Board also indicated that the additional appropriation may be granted following review of financials. The financials were provided in the packets for this meeting. Ms. Johnson explained that the Fair Board fiscal year ends in September. In the future, the Fair Board will present their financials to the County in November or December.

Last year proved difficult for the Fair Board. They have managed to keep their bills current. However, they have no reserves going forward. Ms. Johnson reported that the electric and water meters alone result in a minimum monthly expense of \$250.00 with the average electric bill costing \$500.00. The Fair Board has tried to work with the City of Caledonia to reduce this expense to no avail.

Fair Board funding comes from sponsorships and appropriations. They perform an annual mailing campaign for sponsorship. They have plans to meet with all 17 townships next week. Each of the townships in Houston County appropriate between \$150.00 and \$1,000.00, with the average ranging between \$500.00 and \$1,000.00.

Commissioner Zmyewski questioned what the Fair Board is doing to attempt to gain sustainability. Ms. Johnson responded that if they host a grandstand event which does not generate revenue they will look for different events that will. Currently, research is taking place regarding possible development of a race track in the grandstand area. Commissioner Zmyewski indicated that it is easy to request additional funding and not as easy to figure out how the Fair can become self-sustaining.

Emily Johnson explained that the Fair Board strives to remain family friendly. They continue to offer free family entertainment and the Wednesday night grandstand event is offered at no charge. If there are no grandstand events, the beer sales suffer. Beer sales typically generate enough revenue to cover the expenses of 3 bands and free family entertainment. The weather plays a significant role in the success of the Fair.

Commissioner Zmyewski commented that Houston Hoedown charges a fee for a button and folks gladly pay the fee for the button. Ms. Johnson shared that the Fair Board tried one year to charge a \$5.00 cover for the beer tent and it resulted in a near empty tent. They quickly abandon the cover charge idea.

Commissioner Arnold questioned how Fairs conducted in similarly sized counties manage. Ms. Johnson expressed her opinion that it is unlikely other Fairs are flush with cash. It has proven difficult to estimate the number of Fair goers because entrances are uncontrolled. The Fair Board struggles to attract people. Chairperson Miller noted that there are a many competing wants in the County.

In closing, it was noted that the Fair Board meets monthly on the 3rd Sunday of each month at 6:00 p.m. The next meeting is scheduled for March 19th and will be held at the JLine business office. Commissioners are welcome to attend.

File No. 4 - Emily Johnson noted that the lease the Fair Board has with the County for the Fairgrounds will be expiring in 2019. The Fair Board is interested in extending the lease for an additional 50 year time period. This would ensure there is a location at which to host the County Fair for many years to come. In addition, it will provide assurances if the Fair Board moves forward with erecting another building.

The annual County appropriation is for \$20,000.00. The Board will consider an additional \$4,000.00 appropriation following the review of expenses after the fair. The County agreed to pay the annual appropriations amount in the month of January since the Fair Board has annual expenses due at that time. One example of a significant expense due in January is that the Fair Board's insurance premium is due.

File No. 5 - Sheriff Inglett reported that both CodeRed and IPAWS are up for contract renewal. It was noted that a one year contract renewal for CodeRed services reflected an increased cost while a three year contract renewal reflected significant savings. Sheriff Inglett recommended entering into a 3 year contract. In addition to the cost savings the number of minutes will increase from 30,000 to 37,500. IPAWS is only available to those with a CodeRed contract and has an annual maintenance fee of \$1,200.00. The costs for these agreements comes from 911 Funds. In addition, Sheriff Inglett requests he be authorized to sign the agreements. Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve a 3 year CodeRed agreement and the IPAWS agreement.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to authorize Sheriff Inglett to sign both the CodeRed and IPAWS agreements on behalf of Houston County.

Commissioner Zmyewski commented that Winona County recently renewed a contract with Premier Security which provides for Winona County's Courtroom Security. The Winona County Administrator has indicated that the arrangement has been beneficial for their county. Sheriff Inglett responded that he was unaware of the situation in Winona County. However, it is his understanding that Sheriff Ganrude is not pleased with the situation. He stated that he continues to support assigning a deputy for Houston County's court security. The Winona County Board and Administrator may view the situation differently. It was estimated that the contract was costing Winona County approximately \$70,000.00. This may be a savings but it is does not appear to be significant. Chairperson Miller commented that information appears contradictory. Winona County has indicated that the saving is expected to total \$500,000 over 5 years. It was the consensus of the Board to further consider an option similar to that of Winona County. Commissioner Connor suggested one of them take the lead and flesh this topic out a bit. It was agreed that Commissioner Arnold would research this and report back at the next meeting.

File No. 6 – At this time Sheriff Inglett provided a brief overview of an annual report which is on file.

File No. 7 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to hire Audrey Staggemeyer as the WIC Program Coordinator which is a 0.7 FTE at Step 1 of the appropriate comparable worth band effective March 8, 2017. HR Director Arrick-Kruger noted that this is not a new position and is the position which has been discussed with the Board.

File No. 8 - HR Director Arrick-Kruger reported that Assessor Dybing has tendered his notice of intent to retire after almost 23 years of dedicated service to the residents of Houston County. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to accept Assessor Dybing's resignation effective March 31, 2017 and to draft a letter of appreciation for his many years of service.

Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to authorize a competitive search for County Assessor. Commissioner Zmyewski questioned whether this is the time to further discuss possible restructuring. It was noted that there is a need to find a County Assessor. Assessor Dybing noted that SAMA credentials are required for the position of Assessor. Currently Cindy Cresswell holds those credentials and Mike Paulson is nearing his SAMA designation. Chairperson Miller stated it is a good time to reevaluate the department. Assessor Dybing indicated that when a previous assessor retired the office opted to forego replacement. The department faces another retirement in the not too distant future. With each retirement, expertise is lost. Assessors work through certification requirements over time. There are now 4 levels beginning with trainee. There is significant information to procure and learn. Assessor Dybing indicated that consideration needs to be given to adding a position within the department to ensure long term viability. When asked what large scale projects and deadlines may be looming, Assessor Dybing responded that tax calc has been completed and values for pay 2018 are being conducted at this time. In addition, local boards of review are scheduled and will be taking place through the month of April and into May. Assessor Dybing expressed his opinion that the Board should not delay filling the vacancy which his retirement creates. HR Director Arrick-Kruger stressed that new mandates coupled with the tiered system do necessitate posting the position timely.

HR Director Arrick-Kruger noted the only other item on her agenda is the request to purchase a lawn tractor for the maintenance department. Commissioner Zmyewski reported that he has personal concerns regarding the request with Maintenance Foreman Olson. He expressed great concern that the equipment being replaced has only 400 hours on it which has raised red flags. He shared his opinion that either the maintenance of the machine has been inadequate or that those operating the equipment have been irresponsible. In the event new equipment is approved he expressed strong opposition to allowing work release individuals to operate the new equipment and strong opposition to the addition of a broadcast sand/salt spreader attachment. He

encouraged good maintenance. He noted that the majority of mowing is completed on the main County campus and a portion is completed at the County Community Services campus. The majority of sidewalk snow removal is required at the main County campus also. He expressed his understanding that in the event snow is removed timely there should be minimal need for ice treatment except in cases of freezing rain or drizzle. In the event a broadcast spreader is utilized to treat sidewalks, overshooting the concrete results in the grass being burned. He indicated that treatment of the parking areas can be accomplished if the highway department delivers sand which is then hand spread. Commissioner Zmyewski indicated that the Highway Department has much equipment at its disposal and should be able to sand and salt parking lots. Commissioner Zmyewski suggested purchasing a \$350.00 Honda self-propelled mower for work release individuals to mow lawn with. A walk behind snow blower can be purchased for approximately \$1,500.00 which is far less expensive than a blower attachment for a lawn tractor. He suggested a drop spreader be utilized to treat the sidewalks to avoid burning out the grass next to the walkways. Commissioner Walter questioned whether Maintenance Foreman Olson was in agreement with the recommendations of Commissioner Zmyewski. Commissioner Zmyewski responded that he sees alternate options which will suffice and provide for timely completion of tasks. Chairperson Miller suggested doing a cost comparison of Commissioner Zmyewski's suggestions with the recommendation of the building maintenance department. This should incorporate consideration of the useful life of the various pieces of equipment when comparing costs. HR Director Arrick-Kruger agreed to meet with Commissioner Zmyewski to clarify his proposal. She will also meet with STS (Sentence to Service) Director Craig Welsh regarding the work which is completed by work release individuals. She commented that the mower is often transported between campuses and that the stamped deck does not have the same long life as a heavy duty welded deck. She noted that Highway does assist in parking lot ice treatment when available. However, often times ice develops in the lots after cars start parking in the lots. When cars are parked in the lots the large equipment of the Highway Department is unable to provide service because they cannot navigate the tight spaces. Furthermore, often times the highway department equipment has been dispatched out for the day and unavailable to address the parking lot needs. Chairperson Miller questioned whether an agreement could be negotiated with the city for treatment of the parking lots. HR Director Arrick-Kruger questioned whether their large equipment could provide service when the lots are being utilized due to space constraints. HR Director Arrick-Kruger stated there is a need to treat the driving paths while the parking lots are being utilized and she's happy to consider the options presented.

File No. 9 - Zoning Officer Lacher recommended approval of an interim use permit (IUP) for a temporary farm dwelling. He explained that an IUP is unique in that it sunsets and is non-transferrable. This application is from Shawn Kiecker and Lois Davy Trust. Mr. Kiecker will be operating a business which will be located on land owned by the Trust. Zoning Officer Lacher explained the 4 conditions which have been applied to the IUP and what events could trigger sun setting of the IUP. IUP's have been utilized since 2014. Identifying the termination can be challenging when IUP's are utilized. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski unanimously carried to approve the IUP for Shawn Kiecker and Lois Davy Trust.

Zoning Officer Lacher reported that past practice has been for the County Board to approve building permits after the fact. This could create a situation if the Board ever took action contrary to approval as the permits have already been issued and work authorized completed. Therefore, going forward reports related to building permits will be informational only.

Engineer Pogodzinski along with Highway Accountant Schroeder and Highway Mechanic Vesterse met with the Board to answer questions related to the proposed Highway Department Building project. Chairperson Miller commented that he has been involved in discussion with Caledonia Haulers regarding the possibility of Caledonia Haulers performing service work for the County. He questioned whether Highway Mechanic Vesterse performed the following types of work; wheel seals – affirmative, brakes – affirmative, clutch – negative, lights – affirmative, brake chamber – affirmative. Commissioner Arnold questioned how much time was spent performing work on trucks housed at the County’s satellite shops. Highway Mechanic Vesterse responded that he drives the service truck to the location of the truck requiring work and performs work on site. Commissioner Zmyewski questioned what service work the mechanic performs in addition to the work on plow trucks. Mr. Vesterse responded that he performs work on all the county’s heavy equipment. It was estimated that 75% to 80% of his work is on the plow trucks. Commissioner Connor questioned whether the mechanic performs maintenance on County owned passenger vehicles. Highway Mechanic Vesterse responded that while he will perform bulb changes on County owned passenger vehicles, most maintenance including oil changes and tires is performed by local repair shops. Repair work completed in county which takes multiple days includes when the underbody is ripped off, damage to conveyor chains and electrical work. Other frequent repairs include blown hydraulic hoses. Maintenance and repair work is conducted both in the shop and in the field. Major repairs and warranty work on the Mack trucks is required to be completed by an authorized dealer having the necessary and proprietary computer diagnostics.

There are no lifts in any of the satellite shops. Over the past 5 years approximately \$200,000.00 has been spent on parts and labor at outside facilities. Clutch work is sent out due to the fact that the County shop does not have a hoist or pit. If the County had the facilities this work could be performed in County. Computer diagnostic is expensive technology which requires constant costly upgrading and therefore not something the County has invested in for the small fleet of trucks being operated. Highway Mechanic Vesterse questioned whether the expense of a hoist would be recovered over time, and the regulations/codes related to pits are extensive.

Commissioner Zmyewski questioned whether office personnel needs to be housed in the same location as engineering and maintenance staff or whether they could effectively discharge duties from the main County campus. Engineer Pogodzinski commented that Accountant Schroeder performs a significant amount of work that is not accounting related. He is aware of other counties who have separated the accounting from the engineering and maintenance staff only to return the accounting staff to their prior location with the other units of the department.

Engineer Pogodzinski stated that accounting staff provides phone service for the public. If they were no longer housed at the same location, the public would be required to utilize an automated answering service. The accounting staff provides a main point of communication and ensures proper documentation. He expressed doubt that Highway Accountant Schroeder would have time to assist the finance department due to her busy schedule. While her duties ebb and flow, there are always reports to compile. Currently there are items which are 2 months behind waiting for a quieter time to be addressed. Highway Accountant Schroeder indicated that connectivity is imperative. She already works with the satellite shops via technology and understands the limitations and challenges. The State has shifted Federal reporting duties to the County Highway staff. Highway Accountant Schroeder also works with Engineer Pogodzinski on a daily basis. The duties assigned to Highway Accountants varies across the State. Highway Accountant Schroeder assists with proposals and the airport which is somewhat unique. Staffing levels may be greater in other counties allowing for greater specialization. However, that is not the case in Houston County. Commissioner Zmyewski questioned why Highway Accountant Schroeder needs to work so closely with Highway Mechanic Vesterse. She responded that all of the mechanic's time is coded to the specific pieces of equipment being worked on. The mechanic is not trained in the accounting codes which are required to be assigned for reporting purposes. In addition there are PO's, deliveries and invoices which must tie out and be properly accounted for and reported. When there are errors it can be difficult to sort out and correct. She works closely with the mechanic to work through these issues. Commissioner Zmyewski receives many inquiries why, with current technology, it is so important to be located together. Highway Accountant Schroeder stated that it may be a case where face to face discussion can take place to resolve a dispute or she could spend the same time scanning, e-mailing and following up. Perhaps the problem saving time is the same however, face to face interaction works well. Chairperson Miller stated that technology provides expansive communication options. Engineer Pogodzinski expressed his opinion that face to face communication works well and is easier. Engineer Pogodzinski stressed that Highway Accountant Schroeder's time is fully utilized. Creating a separation will only further complicate and delay her ability to efficiently discharge the duties entrusted to her. Another point to consider is the fact that the Highway Department yard is not secure and it is important to have deliveries signed for. The accounting staff signs for deliveries and communicates their arrival to those waiting for them. In the event the Board chooses to move the accounting and engineering staff to the main campus, consideration should be given to the number of additional vehicles that will bring to the main campus parking lots and the debris which engineering staff tracks in and out while performing testing which will impact building maintenance. Engineer Pogodzinski stressed that communication between accounting, engineering and maintenance often uncovers small items which would otherwise get missed. If the units are separated this synergy amongst them will not happen.

Highway Accountant Schroeder noted that she scans many files, however, in the event of an audit she may refer back to paper copies because the scans are not as searchable as paper files. In addition, there have been occasions where a hand written note on a paper copy provided valuable insight. Engineer Pogodzinski offered to have counties which have split their Highway units apart come speak to the Board to share the benefits and/or drawbacks. In addition, State aid

finance is a proponent for keeping accounting staff in close proximity to engineering and maintenance staff and they will provide explanation why.

Commissioner Arnold questioned what point the Board is at with regard to the proposed Highway Department Building project and what decisions require attention. Commissioner Connor questioned whether there is a need to determine what will be housed within a proposed Highway Department Building prior to selecting a location for the building as what is housed there will impact the footprint. Commissioner Zmyewski stated, in his opinion, the first item of business should be to establish a budget and he questioned whether it was the intent of the Board to go to the taxpayers for additional funding for the project or to utilize funds on hand only. Finance Director Lapham reported that there is between \$4 and \$5 million on hand at present. This figure is separate from the funding being set aside for improvements to County 249.

Motion was made by Commissioner Zmyewski and seconded by Commissioner Arnold to utilize funds on hand only and not require new tax dollars. A roll call vote was taken: District 1 – yes, District 2 – yes; District 3 – no, District 4 – no, District 5 – yes. The motion carried to utilize on hand funds only for the proposed Highway Department Building.

Chairperson Miller noted that young families care about the schools and taxes and not so much about what the Highway Department Building looks like.

File No. 10 - IT Director Milde provided quotes for annual licensing fees which are subject to contract, and IT equipment to replace outdated technology including servers and computers. He noted that Human Services purchases their own IT equipment due to their ability to recover a percentage of the expense through their funding streams. All other county IT equipment is purchased utilizing the IT budget. The expenses presented on the quotes have been budgeted for. Finance Director Lapham noted that this type of purchase should not require additional Board action. IT purchases are not capitalized items. Commissioner Zmyewski stressed the importance of the Board being apprised when large sums are being expended.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to put as action items any vehicle or equipment purchase exceeding \$10,000.00. It was agreed that maintenance fees are contractual and there is no need to include these under action items.

Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the IT quotes for equipment.

Commissioner Arnold reported on a Water Planning meeting which he attended. Commissioner Arnold questioned how to determine whether the Board is performing its duties or micromanaging departments with its decisions. He expressed concern that the County does not employ an administrator. Commissioner Arnold noted that he requests information from

department heads which he feels is important to make decisions and the majority are helpful and forthcoming, while some fail to provide the requested information.

Commissioner Zmyewski reasserted his support for the addition of an administrator. He feels the same concerns continue to be discussed repeatedly and employing an administrator would eliminate this.

Chairperson Miller indicated that he and Commissioner Arnold should privately discuss Commissioner Arnold's lack of response where information has been requested.

Commissioner Walter reported on Public Health meeting which she attended.

Commissioner Zmyewski restated in the event the Building Maintenance mower request is granted he remains strongly opposed to the equipment being operated by work release individuals and its use to spread sand and salt.

Chairperson Miller reported on a Public Health meeting which he attended with Commissioner Walter. He also reported on meetings with HS Director Pugleasa and Commissioner Arnold regarding staffing suggestions; and between Commissioner Arnold, Highway Department and Sheriff's Office staff and himself regarding vehicles and potential savings due to the possible transfer of vehicles between departments.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to transfer a Yukon from the Highway Department to the Sheriff's Office.

Chairperson Miller will meet with Dennis Gavin, owner of Caledonia Haulers, again to further discuss possible collaboration. It appears there could be savings realized by keeping repairs in county as opposed to taking equipment out of county for repair and warranty work.

Chairperson Miller reported on an HVMHC meeting he attended. It was agreed that Commissioner Connor would attend the March Semcac meeting in place of Chairperson Miller.

Yvonne Krogstad, Caledonia Township resident, stated it was her understanding that the location for the proposed highway department has been decided some time ago. She also shared her opinion that Highway Mechanic Vesterse should be able to enter his own time, that Highway Accountant Schroeder could perform her duties from the main County campus and solar energy options should be considered for the Highway Department Building project.

Finance Director Lapham reported that there an inexpensive timekeeping system was purchased for and serves the Historic Courthouse. The Highway Department utilizes a system which interfaces with the payroll system. Other options have been considered however cost is a factor and at present, it is less expensive to maintain paper rather than invest in a different timekeeping system with greater capabilities.

There being no further business and the time being 11:46 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, March 21, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, March 21, 2017

5:30 p.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Graff & Bergey; County Attorney Jandt; Environmental Services Director Frank; Finance Director Lapham; HR Director Arrick-Kruger; Zoning Officer Lacher; HS Director Pogleasa; Bruce Kuehmichel; Cory Baker; Ted Hanson; Mike Kruckow; Engineer Pogodzinski; Mike Fields; Yvonne Krogstad; Sheriff Inglett; Chief Deputy Sheriff Lapham; Jim & Cindy Hobelsberger; Gretchen Cook; Tim Irwin

Presiding: Jack Miller, Chairperson

Call to order.

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

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve the minutes of the March 7, 2017 meeting.

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

County Revenue Fund	\$130,420.17
Road & Bridge Fund	15,027.28

Total	\$145,447.45
	=====

File No. 2 – Environmental Services Director Frank reported on the need to contract for e-waste recycling. For the past 5 years the County has contracted with Dynamic Recycling for this service. Environmental Services Director Frank indicated that in addition to reviewing the pricing offered by Dynamic Recycling, he also considered pricing offered by Lumina, a company providing similar services which operates out of the Twin Cities area. Environmental Services Director Frank recommended entering into a one year agreement with Dynamic Recycling. The

pricing of Dynamic Recycling will be most cost effective for the County. The agreement offers extension options. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the Minnesota Program Service Agreement with Dynamic Recycling, Inc.

Environmental Services Director Frank provided an update regarding the ag bag plastics recycling program. The receptacles are expected to be delivered to the County in June. The company offering the service will provide the receptacles and pick up free of charge provided each receptacle generates a minimum of 1,500 pounds of ag bag plastic waste annually. There are farmers who will be sharing receptacles in order to meet the minimum requirements.

File No. 3 - At this time Zoning Officer Lacher met with the Board to discuss quotes received for third party environmental review services. Proposals have been received from two vendors. It is the consensus of the panel reviewing the proposals that Bolton & Menk is offering far superior assistive services over the competitor. The cost for services will initially be paid for by the County. The County will seek reimbursement from the project proposer.

Zoning Officer Lacher reported that since the RFP was sent for the initial project, a second project proposal has been submitted with an EAW. Bolton & Menk has agreed to honor the pricing in the proposal to perform the third party review of both project EAW's. Commissioner Connor clarified the pricing quotes received from each firm's proposal. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to accept the proposal submitted by Bolton & Menk and to approve that they perform the third party review on both project EAW's.

Zoning Officer Lacher provided an overview of the process related to the appeal of a decision regarding the Erickson Mine Site. The County Board will be required to consider the matter and take action. There is a need to ensure specified individuals may submit materials, allow the Board adequate time to review materials received and take action. Zoning Officer Lacher suggested the Board establish a deadline of April 11, 2017 for submissions and to schedule the required hearing for April 25, 2017. This process recommendation is supported by legal counsel representing the County in this matter. Commissioner Arnold questioned whether Board members will have the opportunity to view the site. Zoning Officer Lacher responded that there would be opportunity for members of the Board to view the site prior to the hearing. However, the format for viewing has yet to be determined. Legal counsel will be in attendance at the hearing. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to establish a deadline of April 11th for submissions and to schedule the public hearing for April 25th.

File No. 4 - HR Director Arrick-Kruger reported that per M.S. 163.07, county engineers are to be appointed for four year terms. HR Director Arrick-Kruger recommended that the Board take action to re-appoint Brian Pogodzinski for another four year term as County Engineer. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and

unanimously carried to appoint Brian Pogodzinski as County Engineer for the period May 1, 2017 through April 30, 2021. Commissioner Zmyewski questioned why the County takes action to appoint various positions. HR Director Arrick-Kruger explained while the hiring process is competitive, the appointment process is procedural with the procedure coming from Minnesota Statute and Collective Bargaining Agreements. She is unaware of the intent of legislators when the laws were put in affect. There are 4 positions which are appointed which include Assessor, Surveyor, Veteran Service Officer, and Engineer.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to transfer Rick Vesterse from the position of Mechanic to the position of Maintenance Specialist at step 3 of the appropriate comparable worth band effective April 16, 2017. The position of Maintenance Specialist is open due to a resignation. Mr. Vesterse is qualified. This transfer is a voluntary demotion at the request of Mr. Vesterse. Engineer Pogodzinski supports the transfer.

Chairperson Miller questioned whether this would be an appropriate time for Engineer Pogodzinski to meet with Dennis Gavin of Caledonia Haulers regarding the possibility of Caledonia Haulers assisting the County with repair and maintenance of the County fleet. Engineer Pogodzinski expressed two concerns. While he approves of the transfer it does create a vacancy in the position of mechanic and there are things that will fail to be completed if the County does not fill the vacancy. In addition, the position of Mechanic is tied to a Collective Bargaining Agreement and may require specific processes be followed in the event the Board wishes to contract for such services or eliminate the position. Engineer Pogodzinski reported that his department provides 24/7 services and there are times when the department has needs which must be met. All counties across the State of Minnesota employ a mechanic. There are counties which employ more than a single mechanic. He questioned whether an outside vendor would provide around the clock service to meet the needs of the County.

Following discussion, motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to authorize a competitive search to fill the Mechanic vacancy.

Chairperson Miller reported that the vehicle issues related to the positions of Engineer and Sheriff will be addressed soon.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to approve the re-hiring of Craig Welsh as a 67 day employee at A12 step 3. She reported that Building Maintenance has a staff member out on extended leave, and this 67 day hire will provide for necessary coverage. Mr. Welsh brings with him expertise that is complimentary to the established building maintenance team.

File No. 5 - Following discussion, motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to accept the resignation of Pam Mechtel from the position of Home Health Aide effective March 28, 2017 and to draft a letter of appreciation for her 12 years of dedicated service.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the change of status for Rebecca Myhre from probationary to regular effective March 28, 2017. Ms. Myhre is a social worker and this change in status is recommended on behalf of both her supervisor and department head.

HR Director Arrick-Kruger reported that the Emergency Management Director job description has been submitted to Arthur Gallagher & Co. for banding. It has been assigned a comparable worth of C44. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to accept the banding of C44 for the position of Emergency Management Director. HR Director Arrick-Kruger has submitted information to both the AFSCME and LELS collective bargaining units regarding this position. She reported that the position is an exempt salary position however, it will be overtime qualified upon declaration of an emergency at which point the County is reimbursed for overtime expenses by FEMA. Benefits for this position will be pro-rated based on 0.5 FTE.

HR Director Arrick-Kruger reported that historically comparable worth studies have been completed on ¼ of the county positions annually. The process ensures that classifications are accurate. This information is reported to the State. Comparable worth studies are costly and time consuming and require completion of a position analysis questionnaire, and meetings with employees and department heads. Once the necessary information has been gathered it is forwarded to Arthur Gallagher & Co. for comparable worth banding. As a result of collective bargaining the process started last year to review all AFSCME positions, several of which have not been reviewed in more than 15 years. To date several positions have been reviewed and two classifications have been recommended for change. HR Director Arrick-Kruger stated that she fully supports the recommendations. The first position, currently held by Mike Meiners, which is an Assistant Custodian A12 has been recommended to be changed to Building Maintenance Specialist B22 due to the requirement that the incumbent have a boiler license. HR Director Arrick-Kruger recommended Mr. Meiners be moved from Assistant Custodian A12 to Building Maintenance Specialist B22 step 1 retroactive to January 1, 2017.

Commissioner Connor questioned how many positions have been reviewed. HR Director Arrick-Kruger responded that both positions in the Surveyor's Office, 4 positions in Highway Maintenance, and 5 positions in the Assessor's Office have been completed. Positions in the Auditor, Treasurer and Recorder are in various stages of the process and work is beginning for positions in the County Attorney and Public Health divisions. A meeting is scheduled with Human Services Staff to get the process moving forward in that department. She further explained how the work is completed by County staff for submission and review by Arthur Gallagher & Co. HR Director Arrick-Kruger expressed support for action to be taken on

recommendations as they are received. Commissioner Connor requested that information related to recommended changes be distributed to Commissioners for review prior to action being taken.

HR Director Arrick-Kruger reported that three proposals were received as a result of an RFP related to the Historic Courthouse and Jail. Recently meetings were held to evaluate and compare the proposals. Those involved in the meetings which include representation from Preservation Alliance, the Historical Society and County Staff are recommending the County accept the proposal submitted by Collaborative DesignGroup, Inc. Grant funding has been secured to cover the cost for a full architectural study of the Historic Courthouse and a Reuse Study for the Historic Jail. The completion of the studies will better position the County to compete for competitive grant funding to cover or offset future project costs associated with the two structures. It was agreed that economic viability of Historic Jail reuse is imperative. Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to authorize HR Director Arrick-Kruger to draft an agreement with Collaborative DesignGroup, Inc. for Historic Courthouse Construction Planning and Historic Jail Reuse Study.

At this time HS Director Pugleasa met with the Board to present several items.

File No. 6 – HS Director Pugleasa reported that he has spent much time evaluating contracts to better understand services, and get to know vendors and long term partners. He presented an agreement from Semcac for MA Transportation Services. The County is responsible to provide medical transportation options for any individuals who qualify for MA and have no means to get to scheduled appointments. Many counties in the region contract with Semcac for this service. He provided historical and trend information related to the agreement. Providing the service is mandated and costs are directly related to usage. Commissioner Connor confirmed that the expense has been budgeted for. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the Purchase of Service Agreement with Semcac.

HS Director Pugleasa reported that he has spent much of his first several weeks at the County listening and learning. He is considering partnerships and reviewing how the organization functions. He has identified strengths, weaknesses, opportunities and threats. Houston County is fortunate to employ talented staff which is committed, as well as willing and eager to lean into change. He recognized that there is opportunity to expand collaboration with Public Health. In order to do this the departments need to identify where they overlap and how work can be streamlined to benefit the County economically while improving service. One of the greatest threats is the dynamic legislative platform. He recognizes a need to remain focused on facts and to consider trends as the department moves into the future. He reiterated pride in the team which is present at the County and expressed pleasure with operation. Mr. Pugleasa expressed how pleased he is to be in his position. Chairperson Miller questioned whether Social Workers were successfully documenting “hits”. HS Director Pugleasa responded that he does continuously monitor this and assured Chairperson Miller that “hits” are being recorded. He assured the Board that he is well aware of the importance and financial impact this

documentation has on payments made to the County. Chairperson Miller read aloud a letter of commendation received from the Minnesota Department of Human Services due to all financial reporting having been submitted on or before due dates. HS Director Pugleasa noted that several programs have been audited recently and resulting reports have been glowing.

File No. 7 - HS Director Pugleasa has identified capacity issues and realizes that additional staff may not be the only answer. He has questioned whether improved coordination could result in an improved outcome and considered various ways to address challenges. The Social Services Unit is made up of 3 areas including child protection and mental health, adult mental health, and waiver/disability services. This scope is broad for a single supervisor and the staff in the children's division is young. He expressed a desire to foster a team environment with cross training. Social Services supervision has been discussed many times over several years. He proposed the establishment of two lead workers, one in the children's division and a second in the adult/disability division. Lead workers maintain a case load while providing valuable leadership and will result in increased revenue from the State. He feels with the current talent recruitment of these positions could come from within.

Another area which would benefit from a staffing change is intake. Currently, intake is processed by a Case Aide. However, case aide scope of work is limited. He feels it would be a significant benefit to upgrade a case aide vacancy to a social worker position and have the social worker completing the intake duties. The Social Worker will have greater flexibility to perform specific duties resulting in an improved outcome. In addition, Social Workers are suffering the greatest amount of pinch at this time as there have been significant increases in the number of cases these workers are responsible for. This spike in cases is likely the result of 2015 legislative action which created additional work and revenue. Adult mental health case management has experienced a 60% increase bringing staffing in this area to crisis levels. There is a need for additional staff and he proposed an additional 1.0 FTE social worker for the adult division.

HS Director Pugleasa has carefully reviewed options and financial implications. He feels the proposals set forth will have minimal impact on levy dollars while meeting the needs of the department. He is comfortable covering the costs related to implementation which result in 2017 with fund balance. He has provided projections for the cost of implementing his proposal in 2018 and will work within the budget parameters established by the Board at budget time. State reimbursement rates average between 75 and 77% and comes in a variety of ways based on the work performed by staff. He has projected the 2017 budget impact at \$12,863.44. That is a mere one half of 1% based on the Human Services budget which is \$2.8 million.

While Human Services has budgeted a deficit in several of the past years, the department has actually increased fund balance. HS Director Pugleasa attributes this to good fiscal management. Commissioner Connor confirmed with Finance Director Lapham that there is adequate fund balance to cover the projected 2017 expense of the proposal. HR Director Arrick-Kruger noted she has been working with HS Director Pugleasa. There would be a need to complete the banding process for the proposed lead worker positions, as these positions don't

currently exist. If the difference is more significant than projected, HS Director Pugleasa would return to the Board for further direction. Finance Director Lapham expressed her belief that Mr. Pugleasa's projections are high.

Commissioner Zmyewski has met with HS Director Pugleasa and understands that the County operates a service oriented organization with staffing being the greatest expense. Much of the work performed in Human Services is one on one. The County is experiencing an aging baby boomer population which impacts public health costs, and the crime rate is increasing which impacts the Sheriff's Department budget. He expressed understanding that in this service organization, personnel is needed. However, he expressed his desire to determine the path the County is headed. There are capital expenditures which have been requested and there are multiple staffing requests which are coming forward. County taxes are high and he doesn't feel the County can afford both increased staffing and capital expenditures. He expressed a strong desire to discuss staffing during budget time. Hiring has a financial tail connected to collective bargaining agreements. Houston County has a long history of hiring, and he expressed his opinion that the County has hired many more than it has fired or laid off. HS Director Pugleasa stated he has experience handing out pink slips. He has considered his proposals carefully and feels confident the work load is such that the positions are warranted. Commissioner Zmyewski stressed strongly the need to hire only what is absolutely necessary. HS Director Pugleasa has considered and projected the financial tail for his proposal and does not want to add staff just to tell them later that the organization no longer has room for them. He assured the Board he is willing to work within the budgetary parameters established by the Board. Commissioner Zmyewski noted that a quarter into the fiscal year there are staffing proposals which carry with them a \$60,000 tail going into 2018. Commissioner Connor noted the County is in good financial standing and fund balance is available to cover the initial expense of Mr. Pugleasa's proposal and he's prepared to operate within the budgetary parameters established by the Board which may not include any increase. Not all departments can boast of no budget overruns and instead have added to fund balance. Chairperson Miller indicated that he has and will continue to ask whether "hits" are being recorded and in the event the proposal is approved, this must remain a high priority. HS Director Pugleasa reaffirmed that he is aware of the importance of hits, continues to monitor them and is currently pleased with staff documentation in this regard. Commissioner Arnold expressed his preference that staffing requests be tabled until budgets are discussed. He feels that requests to date have been well qualified however, requests continue to come forward and should all be considered at the same time so the full financial implications of staffing are known. Commissioner Connor restated that this department has fund balance and isn't requesting any funding increase and approving the proposal does not mean the Board is obligated to increase the Human Services budget in 2018. Chairperson Miller stated again that any hires will have a financial tail which will impact the 2018 budget. Commissioner Connor indicated that HS Director Pugleasa has stated repeatedly he will work within the budget parameters established by the Board therefore, if the Board chooses not to increase the HS budget, Mr. Pugleasa will need to determine whether staff is retained or how he will manage resources to operate within the budget confines. Motion was made by Commissioner Connor, seconded by Commissioner

Walter and failed with Commissioners Arnold, Miller and Zmyewski voting in the negative to approve the staffing recommendations as proposed with no additional budget allocation for 2017.

HS Director Pugleasa questioned whether his department would have any relief prior to 2018 since it has been decided to discuss staffing at budget time. It was noted that budget discussions begin in late June, the preliminary budget is set in September and the final budget is set at the end of December. Chairperson Miller indicated that in the event additional staffing is approved, the department could use fund balance for the part of 2017 remaining and move forward following approval whenever that may occur.

File No. 8 - Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve Peddler Licenses for Chad Larry Duncan, Lawrence Joseph Cihla, Lucas Levi Olson Goins, Daniel Zell Saddler and Zachary James Pitts all of who are employed by Platinum Supplemental Insurance of Dubuque, Iowa.

Commissioner Arnold reported that he has been designated to gather information regarding the possibility of contracting for Court Security. He called AMC and earlier this evening heard back from an individual who works with law enforcement and e-mailed a questionnaire in order to gather some of the desired information. Of the 30-35 response received, 3 counties noted that they contract for court security services. The counties which contract for court security services include Ramsey, Dakota and Winona. It was noted that none of the service providers for the three counties are the same. Commissioner Arnold indicated that he has received conflicting data regarding Winona County. There could be a reasonable cost savings if the County chooses to utilize a private firm. Commissioner Arnold spoke with Court Administrator Larson who stated that court security would not be full time. In the event a deputy is charged with court security duties, the Sheriff's Office will make good use of any time when the deputy's services are not needed in court. Commissioner Arnold has been told that the cost including salary and benefits for a 1.0 FTE Sheriff's Deputy will be approximately \$90,000 while the cost Winona County pays for contract of the same services is approximately half as much. Sheriff Inglett stated that he is aware of metro counties which utilize contract services and questioned whether the services provided are for screening or for the person present in the courtroom. Commissioner Arnold noted that the Sheriff's Association encourages counties to utilize only licensed peace officers. Commissioner Arnold recommended contacting one or more firms which provide the necessary services and invite them to meet. Chairperson Miller acknowledged that the Board has also received correspondence from the County Attorney's office in this regard. Chairperson Miller also spoke with someone who claimed to have correspondence from the Third Judicial District regarding arming of private security firm staff. County Attorney Jandt indicated that the judge will ultimately make that determination. Chairperson Miller expressed his respect for the concerns shared by Sheriff Inglett. However, \$40,000 in savings is worth considering. He questioned whether any private firms would be prepared to meet with the Board during the next regularly scheduled meeting. Sheriff Inglett inquired whether contracting for services is being considered for 2017. Commissioner Connor noted that the process to hire a deputy to provide court security has already been set in motion as

a result of action taken by the Board recently. He also questioned whether Commissioner Arnold has spoken with Sheriff Ganrude of Winona County. Commissioner Arnold stated that he would speak with Sheriff Ganrude. Commissioner Connor noted that it is important to understand whether Sheriff Ganrude is pleased with the service being provided, and whether there was a reason the contract was renewed via the consent agenda and no discussion held. Chairperson Miller reported he has spoken with Winona County Commissioners who have confirmed that the contract was renewed via the consent agenda. Commissioner Connor questioned whether this was done taking into some other factor such as a hiring freeze or similar directive. The only way to learn this is to ask the Sheriff. It was noted that the Deputy Sheriff position has been advertised and is closed. Interviews have been scheduled for later this week. Sheriff Inglett questioned how to proceed. It was the consensus of the Board to allow the hiring process to run parallel to the ongoing private security firm research. In closing, Commissioner Arnold stated that he does not want to be interpreted as close minded in any way. If the private security firms are unable to provide the level of security necessary, he will accept that and have confidence in the decision made knowing that adequate research was performed.

Commissioner Arnold reported on a One Watershed, One Plan meeting which he recently attended. He indicated that funding is still very much up on the air. It is possible that legislative action may result in allocations for block grant funding. If no block grant funding is approved, the watershed will be forced into the competitive grant arena. Another concern expressed at the meeting is the fact that the grant writer for this initiative is retiring and it is unknown how those services will be provided in the future.

Commissioner Walter stated she is aware that Freeborn County SWCD is experiencing funding concerns. She also reported on a Workforce Development meeting which she attended last week. Counties are currently being faced with making decision related to buffer zone legislation. It may be possible for County SWCD's and Zoning to monitor and provide enforcement, or the counties may turn over those responsibilities to BWSR. This decision will need to be made by June. It is believed at this time that counties will receive an allocation ranging between \$50,000 and \$200,000 to manage the program and the funding level will be based on the amount of waterways within an area. Commissioner Walter has spoken with District Supervisor Dave Walter who feels strongly that his office and Zoning can handle the additional workload. He supports keeping management and enforcement of the program at the County level. He stated that his office has strong relationships and good report with the local farmers.

Commissioner Walter stated that several weeks into the new year the Planning Commission is still operating two short of a full complement of members and the County Board still has not revised or adopted an updated appointment policy. She feels the Planning Commission deserves to have a full complement of members and applications have been received from incumbent members. Motion was made by Commissioner Walter and seconded by Commissioner Connor to appoint Dan Griffin and Rich Shield to one year terms on the Planning Commission. Commissioner Zmyewski quickly expressed opposition. He stated, as the sitting member on said committee, it is his opinion that there is no immediate need to make additional

appointments to the Planning Commission (PC). Contrary to earlier discussion, Zoning Administrator Lacher is charged with the bulk of research and nothing has been brought before the 5 members that would have been better addressed with 7 members. He expressed his concerns that adequate consideration be given to developing a sound policy and having the opportunity for all interested parties to make application. He expressed his thought that there is no need for 7 members on an advisory Board. The County has maintained the Board of Adjustment (BOA) with 3 members and that is a final decision making authority. In addition, the County Board only has a membership of 5. The 5 member PC is adequate to meet needs at present. It was noted that the Comprehensive Land Use plan has not been updated in 20 years. Commissioner Zmyewski disputed the Board membership would not be performing any revisions to the plan, therefore there is no increased workload which would be better divided among a larger number of members. The bulk of any revisions to that plan would be completed by Zoning Officer Lacher. Chairperson Miller stated the appointment procedure should be on the agenda for the next meeting. Commissioner Zmyewski restated his opinion that there is no need to rush the appointment of the additional 2 members. Commissioner Walter noted that with only 4 members serving from the public, the public has less representation than previously. Commissioner Connor indicated that he has shared information in this regard on two occasions and the Board has been unable to come to any conclusion or decision. Commissioner Arnold noted that he would have preferred to have discussion in this regard on the agenda for this week however, with the controversial history of the topic he did not want any appearance that it was rushed in at the last minute to evade radar. Commissioner Zmyewski called for a roll call vote: District 1 - no, District 2 - no, District 3 - yes, District 4 - yes, District 5 - no. The motion to appoint Dan Griffin and Rich Schild to one year terms on the PC failed. The appointment procedure will be placed on the agenda for the March 28th meeting.

Commissioner Connor noted that the Semcac meeting he was scheduled to attend had been cancelled.

Yvonne Krogstad, Caledonia Township resident, expressed confusion that during a recent meeting the Board authorized the initiation of a search for a Sheriff's Deputy to fulfill court security duties and now the Board is researching private firms who may be interested in providing the same service. She questioned whether a deputy will be hired if the County contracts for court security. It was noted that the search process will continue parallel to the private firm research. She questioned whether a candidate for the position could provide the services by privately contracting with the County instead of being a County employee. Commissioner Zmyewski noted that the processes may continue parallel to one another. In the event the decision is made to hire the deputy sheriff to provide court security services, the process will not have been delayed. If the County contracts for services, candidates will be informed that the County will not be filling the position advertised.

Michael Fields, Winnebago Township resident, provided information related to his homestead and the non-conforming mine which has been in operation since the 1940's and borders his property. He questioned how the area of a mine is determined and his interpretation

of the ordinance in this regard. He expressed concern that industrial mining in this area could negatively impact Camp Winnebago tourism. He encouraged the Board to reject any expansion of the mine beyond 40 acres. He expressed concern that 150 sheer walls cannot be reclaimed. Commissioner Zmyewski stated that he has been question as to how mine area is determined and assured Mr. Fields he would find out. Commissioner Connor noted that a single landowner may own 100's of acres and lease only a small amount of acreage to a mining operator for excavation.

Bruce Kuehmichel, Caledonia City resident, suggested the Board review the 1957 Hawkins V Talbot ruling related to defining of a mine.

Corey Baker, Yucatan Township resident, expressed concern regarding what he perceives to be ongoing setback violations of the Erickson Mine. He expressed his awareness of a ruling by Judge Sturino in this regard. He questioned why there has been no reaction by the County and why the mine operator has been allowed to continue operations. Commissioner Zmyewski questioned County Attorney Jandt in this regard. County Attorney Jandt responded that it is the opinion of trial counsel to allow the appeal process period to expire which locks in the Judge's order at which time the County Board will take appropriate action. Discussion was held regarding hypothetical situations. Mr. Baker questioned whether the County intended to enforce the ordinance. Chairperson Miller invited Mr. Baker to join him in a meeting with Zoning Officer Lacher at 3:00 p.m. on Thursday.

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

File No. 9 – Correspondence to H Koch regarding tons delivered to Xcel

File No. 10 – Public notice regarding construction of twin home in Doering Estates

File No. 11 – Correspondence from Attorney Jandt regarding court security

File No. 12 – Correspondence to payroll regarding recent hire

There being no further business and the time being 8:05 p.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, March 28, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, March 28, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Bergey & Graff; County Attorney Jandt; HR Director Arrick-Kruger; Sheriff Inglett; Valiree Green; Dave Walter; Jay Squires via phone; Bruce Kuehmichel; Bryan VanGorp; Tim Irwin; Glenn Kruse; Yvonne Krogstad; Assessor Dybing; Finance Director Lapham

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and carried to approve the agenda as amended.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the minutes of the March 21, 2017 meeting.

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

County Revenue Fund	\$109,574.75
Road & Bridge Fund	9,172.52

Total	\$118,747.27
	=====

File No. 2 - Valiree Green, DNR, and District Manager Dave Walter met with the Board regarding an Arbor Day tree planting project at Wildcat Park. They will mark planting locations for 4 species of trees and contact Gopher One. The trees will be planted and mulched by 4H participants and the media will be present. Staggemeyer Stave has donated the mulch. It is hoped that STS will be able to stake and cage the trees to protect them. Chairperson Miller questioned who would be watering the trees. Last year the area received ample rain and the new plantings did not require watering. In the event this year's trees need to be watered, it is thought that STS or the Park Manager may be able to take care of it.

Dave Walter provided an overview of various deadlines related to the implementation of the buffer zone law. The deadline for mapping other waters is July 1. Other waters are areas of standing water. Mr. Walter indicated that there are areas which may get mapped which should not be included and others which could be missed in the mapping. He has shared these concerns with BWSR. The other deadline is one which impacts jurisdiction. In the event the County wants to maintain jurisdiction and enforcement, there is a need to notify BWSR by September 1st. Mr. Walter supports the County maintaining jurisdiction. The buffer zone program will work much like the current feedlot program in that SWCD provides technical support and the Houston County Environmental Services Department handles the enforcement. The two entities have a well-established working relationship. There is funding tied to the law. The amount will range between \$45,000 and \$250,000 based on linear feet of stream/ditch. Commissioner Connor questioned whether funding amounts would be known prior to determining whether the County will maintain jurisdiction. Mr. Walter responded that the funding amounts should be known by that time. Commissioner Zmyewski questioned whether funding is being made available to land owners to offset the expense of installing the buffer. Mr. Walter responded that there is language referencing a \$40 per acre payment; however, it is unknown whether it is a one-time payment. Some landowners have enrolled buffer acres into the CRP program. Mr. Walter noted that there are several programs which may qualify for payments which would offset the installment costs, however, they would be one time payments rather than annual payments like CRP.

Dave Walter reported that the program which would have provided 75% funding for the repair of flood control structures fell through. However, FEMA is providing 75% funding and Homeland Security is providing 25% funding to cover 100% of the estimated costs to repair the affected structures. There are 5 such structures. Dave Walter cautioned that there is a need to have the work re-bid and in the event the bids come in higher than the original estimates there may be a deficit.

File No. 3 - Sheriff Inglett reported on the Safe and Secure grant for equipment. Discussion regarding making application has been ongoing and included Commissioner Connor, Judge Sturino and Court Administrator Larson. While there is a need for staffing, the group has not identified any equipment needs which would qualify for the grant. Therefore, Sheriff Inglett reported he will be foregoing application.

File No. 4 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to reassign Daniel Coogan from Investigator to Deputy Sheriff effective March 29, 2017 and to approve the appropriate comparable worth change. HR Director Arrick-Kruger noted that this was at the request of Mr. Coogan and is supported by Sheriff Inglett.

File No. 5 - HR Director Arrick-Kruger noted that per M.S. 273.061 subd. 2, the County Auditor must designate an Interim Assessor. Auditor Meiners stated that Cindy Cresswell has the required credentials, therefore she recommended appointing Ms. Cresswell to the position of Interim Assessor upon the retirement of Assessor Dybing. Assessor Dybing provided information

regarding the SAMA credentials which Ms. Cresswell has attained and how there is a need to have an Interim Assessor in place to sign the various Assessor Abstracts. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to appoint Cindy Cresswell as Interim Assessor.

It was noted that the position of County Assessor needs to be filled within 90 days. The position has already been posted and advertised.

File No. 6 - Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the change of banding for Cindy Cresswell from Property Appraiser B24 to Accredited Minnesota Appraiser B25, step 5 retroactive to January 1, 2017. This recommendation is the result of the completion of the Arthur J. Gallagher & Co. comparable worth study. Assessor Dybing explained that recent legislation requires that continuing education benchmarks be achieved by all county employed property appraisers. There has been significant concern that individuals employed prior to 2004 who are nearing the end of their working years may be negatively impacted as a result of the legislation, and Assessor Dybing anticipates legislation to exempt certain staff from the requirement. Ms. Cresswell has attained the necessary continued education requirements. Mike Paulson is working to meet the requirements as is Carl Ask. The deadline to meet the requirement is 2019. Commissioner Zmyewski questioned why the banding change of Ms. Cresswell is being made retroactive to January 1, 2017. HR Director Arrick-Kruger noted that the comparable worth studies are being completed as part of the AFSCME Collective Bargaining Agreement. It is a physical impossibility to complete all of studies at one time; however, the effective date of any changes should be the same across the unit. It was felt that January 1 was a reasonable date for these changes to become effective.

File No. 7 - Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the change in banding for Mike Meiners from Assistant Custodian A12 to Building Maintenance Specialist B22, step 1, effective retroactive to January 1, 2017. This recommendation is the result of the completion of Arthur J. Gallagher & Co. comparable worth study.

Pursuant to MN Statute 13D.05, subd.3(b) it is requested the Houston County Board of Commissioners go into "closed session" based upon attorney-client privilege to discuss the Court's decision in the Appeal of the Houston County Board of Adjustment dated February 18, 2016, regarding the merits of the County's position, any potential appeal, and processes on the Court's remand Order. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to convene a closed session.

The time being 9:34 a.m. a roll call of those present at the closed session was taken: Chairperson Miller, Commissioners Zmyewski, Connor, Walter and Arnold, Auditor Meiners, Deputy Auditor Quinn, Environmental Services Director Frank, County Attorney Jandt and Attorney Jay Squires via phone.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to return to open session.

Chairperson Miller requested County Attorney Jandt provide information related to the closed session. County Attorney Jandt responded that discussion related to the February 18th court ruling related to the BOA decision. The County Board has decided not to appeal the matter and will deal with the Court's remand Order during the regularly scheduled April 24th meeting.

File No. 8 - Engineer Pogodzinski reported that a dock at Wildcat Park had been damaged due to a fallen tree. The damaged dock was located near the south pavilion. County Auditor Meiners has contacted MCIT regarding possible insurance coverage. It was noted that there is a \$2,500.00 deductible. Engineer Pogodzinski has secured quotes to replace the dock. To replace the structure with a comparable EZ Dock structure the cost would be \$5,370.70, whereas a galvanized steel structure would cost slightly less at \$5,083.00. The galvanized steel structure would have water clearance which would allow for debris to pass under. The quotes are valid through the end of March and reflect early season discounts. Engineer Pogodzinski noted that the galvanized steel dock is 6' wide by 20' in length which is 1 foot wider than the current boat landing dock. He suggested the new dock be placed at the boat landing where usage is much greater and the narrow dock be placed by the south pavilion as that dock receives less traffic. Discussion was held regarding Wildcat Park finances. The fund balance for the park is currently in the red following significant improvements and the installation of new restroom and shower facilities. The park has been generating revenue in each of the past several seasons. Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to accept the quote of \$5,083.00 for a 6' x 20' galvanized steel dock.

Motion was made by Commissioner Arnold and seconded by Commissioner Connor to re-appoint both Dan Griffin and Rich Schild to three year terms on the Planning Commission (PC). Commissioner Zmyewski immediately expressed strong opposition to one of the reappointments. He expressed his expectation that all appointees be made as the result of a fair and equal process. It was his understanding that the appointments had not been made in order to allow time to develop a process and to date, there has been neither change made to nor rescission of a previously adopted policy. He expressed surprise that suddenly, there is a desire to reappoint without first going through any process. He expressed further ire with the fact that the reappointments are being made to provide a full complement of members to a 7 member PC when interest has been expressed in increasing the Board of Adjustment (BOA) membership from 3 to 5. The BOA is currently dealing with two lawsuits as a result of its decisions. He provided examples of how the Board contradicts itself. Commissioner Zmyewski expressed his support for members of the public to have equal opportunity to serve on the PC and reasons for his concern as it relates to the current appointees.

Commissioner Arnold explained that he based a prior vote on the fact that staggered terms of appointees was of significant importance to him. A significant difference between the

PC and BOA is the fact that the PC is an advisory Board and the recommendations coming forth from the PC are decided by the County Board. The BOA is a decision making authority and any decision is final and may only be appealed to the Courts.

Environmental Services Director Frank has expressed a need to appoint a full complement of members to the PC in order to complete necessary work.

Commissioner Zmyewski restated his concern that appointments are being made without regard to the policy which was adopted earlier by the Board and no action has been taken to revise the policy so that one which is agreeable to the Board as a whole can be put in place. The BOA are critical positions which the Board has limited authority over once individuals have been appointed, therefore he feels it is necessary to adhere to a policy and properly interview and vet candidates. Commissioner Zmyewski noted how controversial the appointees to both Boards have been during his 6 year tenure on the Board.

Commissioner Arnold noted that the Board has had 3 months in which to improve upon the policy which is in place, however that has not happened. The policy may be worked on at any time. There is a need to make appointments so the PC has a full complement of members.

Chairperson Miller questioned why the Board has failed to take action to make an additional 2 appointments to the BOA and simply assign staggered terms.

Commissioner Connor reported that he has submitted policy suggestions on three occasions. He has solicited feedback on his suggestions from all commissioners to no avail.

Motion was made by Commissioner Walter and seconded by Commissioner Connor to end discussion and call for the vote. Commissioner Zmyewski noted that Roberts Rules of Order require a two thirds majority vote in this situation due to the rule being used to prematurely end debate. Roberts Rules of Order have never been officially adopted by the County Board. A roll call vote was taken: District 1 – no, District 2 – no, District 3 – yes, District 4 – yes, District 5 – yes. Commissioner Zmyewski noted that the motion failed and with regard to never having adopted Roberts Rules of Order, he shared his opinion that the County Board doesn't follow process.

Chairperson Miller urged members to consider a process and bring it forward at the next meeting so that the Board can come to some agreeable conclusion of the matter. Interviews are a cumbersome process and the Board can't participate and complete them for all positions.

A roll call vote was taken on the standing motion made to reappoint both Dan Griffin and Rich Schild for three year terms to expire December 31, 2019. District 1 – no, District 2 – no, District 3 – yes, District 4 – yes, District 5 – yes. The motion carried.

Commissioner Zmyewski moved to appoint 5 members to the BOA immediately, rather than delaying appointment until December. The motion failed for lack of a second.

Commissioner Zmyewski moved to adopt a process for appointing individuals. Commissioner Arnold expressed a desire to further consider the process. Commissioner Zmyewski expressed his desire to take action to reach conclusion of the matter. The motion failed for lack of a second. Commissioner Zmyewski stated that there is a process in place and no action has been taken to rescind the policy or revise it, yet the Board is failing to adhere to the policy.

File No. 9 - Auditor Meiners reported that there are various parcels of property in the county that were previously utilized as cart ways. Often these fail to be included in the legal description when land sells, thereby resulting in tax forfeiture of the property on which the cart way formerly existed. She reported that Parcel # 10.0072.001 has an ambiguous legal description. Upon researching the parcel it was discovered that the property is described within another parcel, and she asked that the taxes on this parcel be abated and the parcel then deleted. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the abatement of taxes on parcel #10.0072.001 due to incorrectly accounting for it in the land records system and delete the parcel since it is accounted for in another adjacent parcel.

Commissioner Arnold reported on a Fair Board Building Committee meeting which he attended. The Fair Board desires to work with the County on a shared building and hopes the County can move forward soon.

Commissioner Walter reported on a Solid Waste meeting which she attended. She provided information of the upcoming Solid Waste Annual Meeting scheduled for June 23rd. She also reported on Public Health and Houston County Association of Township meetings which she attended. She provided a reminder of the upcoming Association of Townships annual meeting which will be held on April 4th at Good Times beginning at 7:00 p.m.

Finance Director Lapham reported that financial updates are to be provided to the Board timely as part of internal controls. She expressed concern that the Board schedule changes have complicated this. It is difficult for her office to compile data and have it available to share for the first meeting of the month, there is no meeting the second week and by the third week the financial data is "old news". She questioned whether the Board would consider amending its schedule in order to hold a meeting the 2nd week of the month. After discussion, it was agreed not to change the board meeting schedule due to existing scheduling conflicts.

Commissioner Zmyewski indicated that there is an individual working within the Sheriff's Department who is a certified Emergency Manager and there may be no need to train someone new for these duties.

Discussion was held regarding the possibility of scheduling a vote to determine a location for the proposed Highway Department Building.

Chairperson Miller questioned why someone nearing retirement attended an expensive conference and why a second individual was also in attendance.

Chairperson Miller reported on a Public Health meeting and a Park Committee meeting which he attended. He reported that excavation from the development of a parking area at Botcher Park could be utilized to landscape around the current Highway Department Building to improve the leaking water situation.

Commissioner Connor noted that the south end restrooms at Wildcat Park still need to be addressed. It may be possible to utilize porta potties.

Bryan VanGorp, Yucatan Township resident, expressed ongoing concerns related to the Erickson Mine and also with the reappointment of an individual to the Planning Commission.

Yvonne Krogstad, Caledonia Township resident, questioned why the Board would schedule another vote on the location of the proposed Highway Department Building when a decision was made in fall 2015. She also shamed the Board for failing to adhere to policy when making the appointments earlier today.

Commissioner Zmyewski affirmed that the Board had taken action regarding a site location. It was agreed that Auditor Meiners would research this in the minutes and provide it to Commissioners.

File No. 10 - Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the Professional Services Agreement with Collaborative DesignGroup, Inc. for Historic Courthouse Construction Planning and Historic Jail Reuse Study.

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

File No. 11 – Correspondence to payroll regarding several changes

There being no further business and the time being 11:06 a.m., motion was made by Commissioner Miller, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, April 4, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, April 4, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Bergey & Graff; Bruce Kuehmichel; Bryan VanGorp; Betts Reedy; Donna Buckbee; Tim Irwin; PHN Director Marchel; Engineer Pogodzinski; Dave Geske; Zoning Officer Lacher; Chief Deputy Sheriff Lapham; HR Director Arrick-Kruger; Finance Director Lapham; Sheriff Inglett; Environmental Services Director Frank; Yvonne Krogstad; HS Director Pugleasa

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and carried to approve the agenda.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the minutes of the March 28, 2017 meeting.

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

County Revenue Fund	\$10,960.32
Road & Bridge Fund	41,348.66

Total	\$52,308.98
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Bruce Kuehmichel, Caledonia City resident, expressed concern with the BOA appointment policy and discussion which is scheduled to take place later in the meeting.

Bryan VanGorp, Yucatan Township resident, requested clarification regarding the timeline and steps related to the BOA appeal process.

File No. 2 - Engineer Pogodzinski reported it has been several years since quotes have been solicited for airport mowing. Quotes have been solicited for the upcoming mowing season. Two quotes were received. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to accept the low quote submitted by Meyer Lawn Service. Meyer Lawn Service quoted a price of \$350.00 per mowing, labor at \$35.00 per hour and a 10% markup on supplies.

File No. 3 - Engineer Pogodzinski recommended approval of the final payment for S.A.P. 028-614-011. This is for a paving project completed on CSAH 14 by Mathy Construction. The contract amount was \$3,215,470.97. Certified to date is \$3,085,397.20. The certified amount is approximately \$130,000.00 under budget due to the contractor failing to qualify for all incentives. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to adopt the following:

RESOLUTION NO. 17-16

WHEREAS, Contract No. 263 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 explained that the gravel at the entrance of the Hokah salt shed does not freeze during winter months. This creates a sloppy area and vehicles track debris onto the roadway as a result. Engineer Pogodzinski has requested quotes to pour a concrete apron to alleviate the issues. He recommended accepting the low quote. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to accept the low quote in the amount of \$4,456.00 submitted by Meyer Concrete, LLC and to approve completing the project. Engineer Pogodzinski reported his department has a building maintenance budget line item which has funds available to cover the expense.

File No. 5 - PHN Director Marchel reported on 5 purchase of service agreements for individuals within the county who have worked with the county to provide heavy chore services for clients. These services enable homebound clients to remain in independent living situations and provide for snow removal and lawn care. The vendors are paid at a rate of \$3.76 per 15 minute increment. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the Purchase of Service Agreements with the following vendors: Michael Wiste; Dennis Garrison; Michael Meyer dba Meyers Lawn Service; Terry Schuldt; and Tom Pecinovsky.

File No. 6 - Chief Deputy Sheriff Lapham reported that he has been approached by the U.S. Fish and Wildlife Service to enter into mutual aid agreements. County Attorney Jandt has reviewed the Memorandums of Understanding. Motion was made by Commissioner Arnold,

seconded by Commissioner Connor and unanimously carried to approve the Memorandum of Understanding for Emergency Law Enforcement Response and the Memorandum of Understanding for Non-Emergency Law Enforcement Response.

File No. 7 – Finance Director Lapham reported on proposed budget amendments. The amendments are largely due to the fact that budgets are estimated on current health benefit choices which may change for employees during the December open enrollment period. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the budget amendment as presented.

File No. 8 - Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve the purchase of a John Deere X754 lawn tractor with 54” mower deck from SEMA and to purchase a sander/spreader at a cost of \$566.63 for the Building Maintenance Department.

File No. 9 - At this time Dave Geske, vector borne disease entomologist, provided an update related to vector control. Mr. Geske has worked with Houston County as Arboviral Control for many years. In the late 1970’s and early 1980’s La Crosse Encephalitis was of great concern with case numbers averaging 27 cases per year across the 6 county region. Houston County pioneered a tire collection program through its Environmental Services division which has served as a model for other counties due to its great success in reducing mosquito habitat. This has resulted in greatly reducing the number of cases of La Crosse Encephalitis infection. The average number of cases of La Crosse Encephalitis has been reduced to fewer than 3 across a 12 county area. This success is attributable to public awareness and habitat reduction. The CDC performed a cost benefit study related to vector control and found that if cases could be reduced by a single infection, it would cover the cost of the program for 10 years. La Crosse Encephalitis is expensive to treat and can leave infected individuals with lifelong central nervous system detriments. During the peak period for infection, Houston County exhibited the highest incident rate. The vector control program focused on areas with heavy concentration of disease carrying vectors. Since the 1980’s vector control has also become involved with treating for ticks since the deer tick carries 4 bacterial diseases, 1 parasite and a viral disease. In addition, public awareness related to wild parsnip has also been increased.

File No. 10 - Zoning Officer Lacher reported on two CUP’s which the Planning Commission (PC) has recommended for approval. The first CUP request is for a non-farm dwelling located in Mound Prairie Township and requested by Gary Jorgenson and the second request is for a cabin in Black Hammer Township on behalf of Michael and Diane Schmidt. Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve the CUPs for Gary Jorgenson and Michael and Diane Schmidt.

File No. 11 – Zoning Officer Lacher reported the Feedlot program is subject to an annual evaluation which is tied to future funding. He requested Board approval of the report which has been prepared and will be submitted to the MPCA. The goal of MPCA is for 7% of feedlots to be

inspected on an annual basis. Houston County staff has inspected 9% of registered feedlots in the past year and has satisfied other applicable program requirements. Chairperson Miller questioned how it is determined which feedlots will be inspected. Zoning Officer Lacher provided an overview of the process for determining inspection locations. In response to the report Houston County will be awarded grant funding which Zoning Officer Lacher anticipates will be in a greater amount than the past grant year. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the 2016 Annual County Feedlot Officer Annual Report and Performance Credit Report.

At this time Zoning Officer Lacher offered suggestions related to an upcoming site visit to the Erickson mine which will include the full board. He shared his opinion that a site visit including the full Board would be beneficial. The visit will be a public meeting however, he urged strong caution with regard to allowing the public to comment and/or ask questions during the visit. He expressed his opinion that the site visit is for the sole purpose of the Commissioners to gather information and not consider testimony or make any decision. He suggested that the County's attorney work with the mine owner's legal counsel to schedule a time when the mine owner could be available to attend the visit and be on hand to answer any questions the commissioners may have. Zoning Officer Lacher indicated that abiding by these suggestions will provide for the public's confidence in the process and ensure there is no perception of favoritism. He further suggested that the onsite visit take place preceding the April 18th evening Board of Commissioners meeting. In the event the full Board is in attendance, 3 days posted notice will be required. The Sheriff's Office has expressed some concern related to safety and Zoning Officer Lacher encouraged the Board to work with that department to address the concerns. Commissioner Zmyewski invited members of the Board to tour his shop prior to the mine site visit. He said it would take little time and would provide insight as to cost and space use. Discussion was held. Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to direct Zoning Officer Lacher to work with legal counsel to schedule a site visit of the full board dependent upon the availability of legal counsel and the landowner. The Board expressed an interest in scheduling the site visit for the afternoon of April 18th. Zoning Officer Lacher noted that a well thought out process will be beneficial to all involved.

Bryan VanGorp requested clarification regarding deadlines for the submission of materials related to the BOA Appeal. Chairperson Miller responded that the appeal process expiration is April 8th. The Board will be accepting materials for consideration until April 11th with the public hearing to follow on April 25th.

HR Director Arrick-Kruger expressed appreciation for the approval to purchase the John Deere lawn tractor as requested by Building Maintenance.

File No. 12 – HR Director Arrick-Kruger noted that Cindy Cresswell was appointed to the position of Interim County Assessor at the last regular meeting. She recommended Ms. Cresswell's salary be appropriately modified. Motion was made by Commissioner Connor,

seconded by Commissioner Walter and unanimously carried to approve an change in salary for Cindy Cresswell from B25 step 5 to C53 step 1 effective April 3rd. 2017.

File No. 13 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to accept the resignation of Cathy Krupa from the position of jailer/dispatcher effective March 31, 2017 and to draft a letter of appreciation for her service.

Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the hire of Heather Culver-Teubert as a jailer/dispatcher at B23-2 step 1 effective May 1, 2017 and contingent upon successful completion of a background check. HR Director Arrick-Kruger stated the previous pool had adequate qualified and interested candidates from which to interview and make selection. There is not a need to re-advertise.

At this time HS Director Pugleasa reported on a revised staffing proposal. The most significant change to the staffing proposal presented during the last regularly scheduled meeting is the revision does not increase the total FTE's of the department. It simply changes the classification of the vacant position and utilizes lead positions to meet needs. The revised proposal does not negate the need for an intake social worker which may be further discussed during budgeting. HS Director Pugleasa reported there has been a 60% increase in cases over the past 4 years in the adult division. He attributes the increase to the aging population of Houston County and the impact on demographics. The revised plan requests consideration be given to filling the vacant case aide position with an adult division social worker and reclassifying 2 existing social worker positions to make them leads in the areas of children and adults. This will have a minimal financial impact on the department. Any financial impact for 2017 will be covered by fund balance. Commissioner Zmyewski clarified that the vacant case aide position has been budgeted for. Chairperson Miller clarified that after declining to approve HS Director Pugleasa's proposal from last week based on his strong feeling that staffing requests should be considered at budget time, he feels this compromise to meet needs is appropriate. He also noted that HS Director Pugleasa, who joined the County in November, was not part of budget and staffing decisions and is simply attempting a compromise, which fits within the parameters established by the Board. Commissioner Zmyewski clarified that there is no increase in FTE, rather there is reshuffling within the departmental positions. He expressed ongoing commitment to discussing FTE increases at budget time only. Commissioner Connor clarified that there is adequate fund balance to cover any additional expense resulting from the requested changes. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to authorize a search for a 1.0 FTE social worker.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve initiating the classification process for 2 lead workers as proposed.

Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to authorize an internal search for the lead social worker positions.

Commissioner Zmyewski reported he has met with Chairperson Miller and Engineer Pogodzinski to consider space at the current Highway Department Building site. The current site provides storage for many bulky items such as cattle passes. However, Commissioner Zmyewski expressed a desire to evaluate inventory and space use. Commissioner Connor commented there may be other sites at which these items could be stored in order to free up space at the current building location. Chairperson Miller expressed his strong desire to develop and construct a functional and safe building. It was noted that Chairperson Miller and Engineer Pogodzinski are scheduled to meet with Dennis Gavin, owner of Caledonia Haulers, to discuss how the entities may be able to collaborate. Any collaborative undertakings may impact needs as they relate to a proposed highway department building. Commissioner Zmyewski reported that he recently constructed a building in which he performs heavy metal fabrication. He will show how he utilizes space and was able to construct a building to meet needs on a limited budget. He also encouraged Commissioners who have not toured the Caledonia Haulers maintenance facility to work with Mr. Gavin to do so.

Commissioner Arnold expressed concern that water runoff be carefully considered at the current site due to the limited space, intent for additional fair buildings to be erected and the slope which is present.

Commissioner Zmyewski questioned whether the lot surrounding the building needs to be hard surface or whether concrete aprons would be adequate with the balance being gravel lot. Less hard surface would impact water runoff and ponding requirements. Commissioner Walter expressed concern that the County be aware of regulations related to water runoff and ponding areas. Commissioner Connor suggested Engineer Pogodzinski be asked to review and articulate current space needs. Commissioner Zmyewski suggested the Board tour various maintenance facilities during the month of April, instruct Engineer Pogodzinski to articulate space needs and establish a budget and timeline during the months of May and June. Discussion was held regarding the possibility of Commissioner Connor ushering the project forward and meeting outside of regular meetings in order to save discussion time during meetings.

Commissioner Connor noted that the Fair Board is continuing to move forward with planning for a new structure. Commissioner Arnold noted that the Fair Board's proposed building is estimated to cost \$450,000. There will be water in the building for livestock wash racks and watering. The Fair Board is still interested in working with the County to construct a building which could be cost shared or rented to the County for cold storage.

File No. 14 - Commissioner Zmyewski indicated there has been ongoing discussion regarding appointment procedures for the Planning Commission (PC) and Board of Adjustment (BOA). He questioned why this has resulted since there are already policies in place. He reaffirmed his displeasure that policy was not followed to make appointments to the PC.

Commissioner Connor expressed strong support for full board participation in making appointments to these controversial committees. Commissioner Zmyewski questioned how a revised process will be superior to the process which was adopted and whether the Board will follow a new process when it has failed to follow the process which is in place. Discussion was held. Commissioner Connor expressed concern with being allowed to view scoring data without first having been allowed to see all applications. Commissioner Arnold commented how there are timing issues related to the current process. Commissioner Zmyewski suggested the entire Board be provided the opportunity to review all applications. Perhaps consideration could be given to a method by which members rank or bring forward applications for candidates to be interviewed. He also noted that some individuals have a great paper presence and in an interview would fail to rise to the top. He stressed the importance of the interview process to ensure the individual measures up to the paper presence. Chairperson Miller stated that an applicant pool could be sizeable. Interviews take time to complete. He expressed his opinion that it is necessary to pare down the field of candidates for interview. Commissioner Zmyewski expressed strong support that when terms expire, the incumbent should be required to re-apply and at the same time new applicants would be considered. It was agreed that the interview committee should include both the Zoning Officer and HR Director in addition to Board representation. It was agreed that Commissioner Connor would work in amendments coming from today's discussion and present a revised appointment procedure policy for consideration.

Betts Reedy suggested PC and BOA appointment procedure information and Statute data governing the Boards be made available on the County's website.

Commissioner Zmyewski stressed the importance of consistency and Commissioner Connor questioned whether these appointments could be made at a time other than the beginning of January when there may be newly elected individuals joining the Board with little or no historical background.

File No. 15 - Commissioner Zmyewski provided a copy of written concerns to commissioners.

Yvonne Krogstad, Caledonia Township resident, commented that the current Highway Department Building site is located on sloped ground and suggested a 2 story structure may be a good fit for the site. She also encouraged the Board to think green when developing the proposed Highway Department Building.

Bruce Kuehmichel, Caledonia City resident, commented that a PowerPoint was provided at one time which showed the proposed Highway Department Building to scale. Commissioner Zmyewski responded that he has the software necessary. He indicated that drawings "to scale" could be viewed in the future.

Bryan VanGorp, Yucatan Township resident, shared his support with requiring incumbents with an expired term to go through the application and selection process to be eligible for re-appointment.

Craig Morehead clarified that the mine visit will be an open meeting and the public will be welcome.

Chairperson Miller reported on an HVMHC meeting which he attended.

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

File No. 16 – Notice of public hearing scheduled for 4/25/2017 regarding court order

File No. 17 – Correspondence from DHS regarding federally mandated single audit resolution procedures

File No. 18 – Correspondence from DHS regarding perfect performance in meeting financial reporting requirements

File No. 19 – Correspondence to recently appointed committee members

There being no further business and the time being 11:41 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, April 18, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, April 18, 2017

5:30 p.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Warner & Graff; County Attorney Jandt; Finance Director Lapham; Chief Deputy Sheriff Lapham; Treasurer Trehus; Tim Irwin; Michael Kruckow; Yvonne Krogstad; Bruce Kuehmichel; Joan Redig; HR Director Arrick-Kruger; Eldon Pohlman; Mark Jennings; Wayne Houdek; Jim Hobelsberg

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and carried to approve the agenda.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the minutes of the April 4, 2017 meeting.

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

County Revenue Fund	\$64,536.09
Road & Bridge Fund	7,292.65

Total	\$71,828.74
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Bruce Kuehmichel, Caledonia City resident, confirmed the time for next week's public hearing is 9:30 a.m.

File No. 2 – Chief Deputy Sheriff Lapham 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. Funding is utilized for enforcement (man hours on the river) hours only. Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to approve the Federal Grant and to adopt the following:

RESOLUTION NO. 17-17

WHEREAS, the Houston County Sheriff's Office has been awarded a grant through the Federal Supplemental Boating Safety Grant Program.

NOW, THEREFORE, BE IT RESOLVED that the Houston County Board of Commissioners hereby approves and authorizes the Houston County Sheriff's Office to accept said grant funding; and

BE IT FURTHER RESOLVED that the Houston County Board of Commissioners hereby names Houston County Sheriff Mark Inglett as the authorized signer on behalf of Houston County in regard to this specific grant, from this day forward.

File No. 3 - Finance Director Lapham provided an overview of the information to be presented. Treasurer Trehus reported how the County is currently utilizing fund balance until tax receipts are received in May. Commissioner Zmyewski questioned significant increases in both 2009 and 2010. Treasurer Trehus responded this was due to receiving FEMA reimbursement for significant flood event expenses which occurred in 2007 and 2008. Finance Director Lapham stated fund balance includes net equity items not included in cash balances. Commissioner Zmyewski clarified information related to fund investments. It was noted that general revenue investments must be totaled together to provide the full financial picture. Discussion was held regarding the County's investment and finance policies and auditor recommendations. The anticipated investment revenue for 2017 is \$150,000.

File No. 4 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to accept the resignation of Greta Mierau who served the county as a WIC Peer Breastfeeding counselor.

HR Director Arrick-Kruger reported the contract with Collaborative DesignGroup has been fully executed. They will soon be on site working with the EDA Coordinator.

At this time Mark Jennings, Wayne Houdek and Eldon Pohlman met with the Board to discuss the proposed structure to be erected on the Fair Grounds to house livestock. The individuals present serve on the building committee. The proposed building will house swine, beef, and dairy and contain 2 show arenas. The goats and sheep will be moved to Krech Arena which is currently utilized as the show arena. In order to erect the new structure, the existing pavilion, dairy and swine barns will need to be razed. This is a sizeable project which involves the Fair Board, 4H, open class families, and the County. The building committee will be recommending the Fair Board take action to hire a designer and architect.

In the off season the building will be utilized for large vehicle storage such as RV's. Currently, the storage coordinator turns away individuals wanting to store large vehicles due to

size limitations of existing structures. The Fair Board is in the process of seeking approval of 501.C3 non-profit status which will allow them to pursue additional funding streams. They have made application for a grant which will provide for galvanized knock down pens. The existing parlor equipment will be removed and re-used in the new building.

An initial estimate has been secured from Lester Buildings which provides for a cost ranging between \$350,000 to \$400,000 for the proposed building. Roof water is a concern and will require management. Commissioner Connor questioned whether the hard surface will be increasing. The response was that there will be no significant increase. Chairperson Miller questioned whether the Fair Board was breaking even. Mr. Pohlman responded that the weather was a factor in the past year's revenues. Commissioner Connor questioned whether the project could begin prior to funding being secured. Members of the building committee responded that funds are required up front. In order to fund raise, a shovel ready plan needs to be prepared so that the fund raising can be focused and pitched to potential sponsors/donors.

It was reported that currently, approximately \$15,000 is generated through off season storage rent. If the proposal comes to fruition, rental income will increase in response to the ability to store larger items. The proposed structure will be a wood truss pole building with 14 foot sidewalls and available for cold storage only.

Engineer Pogodzinski is scheduled to meet with the building committee at an upcoming meeting. Commissioner Zmyewski questioned the plans for the sheep for the coming fair season. The tentative plan for 2017 is to house the sheep in the horse barn. More will be known about animal numbers when entries close on May 15th.

File No. 5 - Auditor Meiners provided an overview of several tax abatements. Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to approve the tax abatements as presented.

File No. 6 - Commissioner Arnold reported on the SE MN Water Resources Board meeting which he attended last week. He also reported on a tour of Precision Stainless, Inc. he took with the EDA and also an Extension meeting which he attended.

Commissioner Walter reported on Extension, Public Health, Finance and EMS meetings which she attended.

Commissioner Connor reported he has been working with the State of Minnesota and others to tour area maintenance shops. He has been gathering footprint information for the facilities toured and data on which features have worked well and what items end users would change if the project were redone.

Commissioner Zmyewski requested that discussion related to the emergency management position be scheduled for the next meeting.

Chairperson Miller reported he also participated in the EDA tour of Precision Stainless, Inc. He reported on a tourism meeting hosted at the International Owl Center which he attended. Courtney Bergey is compiling an events calendar and recently hosted a seminar “Top 10 Reasons Small Businesses Succeed”. He also met with Dennis Gavin, Engineer Pogodzinski and Tom Molling and it is agreed that there are things which Caledonia Haulers will be able to assist with. He attended a Public Health meeting and has met with Winona County Administrator Fritz regarding the inmate housing agreement and possible additional collaborative arrangements.

Commissioner Walter questioned whether a collaborative arrangement with Caledonia Haulers requires any advertising, competitive bidding or going out for RFP.

Chairperson Miller noted that the next County Board packet would include a draft resolution for consideration. If adopted it may aid in being awarded a \$75,000 Federal Grant to benefit wildlife refuge initiatives within Houston County.

Commissioner Connor questioned whether the calendar being compiled by Ms. Bergey includes city events in addition to County ones. He also provided an update regarding proposed PC and BOA policy recommendations. He is still gathering and compiling data and will forward it to members of the Board soon.

Jim Hobelsberger, La Crescent Township resident, encouraged Board members to be thoughtful of the microphones as they greatly improve audio quality of the video if used appropriately.

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

File No. 7 – Correspondence to H Koch regarding tons delivered to Xcel

File No. 8 – Public notice regarding special meeting scheduled for April 18th at 3:30 p.m.

File No. 9 – Support of Houston County’s Mineral Extraction Ordinance from Township Officer’s Association

There being no further business and the time being 6:39 p.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, April 25, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, April 25, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Bergey & Graff; County Attorney Jandt; Engineer Pogodzinski; Courtney Bergey; Sheriff Inglett; HR Director Arrick-Kruger; Environmental Services Director Frank; Dave Walter; Michael Kruckow; Tim Irwin; Bruce Kuehmichel; Betts Reedy; Michael Fields; Bryan VanGorp; Susan VanGorp; Jackie Baker; Corey Baker; Donna Buckbee; Lorraine Culver; Tracie Erickson; Michelle Erickson; Yvonne Krogstad; Steve Hartwick; Deb Dewey; John Dewey; Jay Squires; Wayne Feldmeier; Dan Griffin; Rosemary Iverson; Ken Tschumper; Zoning Officer Lacher; Bruce Nelson

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and carried to approve the agenda.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve the minutes of the April 18, 2017 meeting.

File No. 1a - Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes from the site visit dated April 18, 2017.

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

County Revenue Fund	\$51,023.75
Road & Bridge Fund	5,381.95

Total	\$56,405.70
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File No. 2 - Michael Fields, Winnebago Township resident, read from a prepared statement which is on file.

File No. 3 – Courtney Bergey provided an update of events and undertakings of the EDA. Three events were recently hosted, 65 guests attended the first event and the following two had 36 guests each which was maximum capacity for the events. These attendance numbers show businesses are interested in working with the EDA and the EDA is hosting events which will help businesses succeed. Ms. Bergey reported that recently she has been visiting local manufacturers and learned that many are planning expansion.

File No. 4 - Courtney Bergey provided a mock-up of advertising materials prepared in collaboration with the 7 Rivers Alliance. This information will be shared with local Chambers and will hopefully be incorporated into the website.

File No. 5 – Ms. Bergey reported that there is a need for a more robust electronic presence which is external in focus. The current site has an internal focus. Work to gather content is ongoing and will include the information prepared in collaboration with the 7 Rivers Alliance. County EDA staff is working with local communities to ensure inclusion of links to community sites. An events calendar is being created which will include events taking place across the County. There is a need to advocate for all communities within the County to promote tourism, attract business and new residents. Courtney Bergey explained how currently budgeted marketing funds would be well used to commission the creation of a new externally focused website which could be easily maintained by current EDA and/or county staff in the future. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the RFP for Website Design, Development and Implementation Services.

File No. 6 – At this time HR Director Arrick-Kruger and Sheriff Inglett met with the Board regarding the Emergency Management Director position. Commissioner Zmyewski expressed a desire to clarify certain information related to the position, as well as current staff qualifications. The County has advertised the part time position externally. Commissioner Zmyewski indicated that the County currently employs an individual with Emergency Management certification. He questioned whether said individual has been utilized in an emergency management capacity since the retirement of Emergency Manager Kuhlers. Sheriff Inglett responded that he along with Chairperson Miller have been listed as Emergency Management contacts since Mr. Kuhlers retirement. The individual in question has basic level certification which does not qualify him for director capacity, however, he is qualified to serve in an assistant director capacity. Commissioner Zmyewski questioned why the County paid for emergency management related training on April 12th. Sheriff Inglett responded that funding for the training in question was grant funded and no one from the County would have been in attendance had grant funding not been available. Sheriff Inglett noted that there are CEU requirements associated with Emergency Management certification and there is a need to provide for a Director and Assistant Director. The individual on staff with basic certification has the potential to fulfill assistant level requirements. Sheriff Inglett indicated the current discussion is regarding the Director position, he further stated that in the event the Emergency Management

Director position remains under the umbrella of the Sheriff's Office he will assume the Assistant Director requirements. If the position is moved to another department, the County will need to provide for those requirements. It was noted that Emergency Management Director applications closed Friday. HR Director Arrick-Kruger reported that a minimum of 2 applications were received and the position has been assigned to the AFSCME Collective Bargaining Unit with a comparable worth banding of C44. Commissioner Connor clarified that once the part time Director position is filled, there will be a need to assign an assistant. Sheriff Inglett stated that he served as Assistant to Mr. Kuhlert since he was installed and will continue to do so once the Director position has been filled. He assured the Board that no one within his department can absorb the Director duties. He further noted that it is the County's obligation to provide for the Director and Assistant Director functions. It is not the responsibility of the Sheriff's Office to do so, however, as long as the position remains under the Sheriff's Office umbrella he will gladly ensure that the obligations are met provided he is allowed to make the part time hire. It was the consensus of the Board to allow the hiring process for the Emergency Manager Director position to continue.

File No. 7 - On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to accept the notice of retirement from Thomas Molling, Maintenance Foreman, effective April 28th following 26.5 years of dedicated service to Houston County. Chairperson Miller indicated that Mr. Molling has a wealth of knowledge amassed during his tenure. HR Director Arrick-Kruger stated that she and Engineer Pogodzinski do not have a staffing recommendation at this time.

HR Director Arrick-Kruger reported that the County has an open search for County Assessor. She stated that Treasurer Trehus and Zoning Officer Lacher have agreed to serve on the search committee and she requested that two Commissioners also participate. Both Commissioners Arnold and Walter volunteered to serve on said search committee.

Chairperson Miller questioned whether anyone is willing to serve as the SEMCAC representative. He has learned that he has too many conflicts and would prefer someone else take on this responsibility. Commissioner Connor indicated that he would consider this.

Chairperson Miller provided introductory remarks regarding the Public Hearing which is scheduled to take place at 9:30 a.m. related to the Erickson Mine access road issue. He requested speakers limit comment to the road access issue and remain respectful.

File No. 8 - The time being 9:30 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to recess the meeting in order to convene the scheduled hearing.

At this time Jay Squires stated he represented County in the case which has resulted in the remand. He has worked to represent the County in several land use and mining related issues in the past. He provided background and additional context regarding the current issue.

The remand issue dates back to 1992 when a CUP was issued on the mine. The CUP has undergone periodic review every 5 years and most recently in 2014. The mine has been subject to multiple lawsuits. The CUP noted only 2 conditions being a quantitative limit that no more than 10,000 cubic yards of material be removed in any given year and that vegetation be preserved. Bryan and Sue VanGorp, Corey and Jackie Baker and Rosemary Iverson have brought forth the suit which has resulted in today's hearing. The original suit alleged a significant series of violations. Originally, the BOA was charged with making a decision regarding possible non-compliance. The BOA determined the allegations lacked merit. An appeal was filed with the district court which rejected all allegations except for one. It ruled the access road was not in compliance with setback requirements. This item only was remanded back to the County Board. The District Court noted that the access road was also a mutual easement and could remain. Mr. Squires shared his opinion that contrary to belief, the courts action does not void the CUP. He further explained in the event there are allegations of violation it is customary to allow for one side to voice concerns and for the accused to respond. In reviewing the County Ordinance, Mr. Squires indicated the County has the option to allow the CUP to continue "as is", temporarily suspend the CUP or revoke the CUP. The Ordinance contains a specific provision under which the County has reserved right to discretion. The Ordinance does not include a provision which would provide the Board with authority to impose a fine. This type of provision would be called an administrative enforcement provision and would authorize fines as an option for non-compliance and Houston County's Ordinance does not have this inclusion. In the future, if the County wishes to utilize fines as a means of administrative enforcement for non-compliance, the Board should take action to amend and/or revise the Ordinance. Regardless of action taken by the Board, any party can challenge it. Today's hearing is for the purpose of the Board to take testimony. Following the hearing the Board has the option to direct staff to prepare findings and formal action could be taken during a subsequent meeting. Findings of Fact are prepared to support intended action or action taken. Commissioner Zmyewski requested clarification. In the event the Board comes to some consensus of the direction it intends to go or is leaning, staff may be directed to draft findings of fact which support that direction. No decision will have been made and the findings of fact can be adopted and action taken or work may continue before action is taken.

At this time Chairperson Miller invited Bryan VanGorp to speak. Mr. VanGorp indicated it was his desire to defer until counsel could be present. Counsel was currently in court on a different matter and was expected soon.

Michael Kruckow, representing mine operator Bonanza Grain and Kruckow Rock Products, addressed the Board. He explained that the County has always allowed for a mine operator to be given time to come into compliance following notification of non-compliance. When Bonanza Grain/Kruckow Rock Products was informed of the access road situation, they immediately took action to rectify the situation and gain compliance with the current setback.

Mr. Kruckow explained that the new road comes no closer to the Baker property line than 75 feet, which is much greater than the required 50 foot setback. He reported no screening was removed in order to install the new road, however, an 8 foot stump from a deceased tree was removed. Since the installation of the new road it has been utilized and will continue to be utilized. Mr. Kruckow stated Erickson's and Bonanza Grain/Kruckow Rock Products are simply asking that they be afforded the same courtesy as mining operators throughout the County. The Courts made a determination that the road was not in compliance, and an appeal timeline was established during which Bonanza Grain/Kruckow Rock Products made the decision to take immediate action that would bring the road into compliance. The Court's decision was final. The County was advised to wait until after the period for appeals had expired to hold the hearing and take action regarding the remanded issue. The mine operator was not compelled to move the road however, they took action to do so. The mine operator also alerted counsel regarding their actions.

Chairperson Miller indicated the fact of the matter is the road was not in compliance over a lengthy period of time as a result of the County's inability to realize the applicable setback requirement and actual placement of the access road. While the new road may comply with setback requirements, it doesn't change the fact that for many years it was not in compliance. Chairperson Miller stated there should be repercussions. When asked his opinion, Jay Squires responded it is the Board's decision to make. This property has a lengthy history. There have been a number of allegations made dating back to the time of renewal. The setback violation is not a condition of the CUP rather it is an ordinance violation. The non-compliance with the setback was unknown until it was brought to light in April 2017. There are various ways in which to view the situation. However, it was only recently determined to be a violation. Chairperson Miller indicated this should have come to light 3 years ago when the CUP was being reviewed for renewal. Complaints had been levied that the mine operation was in violation and someone should have been able to interpret the ordinance and discover this violation.

Michael Kruckow noted the setback requirement in 1992 was only 30 feet. The setback requirement was increased after the initial CUP approval. There were many years where there was no complaint and only recently have complaints been levied. The owners and mining operator have complied with all County requests regarding the mine and its operation. They have taken reasonable action to bring the road into compliance. The owners and the mine operator would be the aggrieved party in the event the Board were to take action to revoke the CUP. Mr. Kruckow respectfully requested the opportunity to rebut any comments made during the hearing.

At this time Bryan and Sue VanGorp, Corey and Jackie Baker, and Rosemary Iverson, asserted violations were ongoing, the road continued to be utilized following the Court ruling and the County has been misled by the previous Zoning Administrator. Bryan VanGorp indicated that due to a pending EAW it was his understanding that the process to grant the renewal should have been stayed. He stated that he and his neighbors have a lengthy documented history of violations which provide context for the hearing. Someone requested a point of order indicating the road was the only issue which should be discussed during this particular hearing.

Jay Squires noted everyone has 60 days in order to appeal a decision. This is provided for in appellate procedure. There was no need for the Judge to restate this in her Order.

Bryan VanGorp commented that no one should be allowed to continue to violate the ordinance. Wayne Feldmeier spoke out that those present should keep to the topic of discussion, being the road. Commissioner Zmyewski shared his understanding that any violation is a violation of the whole, which to him means a violation of the permit would constitute a violation of the whole and open the permit up for review. Bryan VanGorp stated that during the period of the court case the Ordinance has read the same. He proceeded to read excerpts from the Houston County Zoning Ordinance. He further claimed that there had been an additional 17 violations since the Judge issued her Order. He asserted the County has terminated a mining CUP for a single perimeter violation and that the Erickson Mine has a long history of complaints. Mr. VanGorp shared photographic images which he felt portrayed a failure to control dust, and damage to and removal of screening.

Chairperson Miller questioned whether the Judge's ruling spurred the owner/mining operator to move the roadway immediately. He compared the situation to someone who is convicted of burglary and allowed to continue to reoffend. He questioned why the mining operator continued to utilize the roadway which was deemed non-compliant. Michael Kruckow responded that plans and work for the new road commenced soon after the court order was received. It was necessary to use the road which was in place in order to construct and install the new road. The road was relocated as soon as practicable.

Jackie Baker disputed Mr. Kruckow's claim that the road was used not only for construction purposes, but also for the purpose of hauling mined materials from the site. Bryan VanGorp asserted the old road could have been utilized and would have negated the need to construct a third road on the owner's property. He also provided a listing of dates when mined product was hauled from the site. Mr. VanGorp noted he will continue to have appeals options following decision in this regard. He restated that this particular site has a history of complaints which provide context. He has submitted in excess of 250 pages documenting what he perceives to be violations. In addition, the EAW remains in a pending status. Houston County has taken no action to dismiss the EAW and it is Mr. VanGorp's understanding that while the EAW is in pending status, there should be no mining activity and no permit renewals granted.

Mr. VanGorp made statements which County Attorney Jandt quickly requested be immediately discontinued. Mr. VanGorp quoted Judge Sturino regarding a comment she made indicating the renewal of the permit was a "mistake". Mr. VanGorp expressed his opinion that violations continue repeatedly. The landowner and mine operator have failed to provide signage at the ingress and egress. He also expressed concern that the same individuals have attempted to pre-empt authority by taking action to move the road without direction by a governing authority.

In closing, Mr. VanGorp summarized his counsel's comments regarding the case and provided his recommendation for action. In addition, he noted his option to appeal any ruling.

File No. 9 - Bryan VanGorp read again from a prepared statement which is on file.

Jackie Baker pleaded for the County Board to “get it right” and right the wrongs of past staff errors.

Tracie Erickson requested the opening instructions be read again. Chairperson Miller indicated the instructions were not written. Mr. Erickson responded that he had prepared for discussion on the road issue only, and was not prepared to discuss the multiple other issues which were discussed during this hearing. He shared his opinion that the discussion has gone far beyond the specified scope. Chairperson Miller stated that he was interested in understanding the broader picture surrounding the situation. He was provided with an outline of what information could be submitted and to whom it should be directed. He followed those guidelines and submitted written information to Jay Squires. He expressed disappointment that the other side has submitted information directly to Commissioners and discussed the issue face to face with Commissioners. He cited an example when Chairperson Miller scheduled to meet with Corey Baker to discuss perceived mine violations. Mr. Erickson stated that the Board established rules and parameters, and counsel expressed how the procedure was expected to go. However, the other side has been allowed to speak of the entire history and provide their viewpoint on many things which were, in his understanding, outside the scope. Tracie Erickson restated it was his understanding that comments were to be limited to and related to the road. Mr. Erickson expressed great offense with being compared to a common burglar which is a felonious crime. He expressed his disgust that his perception of this hearing has been “throw it all at the wall and see what sticks.”

Chairperson Miller stated it was not his intent to offend anyone with his analogies.

The appeals process was clarified by counsel on several occasions throughout the hearing. Michael Kruckow asserted the order was stayed, which Jay Squires disputed stating the order was effective. It has been customary in Houston County to allow mining operators the opportunity to make improvements to come into compliance once non-compliance has been called to their attention.

Commissioner Zmyewski reported that he has not met with the other side. He admitted to speaking with Corey Baker when they met in Kwik Trip stating discussion was limited to pleasantries. This is common conversation when one lives in a small town as everyone knows everyone. Commissioner Zmyewski indicated he wants to understand the entire picture. He noted that a police officer would not turn a blind eye to an open alcohol container in a vehicle which had been pulled over for speeding, and this situation should be no different. Mr. Erickson stated again, the courts had dismissed all accusations except for the road issue which was remanded to the County Board. The other items have already been decided. Commissioner Zmyewski indicated that the road issue is a violation, and when there is a violation the status of the CUP may be reviewed. Mr. Erickson reiterated that the County Board established the

parameters for the hearing and he has followed their instructions. However, the other side has continued to communicate directly with certain commissioners and disregarded the instructions. Mr. Erickson expressed his perception that this activity could sway opinion. Commissioner Zmyewski stated he has no control over what is sent to him, and he indicated that Mr. Erickson does not know whether the information received by individual commissioners was actually read. Jay Squires commented that certain items have been adjudicated at this point. Typically, once an item has been adjudicated there is no need to further consider it or use it in further decisions. Adjudicated items are no longer relevant as they have already been addressed, are in the past and finished. The BOA made a ruling and provided findings of fact which found the claims to be non-meritous. This decision was appealed to the District Court which found all except for the road issue to be non-meritous. The road issue has been remanded to the County Board. All claims except for the road have been adjudicated. The County Board needs to determine whether the road issue warrants further action or not. Mr. Squires did not advise using adjudicated details when making decision related to the road issue.

At this time Bruce Nelson commented that the issue is not whether the road is in compliance or not. It is whether there have been violations of the CUP. He shared his opinion that the Board has the authority to make a ruling and that the only confines are good judgment of the Commissioners. He expressed disagreement that the BOA reviewed and adjudicated the complaints brought before them. He stated that previous staff made errors and false claims because the road was in violation and previous staff reported the mine had no violations. Mr. Nelson noted changes to the Ordinance have provided the Board with latitude whether to terminate the CUP based on the violation or not. He expressed his opinion that it may be beneficial to terminate the CUP as that could result in re-application at which time the Board could gather answers to questions which surround this mine.

Michelle Erickson stated that the mine is her livelihood. She requested the courtesy of being afforded the same opportunity as other mine owners and operators have been given to rectify any issues which come to light. She reported that she has been diligently working through the system which is in place and complied with each and every request or order to continue the operation of the mine. With each court case and ruling she, as mine owner, has been found to be law abiding. She expressed her opinion that she has been publicly made out to be the villain. She admitted this is an emotional situation for her because it is her livelihood. She expressed disappointment that it appears she is being treated differently than others involved, because she has complied with requests to submit information through specific channels and to limit the scope of information while others have sent information outside of the prescribed scope directly to decision makers. She expressed that she is emotionally drained as a result of the 6 year battle. She recalled a time when the neighbors had no issue with her mine or activities taking place there. More recently, it has been an ongoing and steady flow of unfounded complaints. Judge Sturino recently ruled to dismiss all claims with the exception of the road, yet today, those adjudicated complaints are being levied and discussed again. She has worked with County Attorney Jandt and others to remedy each and every complaint, however, the response has only been additional complaints. Judge Sturino questioned Bruce Nelson as to what it was his clients

desired and his response was “compliance”. Ms. Erickson noted that the road is in compliance and today, it seems compliance isn’t what they desire, but rather, the revocation of the CUP. She too expressed concern that members of the Board have been meeting with those who have filed the appeal. She provided the example that Chairperson Miller had scheduled a meeting with Corey Baker to discuss Mr. Baker’s complaints related to the mine.

Commissioner Zmyewski stated that this topic is extremely polarized and goes beyond the Erickson Mine. He finds it irritating when individuals attempt to keep it polarized. He stated that as a commissioner, he is willing to speak with anyone who makes a request of him. He expressed concern that Mrs. Erickson’s mine and the CUP has been shrouded in a black cloud. It is his desire for things to be done correctly with no further argument. He questioned how this could be accomplished. Michelle Erickson reiterated that she has worked through the system and is continually met with further allegations. Commissioner Zmyewski responded that everyone is treated the same regardless of the mine size. He expressed his confidence in the current Zoning Officer and his abilities to conduct business fairly and without bias.

Bryan VanGorp disputed claims that he and other plaintiffs have met privately with Commissioners. He stated that information was submitted to Jay Squires per the established procedure however, he had little faith that the information would be provided to commissioners so he did send it directly to them to ensure it was received. He restated Judge Sturino’s comment that the renewal of the CUP, was in her opinion, a “mistake”. He further disputed that the issues he raised have been adjudicated.

Donna Buckbee, Yucatan Township resident, shared her concern regarding road safety and the truck traffic entering and exiting the mine onto State 16. She stated there is no signage to warn motorists and the new access road enters in a less visible place for motorists traveling on State 16 from the West.

File No. 10 - Bruce Kuehmichel, Caledonia City resident, submitted a written statement which is on file.

Ken Tschumper, La Crescent Township resident, shared his opinion how poorly he felt the hearing has been conducted. He questioned whether Commissioners were committed to reading through written material which was not allowed to be presented orally.

It was noted that the process was designed to solicit written information which could be considered prior to the hearing. Written materials were provided to Commissioners contrary to belief. All written submissions will be considered as part of the process.

The time being 11:18 a.m., motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to close the hearing and reconvene the regular meeting.

File No. 11 - Ken Tschumper submitted a written comment which is on file.

At this time Jay Squires recommended the Board have dialogue to determine whether they are leaning in a particular direction or are trending towards a common conclusion. In the event there appears to be some consensus, the Board could take action to direct staff to draft findings which would support the anticipated conclusion. He suggested the Board dispose of historic allegations and focus on the road which is currently in compliance.

Commissioner Walter expressed her support for allowing the CUP to continue as is. Chairperson Miller expressed ongoing concern that there is a lengthy list of violations which it is claimed have never been acknowledged by the County. Bryan VanGorp reported that a 15 page statement outlining his concerns was sent to the BOA. Jay Squires noted the BOA addressed the information. The courts have addressed itemized allegations also. Mr. VanGorp accused Mr. Squires of not acting in a neutral capacity. It was restated that the BOA ruled on the allegations which were submitted. Commissioner Walter commented that findings need to be drafted. Commissioner Arnold clarified the County is paying a reasonable sum to have the attorney draft findings. Each commissioner has taken an oath of office to do their best to uphold Federal, State and Local law. In this situation the Board has a legal issue, and has hired counsel who has provided his best advice. Mr. Arnold feels the Board should follow the recommendations of counsel and have findings drafted. The question was posed whether the Board was trending in a particular direction related to the road and CUP. The Board has the option to allow the CUP to remain, temporarily suspend or revoke the CUP. It was noted that findings could be drafted for additional consideration at the next regularly scheduled meeting.

Commissioner Zmyewski moved to direct staff to draft findings to support revocation of the CUP. The motion failed for lack of a second.

Motion was made by Commissioner Walter and seconded by Commissioner Connor to allow the CUP to continue. Commissioner Arnold questioned Jay Squires regarding the process by which findings are drafted and whether alternate findings of fact could be prepared. Jay Squires did not encourage the preparation of alternate findings of fact, but admitted it was theoretically possible. Findings of fact may be amended and or revised when they are being considered. Commissioner Arnold clarified that in the event he wishes to have alternate findings of fact prepared, the motion on the floor should be voted down and a new motion made. He also questioned the benefits and drawbacks of preparing alternate findings of fact. Jay Squires responded one drawback is the alternate findings of fact will likely result in discussing over again all of the information presented today, and further delays final decision making. It would be more efficient to have direction and move forward to finalizing the matter. Commissioner Connor expressed understanding that the information has been presented and that preparing alternate findings of fact merely “kicks the can down the road”. Findings of fact will be prepared and provided to Commissioners for review and consideration prior to taking action. Commissioner Arnold expects counsel and staff will ensure the drafted findings of fact are legally defensible. Jay Squires expressed agreement with Commissioner Arnold. Commissioner Arnold indicated it is his hope that the findings of fact will be helpful and remove the emotion

from the situation allowing commissioners to make a well informed decision. At this point, Commissioners have received written testimony and heard testimony. A roll call vote was taken: District 1 – no; District 2 – no; District 3 – yes; District 4 – yes; District 5 – no. The motion failed to direct staff to draft findings of fact to support allowing the CUP to continue.

Motion was made by Commissioner Arnold and seconded by Commissioner Zmyewski to direct staff to draft alternate findings of fact. A roll call vote was taken: District 1 – yes; District 2 – yes; District 3 – yes; District 4 – no; District 5 yes. The motion carried.

File No. 12 - Environmental Services Director Frank and District Manager Dave Walter met with the Board to provide an update related to the buffer law. The buffer law requires a 50 foot setback from creeks and streams. There are decisions which still need to be made and timelines which must be adhered to. A resolution to adopt other waters is scheduled to be presented to the SWCD Board on May 11th. The deadline for adoption of such a resolution is July 1st, therefore Houston County will be well ahead of this. The other decision which will be required is whether the County wants to provide the enforcement or not. In the event the County decides to maintain enforcement control, funding will be provided. The amount of funding will be designated by the end of May. The deadline for deciding who will provide the enforcement is July 1st. It is the intent of SWCD and the County to provide the enforcement. Commissioner Connor suggested Dave Walter and Environmental Services Director Frank determine a value to provide the enforcement services so that when the amount is determined we will know whether the amount will cover the costs.

Dave Walter reported that the enforcement will be similar to that of the feedlot program. He does not anticipate it to contribute greatly to the work load, as 77% are already in compliance. He anticipates that it will be feasible provided the appropriation exceeds \$20,000 annually. He noted there are some funds available in the SWCD budget to offset expenses for the program. In addition, he will be adding a 1.0 FTE staff person which makes him confident the additional workload can be accommodated with their staffing. Environmental Services Director Frank indicated that his department does not have available staff time for this program. Chairperson Miller noted the first order of business will be to learn what the annual appropriation will be. Environmental Services Director Frank stated it would be best to keep enforcement local. It will provide a brick and mortar place for residents to go to meet with someone face to face should a concern arise. In the event the State provides the oversight, local property owners will not have that luxury. Both the SWCD and Environmental Services have established working relationships with many local landowners which should be a positive thing in the event they are required to work together on a buffer law issue. Dave Walter provided an overview of compliance timelines and administrative enforcement fines. In closing, Mr. Walter noted in the event the County provides enforcement of the buffer law the Ordinance will need to be updated to reflect the fine structure.

File No. 13 - Engineer Pogodzinski reported on 4 options related to equipment purchases/replacement. The options include the Highway Department, Sheriff's Office and

Environmental Services. Engineer Pogodzinski stated the Highway Department has a 2008 backhoe which will need significant repairs or replacement. Currently the Highway Department Engineering staff has access to 5 pickups and the Yukon. The Yukon is being transferred to the Sheriff's Office. There is one pickup that has mechanical issues and is not driven out of county. There are times when Engineering staff is utilizing all 5 available vehicles and times when one or more of the vehicles is parked. The options presented may include the purchase of an AWD SUV to replace the Yukon. In the event the department foregoes the replacement of the Yukon, they plan to replace one of the pickups so that all 4 were reliable. Engineer Pogodzinski noted that personal vehicles are not covered by insurance upon entry to a job site. In addition, the Engineer's vehicle is subject to certain collective bargaining provisions. The Environmental Services Department is considering the replacement of one of their trucks which is also figured into the options. The State bid amounts expired in February and the new State bid figures haven't been negotiated. However, they are expected to be within 5% of the expired bid. Engineer Pogodzinski commented that GMC vehicles are provided as options due to the fact we have a GM dealer located within the County. Other brands would require warranty service work to be completed out of County. GM is accepting orders for current pricing through Thursday of this week. The options also include lease expense for a tractor. These options represent anticipated vehicle and large equipment purchases for all county departments for the current budget.

Commissioner Connor expressed support to repair the backhoe which will greatly extend its useful life. Commissioner Zmyewski questioned what repairs are included for the estimated \$26,000 cost. It was noted that minor repairs to heavy equipment are typically performed by the Highway Mechanic. Significant repairs will be performed by RDO which is a certified to perform John Deere equipment repairs. They perform service work both onsite or at their facility in Rochester.

Chairperson Miller noted he does not favor providing staff with commuter vehicles and would prefer they be available to anyone with a business need within the department. Engineer Pogodzinski responded they could forego approval of an AWD SUV and have further discussion related to Collective Bargaining criteria at another time.

Motion was made by Commissioner Connor, seconded by Commissioner Arnold and carried with Commissioner Zmyewski voting in the negative to approve option 4 which provides for the repair of the backhoe, replacement of 3 pickups and a sign truck, the tractor lease, an SUV, a replacement Environmental Services truck, and transfers the Yukon from the Highway Department to the Sheriff's Office. Engineer Pogodzinski commented that option 4 comes in below the budgeted amount.

File No. 14 - On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried participate in the State Bid for the purchase of road salt and to order the same quantity as last year.

File No. 15 - Engineer Pogodzinski reported on bids received for calcium chloride. A portion of the costs are passed onto the townships. Five quotes were received. The low quote was submitted by Bluff Country Brine of Coon Valley, Wisconsin. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to accept the quote of Bluff Country Brine.

File No. 16 – Engineer Pogodzinski reported the County recently solicited quotes for aggregate stockpiles and equipment rental and requested authorization to accept all quotes received. He explained that accepting all quotes for aggregate stockpiles allows flexibility to choose the most cost effective option to meet needs. Equipment rental quotes are utilized for small projects. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to accept all quotes for aggregate stockpile and equipment rental.

The south end restroom facilities at Wildcat Park are pit toilets which result in odor problems. The park committee has been hoping to replace the facilities which include 4 stalls with pedestals in need of repair. Providing port a potties would meet short term needs and to allow time to make decisions regarding a permanent fix. The current facility would be pumped, rinsed and locked up. The port a potties would be placed outside the current facility. The quotes provide for the port a potties and cleaning/pumping and stocking with toilet tissue and hand sanitizer once weekly. Additional stocking would be performed by the park manager. Additional cleaning/pumping may be required during heavy use and would cost additional. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to accept the low quote of Storlie Portable Pit Stops for the rental of 3 standard and 1 handicap accessible port a potty for a six month period for \$2,370.

Engineer Pogodzinski was pleased to report that Federal funding in the amount of \$1.68 million has been granted for a project to repave County 6 from the La Crescent City limits to the Winona County line. The funding will come in 2021. Engineer Pogodzinski indicated he hopes to complete the project one year prior.

Engineer Pogodzinski reported that MN Dot will be repaving State 16 from Miller Corner to the lights in La Crescent and across the pike to the Wisconsin State line. The project will be completed in late June or early July and traffic delays should be expected. There will also be work taking place in Hokah on State 16.

Commissioner Arnold reported on the meeting he and Engineer Pogodzinski attended with the Fair Board Building Committee. He expressed concern that the Fair Board will be working to solicit sponsors for a building to be erected on land for which their 25 year lease has only 2 years remaining. The Fair Board has requested consideration of a 100 year extension to the lease, yet the Board has not taken action. It was agreed that it was the Boards intent to extend

the lease however, they would like to reserve the right to use of the parking area next to the Highway Department in the event construction on a new facility takes place.

File No. 17 – Commissioner Arnold provided a copy of the Water Quality Coordinator position description. This is a position available in Olmsted County which will provide for professional grant writing staff for the SE MN Water Resources Board.

Commissioner Zmyewski commented that the Board desires to be involved with Department Head hires. Currently, the County has a search open for an Assessor.

Commissioner Zmyewski provided a reminder that information received by Commissioners should not be shared with members of the public.

Steve Hartwick, Money Creek Township resident, expressed concern that in the event the Erickson Mine cuts into the bluff it could impact the stability of the hillside which could potentially slide thereby affect adjoining property. He shared his interpretation of provisions within the Ordinance and questioned whether findings of fact would be considered in open session.

Corey Baker, Yucatan Township resident, stated playing the victim is an effective strategy. He expressed disagreement with the statements of Jay Squires.

Bryan VanGorp, Yucatan Township resident, expressed his ongoing concerns and disagreement with the County's actions and interpretations of its ordinance.

Lorraine Culver, Houston City resident, shared her thoughts that hereditary beliefs are playing a significant role in governing when the ordinance should be providing direction.

There being no further business and the time being 12:44 p.m., motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, May 2, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, May 2, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Bryan VanGorp; Bruce Kuehmichel; PHN Accountant Lillegraven; Home Care Coordinator Bauer; Finance Director Lapham; PHN Director Marchel; HS Director Pogleasa; Tim Irwin; Reporters Moorhead & Graff; Gretchen Cook; Environmental Services Director Frank; Engineer Pogodzinski; HR Director Arrick-Kruger; Cindy Cresswell; Sheriff Inglett; Donna Buckbee

Presiding: Chairperson Miller

Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the agenda.

Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the April 25, 2017 meeting.

File No. 1 - Motion was made by Commissioner Connor, 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	\$21,546.64
Road & Bridge Fund	38,325.20

Total	\$59,871.84
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File No. 2 – Bryan VanGorp, Yucatan Township resident, read from a prepared statement which was placed on file. County Attorney Jandt expressed concern regarding the statements being made by Mr. VanGorp and indicated that if this information is allowed, the Board may need to allow the other party in the Erickson mine case to respond.

Donna Buckbee, Yucatan Township resident, expressed concern that commissioners are not listening during public comment. Commissioner Connor responded that some commissioners may be taking notes on what is being said. Ms. Buckbee expressed concern about the treatment being received by those making complaints regarding the Erickson mine.

Chairperson Miller addressed County Attorney Jandt and stated that the judge remanded the Erickson mine case back to the Board. It is his understanding that the County Board can either allow the CUP to continue as is, suspend or revoke it. County Attorney Jandt agreed that these are the options. The Board could also add certain conditions, however, there would have to be some purpose for doing that. Chairperson Miller stated that he is being criticized for considering information in addition to the road issue, however, he felt there was a history that could not be ignored. County Attorney Jandt responded that it was remanded back to the Board for further consideration and he would have to look at the exact language in order to know exactly what is being referred to the Board for consideration. He indicated that whatever decision the Board makes, they need findings supporting their decision.

Bryan VanGorp stated that the ordinance allows the Zoning Officer to review any violation at any time, and that action can be taken accordingly.

File No. 3 – At this time PHN Director Marchel met with the Board to report on the outcome and findings of the home care study group. The members of the home care study group are present today and include Sandy Graves from Neighbors in Action, HS Director Pogleasa, PHN Accountant Lillegraven, Home Care Coordinator Bauer, Commissioners Walter and Miller, and herself.

Houston County has operated a Home Care Agency since January of 1976. Thousands of visits have been made by nurses and home health aides, and they are proud of the service that has been provided. There have also been many challenges over the years. The home care study group reviewed the business model to determine whether it is sustainable and durable. They researched the home care industry including both public and private sector, state and local trend data, forecasts, state statute, reached out to other agencies that had discontinued home care and met with the AFSCME Union as well as 3 private home care agencies interested in expanding into Houston County. The Minnesota Department of Health is concerned about core functions of the agency when there are many emerging needs such as infectious disease.

The study group concluded that the county is not mandated to provide home care services. Since 2009 the number of Minnesota Public Health agencies providing home care has declined for a number of reasons. Some agencies are experiencing a swell of private providers. There is a widening disparity between the cost of service and the reimbursements which require an increase in the portion of county levy dollars to provide service. There are many alternative options available to seniors, such as assisted living, and the number of clients has decreased.

Commissioner Arnold inquired whether Houston County discontinuing home care services would affect Fillmore County, since the two counties comprise a Joint Board of Health. PHN Director Marchel indicated this would not affect Fillmore County.

Commissioner Connor inquired whether there would be union issues with a decision to discontinue home care. PHN Director Marchel responded that Houston County currently employs 7 part-time home health aides for a total of 4.6 FTEs. If the Board votes to discontinue home care services, these employees will receive layoff notices. However, she would like to put together a job fair with the 5 home care agencies that could potentially serve our current clients, as there could be potential jobs available with these agencies. There would be a payout of approximately \$30,000 in accrued vacation and sick leave, as these are long term loyal employees. The department has already reduced staff by over 6 FTEs through attrition during the last three years in anticipation of discontinuing home care services. Therefore, she did not anticipate any further staff reductions besides the home health aides.

PHN Director Marcel stated that the 53 current home care clients are of critical importance. They would be notified of the county's decision to discontinue services with a probable end date of July 31, 2017. This would provide adequate time for clients to choose another home care agency, and transition could be made with no lapse in services.

Commissioner Walter stated that the study group interviewed 3 agencies that provide service in Houston County and they are aware of 2 additional agencies. She thought it possible that some of the county's home health aides could find jobs with these agencies.

Commissioner Connor inquired whether clients would receive an increase in the cost of their services with a private company. PHN Director Marcel responded that the private sector companies will accept the same reimbursements as the county.

PHN Director Marchel stated that these are decisions that affect people's lives and well-being, and at the same time balance what is best for Houston County as a business model. This is why they took the time to do extensive research. Chairperson Miller stated that many other counties have been discontinuing home care services, and if this was causing a big concern we would have been aware of it by now.

Gretchen Cook stated that she was a home health aide for Winona County for 17 years, and then worked in home care and hospice for another 10 years. When Winona County let their home health aides go, they had the option of working for a private agency for approximately \$10.00 per hour with no payment for drive time between clients. They were expected to make patient visits during inclement weather, and some of the workers could not afford a car that would get them to their clients' homes in bad weather, so they simply would not go out. She indicated that there was a case where a double amputee was left for 4 days with no services. She stated that you are giving up a lot when you give up your good workers.

After discussion, PHN Director Marchel stated that the study group recommends discontinuing home care services by July 31, 2017. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to discontinue home health services effective July 31, 2017.

File No. 4 – Engineer Pogodzinski reported on the following bids which were received for S.A.P. 28-599-091 (Swede Bottom Road Project):

Van Gundy Excavating LLP Houston, MN 55943	\$214,103.00
Midwest Contracting, LLC Marshall, MN 56258	\$235,009.00
Icon Constructors, LLC Mabel, MN 55954	\$261,796.00
Brennan Construction Lansing, IA 52151	\$298,034.00
Minnowa Construction, Inc. Harmony, MN 55939	\$307,845.00
Zenke, Inc. La Crescent, MN 55947	\$1,235,982.50

On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to accept the low bid of Van Gundy Excavating LLP in the amount of \$214,103.00.

File No. 5 - Environmental Services Director Frank reported on an application for a Conditional Use Permit on behalf of Shawn and Chelsey Senn to build a dwelling in Jefferson Township on less than 40 acres in an agricultural district. Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve the issuance of said permit.

File No. 6 - Environmental Services Director Frank reported on an application for a Conditional Use Permit on behalf of Jamin and Nicole Ramsay to build a dwelling in Brownsville Township on less than 40 acres in an agricultural district. Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to approve the issuance of said permit.

File No. 7 - Environmental Services Director Frank reported on an application for a Conditional Use Permit on behalf of Darin Meyer to expand a feedlot in Wilmington Township that will accommodate 300 or more animal units. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the issuance of said permit.

Environmental Services Director Frank also reported on an application for a Conditional Use Permit on behalf of Darin Meyer in Spring Grove Township which was tabled to allow the Planning Commission to view the site due to sinkhole concerns.

File No. 8 – HR Director Arrick-Kruger requested approval of a contract for the Sentence to Services Program effective July 1, 2017 through June 30, 2019. The contract has been reviewed and approved by County Attorney Jandt. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve said contract.

File No. 9 – HR Director Arrick-Kruger requested approval of a contract with i:SPACE Furniture, Inc., dba iSPACE environments effective May 3, 2017 through May 2, 2018 for maintenance of equipment utilized by the courts. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve said contract.

File No. 10 - HR Director Arrick-Kruger requested changing the classification of Randy Hongerholt from Laborer, Step 3 to Maintenance Specialist, step 3 effective May 3, 2017. Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

HR Director Arrick-Kruger recommended hiring Jacob Reburn as Mechanic, B24-2, step 1 effective June 5, 2017. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the hire of Jacob Reburn as stated.

HR Director Arrick-Kruger recommended hiring Rachel Meyer as Jailer/Dispatcher, B23-2, step 1 effective May 22, 2017. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the hire of Rachel Meyer as stated.

HR Director Arrick-Kruger recommended hiring Zachary Swedberg as a Sheriff's Deputy C42, step 1 effective May 17, 2017. Motion was made by Commissioner Connor seconded by Commissioner Walter and unanimously carried to approve the hire of Zachary Swedberg as stated.

At this time the Board interviewed Cindy Cresswell as a candidate for the position of Houston County Assessor.

File No. 11 – Auditor Meiners requested approval of a Minnesota Lawful Gambling Premises Permit Application on behalf of Houston Money Creek Snowriders Snowmobile Club for gambling activities to be held at Valley High Country Club. Motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-18

BE IT RESOLVED that the Houston County Board of Commissioners does hereby approve the Minnesota Lawful Gambling Premises Permit Application on behalf of Houston Money Creek Snowriders Snowmobile Club for gambling activities to be conducted at Valley High Country Club, Mound Prairie Township.

File No. 12 – Auditor Meiners requested approval of a Maintenance and Grooming Application on behalf of Viking Ridge Riders Snowmobile Club. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-19

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 and authorizes the Board Chairperson to sign an agreement with the Department of Natural Resources.

Commissioner Arnold reported that he served on the interview team yesterday for the Assessor position.

Commissioner Arnold reported that the Fair Board lease has not been updated in 25 years. HR Director Arrick-Kruger is working on updating it, then it will be reviewed by County Attorney Jandt and sent to the Fair Board for their review. He hopes to have a contract ready to be presented for approval at the next County Board meeting.

Commissioner Arnold reported on the Planning Commission and Board of Adjustment meeting which he attended recently.

Commissioner Arnold reported on the Finance Committee and Department Head meetings which he attended last week. The main topic of discussion was budgeting.

Commissioner Walter reported that she also served on the Assessor interview committee and attended the Finance and Department Head meetings.

Commissioner Connor reported that he has viewed several highway shops and obtained measurements of the same. He has also met with Engineer Pogodzinski in an effort to determine the square footage needed for a county shop.

Commissioner Zmyewski reported on the Planning Commission meeting he attended.

Chairperson Miller reported that he had two meetings scheduled which were cancelled.

File No. 13 – Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-20

WHEREAS, the National Wildlife Refuge System is the largest collection of land and waters in the world dedicated to wildlife conservation; and

WHEREAS, there is at least one national wildlife refuge in every state and territory in the United States; and

WHEREAS, national wildlife refuges have historically contributed to the economic well-being and quality of life characteristics of communities that host them; and

WHEREAS, the economic benefits to these communities accrue unevenly depending on a number of factors such as tourism infrastructure in the community, location, and sufficient refuge staff and infrastructure to provide high quality educational and recreational programs for residents and visitor services alike; and

WHEREAS, lands acquired in fee title by the National Wildlife Refuge System are not subject to local real estate taxes;

WHEREAS, the loss of tax revenue creates hardship for many host communities that is not ameliorated by economic amenities provided by the refuges; and

WHEREAS, since 1981, the Congress of the United States has failed to adequately appropriate funds under the Refuge Revenue Sharing Act such that full payments under the Act could be made to local governments that host national wildlife refuges;

WHEREAS, the payments to localities in fiscal year 2015 were less than 25% of the amount that they were entitled to collect;

WHEREAS, repeated cuts to the National Wildlife Refuge System Operations and Maintenance budget have resulted in the loss of hundreds of permanent staff positions across the Nation; and

WHEREAS, these staff losses have drastically reduced the ability of refuges to provide safe, high quality educational recreational programming for residents and visitors; and

WHEREAS, reductions in maintenance funding reduce a refuge's ability to maintain equipment and facilities to quality standards;

THEREFORE, BE IT RESOLVED by the Houston County Board of Commissioners that we hereby request the Congress of the United States to appropriate sufficient funds such that 100% of the Refuge Revenue Sharing payments can be made to all localities hosting national wildlife refuges in the ensuing fiscal year, and all fiscal years thereafter, AND that congress restore National Wildlife Refuge System Operations and Maintenance funding to FY2010 levels such that the System can fulfill its mission to conserve fish and wildlife and provide exceptional educational and recreational opportunities for all Americans.

File No. 14 - Discussion was held regarding the three options submitted as possible policies for filling vacancies on the Planning Commission and the Board of Adjustment. After discussion it was agreed to make one revision to each proposed policy and to place this on the Action Item portion of the agenda for the next meeting.

Bruce Kuehmicel inquired who serves on the Feedlot Advisory Committee and raised several questions regarding their scheduled visit to the Darin Meyer farm in Spring Grove Township. Commissioner Zmyewski responded that this is supposed to be a separate committee, however, at this time the Planning Commission is serving in this capacity. The visit to the Meyer Farm is an open meeting and the public is welcome to attend.

Donna Buckbee, Yucatan Township, reported that the Ho Chunk Nation visited the hill at the Erickson mine site about 4 ½ years ago to testify about the probability of the cultural aspects of the hill.

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

File No. 15 – Correspondence from the Minnesota Department of Human Services regarding Houston County’s single audit report for the year ending December 31, 2015.

File No. 16 – Public Notice of a special Houston County Feedlot Advisory Committee meeting scheduled for 3:00 p.m. on Wednesday, May 10th at 22023 Newhouse Drive, Spring Grove, MN.

There being no further business and the time being 10:50 a.m., motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, May 16, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, May 16, 2017

5:30 p.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporters Moorhead, Bergey & Graff; County Attorney Jandt (via phone); HR Director Arrick-Kruger; Chief Deputy Sheriff Lapham; Finance Director Lapham; Bruce Kuehmichel; Bryan & Sue Van Gorp; Tim Irwin; Linda Griggs; Donna Buckbee

Presiding: Jack Miller, Chairperson

Call to order.

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

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes of the May 2, 2017 meeting.

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

County Revenue Fund	\$21,859.20
Road & Bridge Fund	3,594.31

Total	\$25,453.51
	=====

File No. 2 – Bryan Van Gorp read from a prepared statement which was placed on file.

File No. 3 - Sue Van Gorp read from a prepared statement which was placed on file.

File No. 4 – Chief Deputy Lapham requested approval of a resolution authorizing participation in the Towards Zero Death Grant. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to adopt the following:

RESOLUTION NO. 17-21

BE IT RESOLVED that the Houston County Sheriff's Office enters into a grant agreement with the Minnesota Department of Public Safety, for traffic safety projects during the period from October 1, 2017 through September 30, 2019.

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 administrator of the grant.

File No. 5 – HR Director Arrick-Kruger recommended appointing Cynthia Cresswell-Hatleli as Assessor at step 5 of the MAPE C-53 pay scale effective May 15, 2017, to fulfill the unexpired term of the previous Assessor, said term to expire December 31, 2020. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the same.

HR Director Arrick-Kruger reported that the candidate recently approved for the mechanic position has subsequently turned down the offer. She recommended hiring Shane McCabe as mechanic at step 1 of the B24-2 comparable worth band effective June 12, 2017. Motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to approve the same.

HR Director Arrick-Kruger reported that mechanics supply their own tools, therefore, she will be presenting a recommendation for a monthly stipend in this regard for Mr. McCabe in the near future.

HR Director Arrick-Kruger reported that a kick-off meeting is planned for June 6th for the jail reuse study.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to go into closed session pursuant to MN Statute 13D.05, subd.3(b) for the purpose of discussing whether to appeal the recent decision of District Court Judge Sturino in connection with Houston City's objection to the Houston County Board of Adjustment decision made October 27, 2016, granting a variance to Cody Stuttgen.

Motion was made by Commissioner Arnold, seconded Walter and unanimously carried to adjourn the closed session.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to reconvene in open session.

County Attorney Jandt reported that the Board by consensus instructed him to inform Attorney Jay Squires not to appeal the April 27th order not to dismiss the City of Houston's appeal on a variance request.

File No. 5a - Finance Director Lapham presented the finance report as of April 30, 2017.

File No. 6 - Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to adopt the following three resolutions:

RESOLUTION NO. 17-22

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

RESOLUTION NO. 17-23

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

RESOLUTION NO. 17-24

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

File No. 7 - Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the following abatements:

Parcel #	Name	Reduction	Reason
02.0105.003	Brian & Melissa Mlsna	\$1,374.00	Should be Ag Homestead
02.0173.000	Brian & Melissa Mlsna	\$895.00	Should be Homestead
07.0243.000	Robert & Diane Beneke	\$1,047.00	Should be Ag Homestead
09.0186.001	David & Gwen Meyer	\$444.00	Remove mobile home from parcel
24.0547.000	Jeremy Deflorian	\$451.00	Reappraised & value reduced
26.0218.000	Ralph L. Hammel	\$549.00	Should be Homestead

File No. 8 – Discussion was held regarding the policy for filling vacancies on the Board of Adjustment. Commissioner Connor reported that they have considered three options. Commissioner Walter explained the differences in the three options. Motion was made by Commissioner Arnold and seconded by Commissioner Connor to adopt Option 3 with two amendments. The motion carried with Commissioner Zmyewski voting in the negative.

File No. 9 – Discussion was held regarding the policy for filling Planning Commission vacancies. Commissioner Connor reported on the three options being considered. Motion was made by Commissioner Arnold and seconded by Commissioner Connor to adopt Option 3 with two amendments. The motion carried with Commissioner Zmyewski voting in the negative.

Commissioner Zmyewski suggested redacting applicant names and voting on members anonymously based on the application. Commissioner Arnold felt that Board members should be experienced enough to make decisions based on qualifications. Chairperson Miller added that Commissioner's integrity comes into play, and if you cannot make the decision based on qualifications you should not be a Commissioner.

Commissioner Zmyewski inquired whether Commissioners will individually rank the applicants with or without the opportunity to do some research and/or have a discussion. Chairman Miller stated that the Board should rely on HR Director Arrick-Kruger for questions, rather than discussing it among themselves to ensure compliance with the open meeting law.

Commissioner Arnold reported on a CEDA meeting which he and Chairperson Miller attended last week in Dodge Center. He indicated that he is very impressed with CEDA and their accomplishments. Commissioner Miller agreed.

Commissioner Arnold reported on a recent meeting he attended regarding water resources. BWSR made a presentation regarding their idea of the One Watershed One Plan organizational structure. Local officials arrived at the meeting open minded, however, they left with a negative impression due to the state's indication that another level of government is necessary. He expressed his concern in this regard.

Commissioner Arnold reported on a local SWCD meeting he attended. The Minnesota Pollution Control Agency has been investigating Pine Creek and determined that there are some issues. There is a limited variety of fish species in the creek, possibly because of these issues. The creek is primarily fed from Winona County.

Commissioner Arnold reported that he started working on a different budget process based on Results Oriented Government (ROG) and it is considerably more complicated than he expected. He indicated that there is a county in California that claims using this method of budgeting saved them over 30%. The idea behind this model is to have each department document what they are trying to accomplish within their department, and how we get there. He

inquired what kind of the reporting the full board would like in this regard. Chairperson Miller suggested that the entire board be given an opportunity to look at this.

Commissioner Walter reported on a Workforce Development meeting she attended in Rochester. At this time they are waiting for the legislature to determine funding levels.

Commissioner Walter reported on a La Crescent Township meeting which she attended. They have been working on zoning fees and are in line with what the county charges.

Commissioner Walter reminded the Board of the District IX meeting scheduled for June 5th at the Olmsted County Community Services Building from 8:00 a.m. to noon.

Commissioner Connor reported that he met with Engineer Pogodzinski several times regarding square footage for the proposed facility.

Commissioner Zmyewski reported on a call he received from Winona County with regard to the County Board packet availability.

Commissioner Zmyewski suggested that the Highway Department dispose of their inventory of items that are no longer relevant to give a better understanding of the space availability of the site. Commissioner Conner indicated that this is already being worked on.

Commissioner Connor indicated that there is a need for a large storage space for old plans. He suggested looking at various options, including scanning the plans for easy retrieval to allow for storing the originals off site.

Commissioner Connor indicted that there is a need for a study to determine the amount of water runoff from the various properties in the area of the Highway Department and to plan for a water retention area.

Chairperson Miller reiterated the exceptional work being done by CEDA. He indicated that he would like to have Courtney Bergey put together a list of the economic development projects happening in Houston County, as many people are not aware of them.

Chairperson Miller reported on a SMART Trails meeting he attended in Rochester. A dedication is being held tomorrow morning in Dresbach for the new trail along the I-90 bridge north of La Crescent.

Chairperson Miller reported that the Semcac senior dining will be moving to the Caledonia elementary school June 1st.

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

File No. 10 – Correspondence to Payroll regarding various board actions

File No. 11 - Correspondence to La Crosse County regarding tons delivered to Xcel

File No. 12 - Correspondence in appreciation of funding from Southern MN Tourism Association

There being no further business and the time being 7:08 p.m., motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, May 23, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, May 23, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Bergey & Graff; Eric Johnson; Michael Kruckow; Bryan VanGorp; Donna Buckbee; Bruce Kuehmichel; Corey Baker; Betts Reedy; Tracie Erickson; Michelle Erickson; Kelley Stanage; Jackie Baker; Lorraine Culver; Yvonne Krogstad; Environmental Services Director Frank; Michael Fields; John Dewey; Deb Dewey; Glenn Kruse; Engineer Pogodzinski; Gretchen Cook; Finance Director Lapham; HR Director Arrick-Kruger

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the agenda.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve the minutes of the May 23, 2017 meeting.

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

County Revenue Fund	\$47,877.52
Road & Bridge Fund	10,626.34

Total	\$58,503.86
	=====

Chairperson Miller made a statement that no comments would be allowed regarding the Erickson Mine during today's public comment period.

File No. 2 - Environmental Services Director Frank provided an update regarding negotiations with La Crosse County related to Xcel Retrofit Payments. A cover letter and materials disposal information included is in the week's information packet. The current

agreement provides for rebates on tip fees. Houston County has exceeded minimum tons of materials for disposal due, in part, to natural disasters which has resulted in a credit balance. To ensure proper disposal of refuse materials and to ensure minimum material quotas were met, Houston County enacted ordinance language to ensure waste generated and collected from Houston County was properly disposed of with La Crosse County Solid Waste. Houston County is one of few participants which have a credit balance. Recently, the policy board began discussing the renewal of the agreement and credit balances and how they should be handled. The question was raised whether to do away with the credit balances and roll them into the overall La Crosse County Solid Waste Operations or whether to allow the participants to retain the credit benefits. Presently, it is the intent of the policy board to allow the credits to be retained by the participant. Houston County has a \$7,700 credit balance at this time which is expected to increase to as much as \$20,000 prior to the expiration of the current agreement. Provided Houston County is allowed to retain the credit, this amount could be utilized to offset the HHW (Household Hazardous Waste) program. Environmental Services Director Frank noted support for renewal of the agreement provided the current provision related to tip fees and credit balances remains.

Environmental Services Director Frank reported on an HHW event which was held at the Houston County Recycling Center. Three thousand seven hundred pounds of HHW was collected. He also reported the County is participating in a paint recycling/collection program whereby fees are paid up front however, reimbursements are received resulting in a cost neutral program while materials are properly disposed of. Environmental Services Director Frank explained that La Crosse County provides mobile units which separate, collect and transport materials for proper disposal.

The ag bag/film plastic recycling program is nearing fruition. Containers will be delivered to the Spring Grove Highway shop parking lot in July where they will be picked up by participating residents. This program has taken time to implement and it is finally nearing completion.

File No. 3 - Commissioner Walter reported that the Board has been gathering information related to the Erickson Mine issue which was remanded to them by the courts during a public hearing and since. The County's Attorney has drafted findings. Motion was made by Commissioner Walter and seconded by Commissioner Connor to approve Alternate One Finding of Facts, Conclusions, and Order. Commissioner Walter explained that due to the fact the mine operator took appropriate action to rectify the adverse situation related to the location of the access road, no further action related to the CUP is warranted. Commissioner Zmyewski immediately requested a roll call vote. Commissioner Arnold stated he has listened to many people speak regarding this issue. It is his understanding that the Board is a legal entity with an obligation to taxpayers to act in the best interest of all taxpayers. The debate related to this issue has been contentious and he has personally been yelled and cursed at, lied to and about during discussion. He has also had meaningful and worthwhile discussion with individuals of opposing opinions. He feels the advice of the Attorney charged with representing the County must take

precedence. Chairperson Miller shared an analogy which represented his view of the situation. He questioned why no one from the Zoning Administrator to members of the BOA and/or PC recognized the fact that the access road was not in compliance with property line setback requirements. He expressed his opinion that the best way to move forward would be to start over. Commissioner Zmyewski stated his opinion that things were not handled properly in 2014 and the issue has returned to haunt the Board. He cautioned fellow Commissioners that this needs to be handled correctly to ensure this issue does not return to haunt the Board in the future. He feels this issue is not dead and will continue to be the subject of argument from one side or the other. A roll call vote was taken: District 1 – no; District 2 – no; District 3 – yes; District 4 – yes; District 5 – yes. The motion carried to accept Alternate One Findings of Fact, Conclusions, and Order as follows:

1. Section 0110.0608 of the County Ordinance governs the process for dealing with issues involving violations of conditional use permit terms. However, Section 0110.2713 of the Ordinance contains specific terms relative to mining conditional use permits. This section requires the Board to hold a hearing before taking adverse action involving a CUP, and indicates that if the Board determines that the permit holder has not complied with the terms of the permit or ordinance, the permit may be "suspended or terminated" by the Board.
2. The Court has determined that, as of the date of the Court order in February, 2017, the mining road was not in compliance with the terms of the Ordinance - specifically the access road was located closer than 50 feet to the property line, a violation of Ordinance Section 0110.2706.
3. The mining operator proceeded, after the February, 2017 Court Order, to relocate the access road to comply with Ordinance Requirements.
4. Given relocation of the road, the Board of Adjustment's denial of all of the varied and wide-ranging claims of non-compliance, and the District Court's denial of all of Petitioners' claims except the access road location, the property is now in compliance with Ordinance requirements. While the property was not in compliance with the setback requirement of the Ordinance for a short period of time, the mining operator acted reasonably to correct the situation.
5. Suspension or termination of the 2014 CUP would not be appropriate given present compliance. However, the CUP holder is expected to fully comply with permit and Ordinance requirements for the two years left on the permit.

File No. 4 - At this time Engineer Pogodzinski reported on bids received for S.A.P. 028-599-090, a bridge replacement project scheduled for Bush Valley Road:

Zenke, Inc. La Crescent, MN 55947	\$230,127.01
Midwest Contracting, LLC Marshall, MN 56258	\$254,396.50
VanGundy Excavating, LLP Houston, MN 55943	\$272,177.25
ICON Constructors, LLC Mabel, MN 55954	\$272,331.11

The engineer's estimate for the project was \$273,905.35. Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to accept the low bid of \$230,127.01 submitted by Zenke, Inc.

File No. 5 – Engineer Pogodzinski reported on bids received for S.A.P. 028-599-086, a bridge replacement project located on Rooster Valley Road:

VanGundy Excavating, LLP Houston, MN 55943	\$98,653.25
ICON Constructors, LLC Mabel, MN 55954	\$98,849.75
Zenke, Inc. La Crescent, MN 55947	\$113,867.50

The engineer's estimate for the project was \$167,530.00. Engineer Pogodzinski commented that only \$200 separated the lowest two bids. Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to accept the low bid of \$98,653.25 submitted by VanGundy Excavating, LLP.

File No. 6 – Engineer Pogodzinski explained that there is a section of roadway which gets overtopped frequently during heavy rain. A project has been designed that will prevent this from happening once it has been completed. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to adopt the following:

RESOLUTION NO. 17-25
APPROVING AND ACCEPTING HOUSTON COUNTY RIGHT OF WAY PLAT NO. 69 FOR
RECONSTRUCTION PROJECT SAP 028-627-009

WHEREAS, Houston County desires to improve and reconstruct that part of C.S.A.H. 27, located 1.035 miles Southeast of the East Spring Grove city limits, with the Replacement of 60" Corrugated Metal Pipe with Culvert No. 28J60 and Approach Grading Project identified as SAP 028-627-009; and

WHEREAS the Houston County Highway Department and the Houston County Surveyor have prepared Houston County Right of Way Plat No. 69 to identify and delineate the right of way and highway easements required for this project; and

NOW THEREFORE BE IT RESOLVED that Houston County approves and accepts Houston County Right of Way Plat No. 69 as designating the definite location of that part of C.S.A.H. 27 located in located in Section 13, Township 101 North, Range 7 West and Section 18, Township 101 North, Range 6 West, as presented on this date, May 23, 2017, and authorizes it to be filed of record with the Houston County Recorder.

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

Commissioner Zmyewski questioned how the culverts between Miller's Corner and the La Crescent City limits were being installed without damage to the pavement. Engineer Pogodzinski responded that it is his understanding the State is performing work to line the existing culverts. The State is also installing extensions to the current culverts in certain locations. The State frequently lines culverts located on high traffic roadways.

File No. 7 - HR Director Arrick-Kruger and Engineer Pogodzinski met with the Board to discuss staffing requests. Recently, the Maintenance Foreman retired. The needs of the department have been assessed and a request is being made to authorize a competitive search to fill the vacant position of Maintenance Foreman.

File No 8 - In order for the department to provide continuity of operations, HR Director Arrick-Kruger requested approval of a position description for the position of Highway Maintenance Specialist Senior, the B24-2 banding and authorization to initiate an internal search. HR Director Arrick-Kruger explained this would not increase the departmental staffing FTE. Rather, it will designate an individual who will serve as a back up to the Maintenance Foreman in their absence. The position may be viewed as a promotional opportunity for a current staff member. In addition, this position will provide for oversight on multiple job sights. The additional cost for this position is minimal at \$0.60 per hour. Discussion was held.

Motion was made by Commissioner Zmyewski seconded by Commissioner Arnold and unanimously carried to authorize conducting a competitive search for the position of Maintenance Foreman.

Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the Job Description for Highway Maintenance Specialist Senior, the B24-2 banding and to authorize an internal search to fill said position.

HR Director Arrick-Kruger reported that all job descriptions related to this division of the Highway Department have been updated including Maintenance Foreman, Sign Specialist, Mechanic and Maintenance Specialist.

HR Director Arrick-Kruger reported that the Highway Department resignation which had been on the agenda has been withdrawn.

HR Director Arrick-Kruger reported that interviews for the position of Emergency Manager have been conducted. The interview team included HR Director Arrick-Kruger, a representative from Homeland Security/Minnesota, Public Health Director Marchel, Sheriff Inglett and the Winona County Emergency Management Director. HR Director Arrick-Kruger expressed appreciation for those who donated their time to serve on the interview team. Motion was made by Commissioner Connor, seconded by Commissioner Walter and carried with Commissioner Zmyewski voting in the negative to hire Olivia Niday at step 2 of the appropriate comparable worth band, effective June 12, 2017 and contingent upon the successful completion of a required background check. HR Director Arrick-Kruger reported Ms. Niday had an impressive interview, she has participated in a lead role for planning and successfully completed internships in Stearns and Swift counties. She is a graduate of the emergency management program at North Dakota State.

Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to hire Samuel Stemper as a 67 day employee at a rate of \$12.51 per hour effective May 25, 2017. It was noted that the Surveyor's Office benefits greatly from summer help and has budgeted funds to cover the cost for this position for 42 days. Unlike past years, the incumbent in this position will not be assisting the Highway Department.

File No. 9 - Following discussion, motion made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to accept the resignation of Diane Giese effective June 2, 2017 and draft a letter in appreciation of her years of service to the residents of Houston County. Ms. Giese is a Home Health Aide.

File No. 10 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to accept the resignation of Daniel J. Krzoska effective June 9, 2017 and draft a letter in appreciation of his 18+ years of dedicated service to the residents of Houston County. Mr. Krzoska is exploring vendor options related to a one time project referred

to as “next gen”. The position description has not been reviewed since 1998 and will need to be reviewed. In addition, if there is to be restructuring of the land use offices, this should be discussed prior to posting the vacancy.

Commissioner Zmyewski stated it is his opinion that the GIS Coordinator should be under the Surveyor’s Office rather than the Assessor’s Office as is presently the case. Commissioner Connor expressed his agreement. HR Director Arrick-Kruger stated there has been ongoing discussion related to this. It was agreed to convene a meeting of the Personnel Committee to further discuss the position and the organizational chart.

HR Director Arrick-Kruger reported that recently both Zachary Swedberg and Rachel Meyer were hired with start dates specified. It is taking longer than anticipated to complete the required background checks therefore, it is appropriate at this time to approve amended start dates for both employee candidates.

Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to amend the start date of Zachary Swedberg to May 30, 2017.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to amend the start date of Rachel Meyer to June 5, 2017.

Commissioner Arnold requested the Board consider discussion regarding the budgeting process and other Board processes. He has requested HR Director Arrick-Kruger assist in facilitating this discussion. Chairperson Miller expressed his desire to ensure County Government is running efficiently and effectively. He also indicated that the Board would not be allowed to hold closed meetings for the purpose of planning, However, they may have this discussion in open session. Commissioner Zmyewski expressed his desire that meetings agendas and goals be clear to ensure additional meetings are beneficial. He further suggested meetings of a strategic planning nature be limited to one hour. Commissioner Connor expressed support for meeting once monthly to conduct strategic planning or policy type discussion. It was agreed to schedule an approximate 45 minute timeslot at the end of the first meeting of each month for strategic planning/policy discussion. The first meeting will be June 6th.

File No. 11 - Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to adopt the following;

RESOLUTION NO. 17-26

BE IT RESOLVED that the Houston County Board of Commissioners does hereby approve the Minnesota Lawful Gambling Application for Exempt Permit on behalf of Sheldon Valley Sportsman’s Association for gambling activities to be conducted at the Sheldon Valley Sportsman’s Association Range, 11511 County Road 10, Caledonia, MN.

Commissioner Arnold reported the finance meeting he attended earlier today.

Commissioner Walter reported on today's finance meeting which she attended.

Commissioner Connor reported on a CJCC meeting and discussion which took place related to the increasing mental health issues impacting both Social Services and Jail. He also raised concern regarding the buffer law and whether the County needs to implement penalties for non-compliance. Glenn Kruse commented that late last night changes to the buffer law were made by the legislature.

Chairperson Miller reported on a land use conference which he attended along with Commissioner Walter, Dan Griffin, Zoning Officer Lacher and a La Crescent Township Zoning representative. He also provided an overview of the dedication ceremony which was held for the new bike trail.

Gretchen Cook, La Crescent City resident, shamed members of the Board regarding decisions made earlier today and requested an explanation of why regulations of the County were not upheld. She accused the Board of providing further entitlement to a "bully with a badge".

Donna Buckbee, Yucatan Township resident, shared her opinion that the situation in Houston County is "Orwellian". She made accusations against a former employee of the County and members of the public who attended various County meetings. She expressed her appreciation for Commissioners Miller and Zmyewski.

Yvonne Krogstad, Caledonia Township resident, expressed her disappointment for the decision made today and for what she considered disregard for the court order and opinion of Judge Sturino. She also requested an explanation as to the decision made earlier.

Lorraine Culver, Houston City resident, shared her opinion related to ancient law and property rights and law which is on the books presently.

Eric Johnson, Houston Township resident, expressed his understanding that the Board took action which it deemed as the most legally defensible decision. He questioned why and how long individuals will be allowed to make accusations of others with differing opinion.

Mr. Johnson also referenced the Buffer Law. He has been following this legislation because of the potential impact on his farming operation. He stated there are alternative practices he called "six pack rule" which allows for no till planting and seeding of inlets when the area qualifies instead of installing the buffer strip. Commissioner Zmyewski noted that the buffer law has been viewed as poorly written, heavy handed, and yet an additional "taking". He also commented that alternate options present enforcement challenges.

Donna Buckbee, Yucatan Township resident, stated that she audio recorded threats and shared them with Commissioner Zmyewski. Gretchen Cook stated she resents being called a liar. With regard to the Buffer law, there are boulevards in cities which homeowners pay taxes on and are limited as to what they may do with the area and yet they are required to provide s level of maintenance. She felt this is no different than the buffer law. It may be a governmental overreach yet, at the same time provides a public benefit.

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

File No. 12 – Correspondence to payroll regarding various board actions

File No. 13 – SMIF correspondence and appropriations request

File No. 14 – Northwoods Consulting Partners, Inc. Non-Disclosure Agreement

File No. 15 – Written statement submitted by Bryan VanGorp

There being no further business and the time being 10:42 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, June 6, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, June 6, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Bergey & Graff; County Attorney Jandt; Environmental Services Director Frank; HS Director Pugleasa; Engineer Pogodzinski; HR Director Arrick-Kruger; Dale Omodt; Richard Torgeson; Yvonne Krogstad; Finance Director Lapham; IT Tech Shaver

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and carried to approve the agenda.

Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the minutes of the May 23, 2017 meeting.

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

County Revenue Fund	\$30,303.31
Road & Bridge Fund	96,644.10

Total	\$126,947.41
	=====

File No. 2 – Commissioner Zmyewski reported on requests submitted for Conditional Use Permits. The first was for Kurt Zehnder of Mayville Township to build a house on less than 40 acres in an Agricultural District. Two permits were for Darin Meyer/De-Su Holsteins of Spring Grove Township to expand a feedlot from 147 a.u. to 553.7 a.u. consisting of dairy cattle and to build a manure storage structure with a capacity over 20,000 gallons. A site visit was held and extensive discussion took place. Concerns were raised regarding sink holes in the area. It was noted that the manure basin design includes rebar designed to hold up in the event a sink hole would open up. In addition a berm structure will be erected at the site to protect a nearby

waterway from farm site runoff. All of the Conditional Use Permits are recommended for approval by the Planning Commission. Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve the three CUP's as explained.

File No. 3 - Environmental Services Director Frank reported on court action related to the Money Creek Schoolhouse property. As a result of numerous complaints, the County has taken action to mitigate the problem. The County exhausted attempts to work with the property owner to bring the structure into compliance. The timetables established were only partially satisfied which has resulted in court action. The Court has issued an order granting the property owner until August 1st to come into compliance. In preparation for the possible need to hire contractors to raze the structure, Environmental Services Director Frank has solicited rough estimates for work including but not limited to, asbestos abatement, capping of the well, addressing the septic system, razing the structure and hauling in fill. He reported that the property includes 2 lots each valued at \$30,000. The cost to clean-up the site is estimated at \$50,000. Environmental Services Director Frank suggested if the structure is razed and the County ends up with ownership of the property, the lots be redrawn so that they are equal in size. Currently one lot is smaller than the other. Environmental Services Director Frank questioned whether it is the County's intend to stay the course with the anticipated clean-up costs nearly equaling the value of the property. He also expressed concern that cleaning up this site may set precedence for similar sites located across the County. Richard Torgeson, Money Creek Town Board Supervisor, was present. He commented that the Town Board has received numerous complaints regarding the property and rodent problems stemming from its unkempt condition. Dale Omodt, Money Creek Town Supervisor, reported that there is a new subdivision bordering the blighted property and home owners are expressing safety concerns related to the neighborhood children. Commissioner Walter indicated Public Safety is of the utmost importance. Environmental Services Director Frank noted that the property owner has until August to comply. If the landowners fails to do so, it will take time for the County to solicit the required quotes for work. Commissioner Zmyewski questioned whether work to raze the structure could be completed at less expense if County resources and equipment were utilized. Discussion was held. It was the consensus of the Board to continue with plans to raze the structure if the landowner fails to bring the property into compliance.

Environmental Services Director Frank along with Commissioner Walter will be attending the La Crosse County Solid Waste Policy Board Meeting. Discussion at said meeting is expected to be centered on the contract extension.

Environmental Services Director Frank questioned which Commissioners are planning to attend the June 23rd Annual Solid Waste Meeting to be held at the La Crosse County Landfill. Commissioners Miller and Walter indicated that they would be in attendance while both Commissioners Arnold and Zmyewski tentatively plan to attend.

File No. 4 - HS Director Pogleasa reported that Houston County has participated in a multi-county agreement for fraud prevention services. Wabasha County is the lead agency for the

program which is grant funded. HS Director Pugleasa indicated that Houston County has had frequent interaction related to the program and the partnership has been beneficial. Beginning with this agreement, Wabasha County will be receiving an annual fee from Houston County in the amount of \$1,500 to cover administrative costs associated with the program. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the Regional Administrative Agency Cooperative Agreement Fraud Prevention Investigation Program.

File No. 5 - Engineer Pogodzinski reported on a Master Partnership Contract with MN DOT. This is the main overlying template for many items included in each MN DOT project. It is similar to previous agreements reflecting only minor language changes. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the Master Partnership Contract with the State of Minnesota and to adopt the following:

RESOLUTION NO. 17-27

Whereas, The Minnesota Department of Transportation wishes to cooperate closely with local units of government to coordinate the delivery of transportation services and maximize the efficient delivery of such services at all levels of government; and

Whereas, MnDOT and local governments are authorized by Minnesota Statutes sections 471.59, 174.02, and 161.20, to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads; and

Whereas: the parties wish to be able to respond quickly and efficiently to such opportunities for collaboration, and have determined that having the ability to write “work orders” against a master contract would provide the greatest speed and flexibility in responding to identified needs.

Therefore, be it resolved:

1. That the Houston County enter into a Master Partnership Contract with the Minnesota Department of Transportation, a copy of which was before the Board.
2. That the proper County officers are authorized to execute such contract, and any amendments thereto.
3. That the Houston County Engineer is authorized to negotiate work order contracts pursuant to the Master Contract, which work order contracts may provide for payment to or from MnDOT, and that the County Engineer may execute such work order contracts on behalf of the Houston County without further approval by this Board.

File No. 6 – Engineer Pogodzinski reported on airport entitlement funds which are allocated to a specific airport and which expire within a couple of years if they are not utilized. As a way to protect access to the funds, airports frequently “loan” them to other airports located within Minnesota. This allows airports to leverage funds in order to complete large projects. Currently, Houston County has no projects planned and will not be utilizing \$200,000 of airport entitlement funds. The City of Albert Lea currently has a large project it wishes to complete if adequate funding can be secured. Therefore, Engineer Pogodzinski requested the Board consider transferring \$200,000 in airport entitlement funds to them. Houston County’s entitlement funds account will still have between \$40,000 and \$60,000 available until transferred funds are transferred back. This action does not impact Houston County’s bottom line as the funds are not held at the County level. Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve the Federal Airport Funding Transfer Agreement authorizing the transfer of \$200,000 in airport entitlement funds to the City of Albert Lea.

File No. 7 - Engineer Pogodzinski reported on the following bids which were received until June 2, 2017 for C.P. 2017-07:

Fahrner Asphalt Sealers LLC Eau Claire, WI 54703	\$89,400.00
Northwest Asphalt & Maintenance	\$94,800.00
Asphalt Surface Technologies Corporation St. Cloud, MN 56302	\$117,000.00

The bids are for crack filling. Engineer Pogodzinski reported that the Engineer’ Estimate was \$95,400 and the low quote is \$5,000 less than that. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to accept the low quote submitted by Fahrner Asphalt Sealers LLC in the amount of \$89,400.00.

File No. 8 – Engineer Pogodzinski reported on 3 quotes which were received for pavement marking, project C.P. 2017-08. Work will include marking of fog and center lines with a minimal portion of the work being within the Cities of Caledonia and La Crescent. Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to accept the low quote submitted by Traffic Marking Service in the amount of \$85,004.12. The Engineer’s Estimate is \$77,747.47.

File No. 9 – Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve the issuance of the following liquor, beer and wine licenses:

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
Elpaka, LLC dba Ma Cal Grove Golf Club
Foursome Golf Group LLC dba Valley High Golf Club
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. 10 – Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve an abatement being a reduction of \$256.00 for Darrell W White due to value being on the parcel for a structure which had been previously razed.

File No. 11 – Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to authorize the issuance of a County Credit Card to Cynthia Cresswell-Hatleli.

HR Director Arrick-Kruger provided an overview of the grant funded project which is being completed.

File No. 12 - HR Director Arrick-Kruger recommended the assignment of David Bauer to the position of probationary Highway Maintenance Specialist Senior at Step 3 of the appropriate comparable worth band. Mr. Bauer has been employed with the County since 1988 as a Highway Maintenance Specialist. He has taken on various responsibilities and duties, and has been heavily relied upon during flood events and large projects. He has served as a point of contact for Townships, vendors and suppliers. An assignment to this position provides for Mr. Bauer to be fairly compensated for his expertise. Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve the same.

Engineer Pogodzinski reported that David Bauer utilizes his phone to speak with staff, suppliers and contractors and requested he be granted a \$30.00 per month cell phone per diem. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the requested stipend.

HR Director Arrick-Kruger and HS Director Pugleasa reported that Jennifer Oakes-Daley has been reassigned from children's mental health to adult and disability services. This action creates a social work vacancy in the area of children's mental health. Recently, interviews were held for the vacant social work position and questions were purposely developed to gather information related to areas of expertise. Tessa Diepenbrock interviewed well and has expertise in children's mental health. Ms. Diepenbrock was previously employed by Houston County and exited on favorable terms, she has most recently been employed with HVMHC as a supervisor. Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve the hire of Tessa Diepenbrock at C41 step 4 effective July 17, 2017 contingent upon the successful completion of the required background check.

HR Director Arrick-Kruger reported there is an appraiser vacancy in the Assessor's Office as a result of Ms. Cresswell-Hatleli being promoted to the position of County Assessor. In addition, a second appraiser position has remained vacant for several years following a retirement and there is an additional retirement pending within the next 12-18 months. It will take approximately 2 months to advertise, conduct interviews and hire an appraiser trainee and another 12 months before the candidate becomes a certified appraiser. Hiring 2 appraiser trainees at this time would provide for staff to mentor the trainee prior to retirement. HS Director Arrick-Kruger does not anticipate the candidate pool to include certified appraisers and additional retirements could result in a significant lack of experience. It was noted that AMA and SAMA requirements have been further delayed and certain staff may be exempt which raised the question whether the pending retirement would be certain. Discussion was held. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to authorize the hire of a 67 day employee and search for a single appraiser.

HR Director Arrick-Krueger reported that the position description for the GIS Coordinator was outdated and needed to be updated. In addition, the position description was for an E911 Coordinator which isn't reflective of the job duties. The position description has been revised and will be submitted for comparable worth banding soon. Consideration is being given to transferring certain E911 duties to the Sheriff's Office where they would more appropriately fit. Chairperson Miller questioned the status of the Nextgen E911 project. It appears that most counties are contracting for the necessary services which is less expensive than having staff complete the project. There are two vendors with capacity to assist Houston County and a recommendation will be put forth soon. There is E911 funding available to cover the cost of the contract work. Discussion is ongoing whether the position should remain the charge of the Assessor's Office or whether moving it under the umbrella of a different department would be a better fit. Commissioner Connor noted that Surveyor Schmitt has volunteered to mentor the new hire.

Commissioner Arnold reported that the legislature has provided a dependable funding stream through block grant appropriations for One Watershed, One Plan. It had been feared that funding would come through competitive grants which are not guaranteed.

Commissioner Walter reported a Joint Board of Health and a Regional AMC meeting which she recently attended. Discussion during the Joint Board of Health meeting was focused on mental health services and funding along with significant cost shifts which will result in the County's bearing a greater funding burden. At the AMC meeting discussion was held regarding the buffer law and funding which has been designated for counties in the event they provide the enforcement measures. Several counties are exercising their ability to increase the wheelage tax or assess a quarter percent sales tax in order to generate funding for road improvement projects. Another focus of discussion centered on succession planning and public employee applicant pools which are lean as a result of higher paying opportunity in the private sector.

Commissioner Zmyewski has been contacted by the Houston County Collaborative. The committee meets two times annually and desires to increase the number of meetings and wants to ensure the County Board has a representative assigned to the committee.

Discussion was held regarding the Fair Board lease extension agreement. The draft lease, a copy of which has been provided to the Fair Board, has grown from 2 to 3 to 16 or 17 pages raising concern with the Fair Board.

Chairperson Miller reported on a Joint Board of Health meeting which he recently attended. He noted that Fillmore County was interested to learn what drove Houston County's decision to discontinue home health services.

Chairperson Miller expressed concerns with boats traveling the West Channel at high rates of speed and causing damaging wakes. Recently, La Crosse hosted a large bass tournament which caused increased traffic and resulted in several letters and complaints. La Crosse has a no wake zone which results in boaters traveling alternate routes with less restriction. He suggested Houston County Water Patrol should have a presence in the West Channel the next time there is such an event. He further indicated his intent to discuss concerns with the La Crosse Harbor Commission. He shared his opinion that competitors have little regard for the home owners along the West Channel route. These concerns have been reiterated over the past several years.

Commissioner Connor stated he would begin representing the County on the Semcac Board in lieu of Chairperson Miller.

Jeremiah Shaver, President of the Bass Association in La Crosse, was present today to listen to discussion related to the West Channel. He explained that the no wake zone enforced by La Crosse results in a 30 minute idol for boaters travelling the route which includes the no wake area. He expressed concern that the state line runs through the West Channel and traffic there could simply utilize the Wisconsin side of the channel in the event Minnesota imposes rules. No wake zones are imposed for two reasons being public safety and/or erosion control. There have been no safety issues within the pool which encompasses the West Channel. In addition, Shore Acres is a rip rapped shoreline area making erosion control a non-issue. Bass boats operating at

high speeds generate minimal wake and flooding likely causes greater damage. Discussion was held. Commissioner Arnold questioned whether the County needs to be involved in this issue.

Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to recess for a period of 5 minutes.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to reconvene in open session.

File No. 13 – HR Director Arrick-Kruger provided an overview of work that the Board had completed in the past during Strategic Planning Sessions. Discussion was held regarding the development of goals.

Commissioner Connor wants Houston County to be known as a forward thinking county.

Commissioner Arnold would like to see Houston County leading the State with regard to effective government.

Chairperson Miller stated Houston County's population hasn't increased in 10 years, yet the budget has increased significantly. HR Director Arrick-Kruger indicated that there is a need to consider where the County was and how it has arrived at its current situation. Chairperson Miller wants the County to be viewed favorably with regard to leadership based on financial accountability.

Commissioner Walter would like to see ground breaking for a Highway Department Building and develop collaborative responses to increasing mental health issues.

Commissioner Zmyewski would like Houston County to lead the nation in government efficiencies. Efficiency is a relative term. It may be more practical to focus on quality improvement and/or return on investment. It may require decisions like what services the County will cease to provide.

In preparation of the next strategic planning session Commissioners should work to identify barriers and/or challenges and realize the opportunities which lay within.

HR Director Arrick-Kruger provided some statics which show organizations may spend 80% of time on 20% of problems and the number one reason people change jobs is that they feel unappreciated in their current capacity. With regard to human resources within an organization, one thing effective staff have in common is that they work proactively on important issues that aren't urgent.

In closing, HR Director Arrick-Kruger posed several questions to spur thought. She questioned whether with great certainty Commissioners know what constituents expect; what they

require and demand of government; Do Commissioners know what the future demand on county services might be, what success looks like, and what drives success. Do they know what services should be offered, enhanced or discontinued. What questions will determine future demands and what must be addressed within the next five years. What principles will be used in order to prioritize and finally, how does the Board leverage dollars noting leveraging dollars does not equate to doing more with less or doing more with more.

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

File No. 14 – Dangerous Dog Order

File No. 15 – Correspondence to payroll regarding various board actions

File No. 16 – Correspondence from Semcac requesting 2018 appropriations

File No. 17 – Correspondence from MCIT regarding intent to appeal the District Court’s decision in connection with City of Houston vs. Houston County

File No. 18 – Correspondence from Richard Nelson forwarding resolution adopted by Houston County Township Officer’s Association

There being no further business and the time being 11:45 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, June 20, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, June 20, 2017

5:30 p.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Bergey & Graff; County Attorney Jandt; HS Director Arrick-Kruger; Assistant Engineer Conway; Surveyor Schmitt; Finance Director Lapham; Assessor Cresswell-Hatleli; Appraiser Ask

Presiding: Jack Miller, Chairperson

Call to order.

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

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes of the June 6, 2017 meeting.

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

County Revenue Fund	\$50,795.74
Road & Bridge Fund	87,355.15

Total	\$138,150.89
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File No. 2 – Assistant Engineer Conway reported on bids received until June 12, 2017 for C.P. 2017-04:

Dunn Blacktop Winona, MN 55987	\$199,592.30
 Bruening Rock Products, Inc. Decorah, IA 52101	 \$209,398.65

The bids are for aggregate shouldering. The low bid came in 1.74% below the engineer's estimate. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to accept the low bid submitted by Dunn Blacktop in the amount of \$199,592.30.

File No. 3 – Assistant Engineer Conway reported on the following bids which were received until June 19, 2017 for S.A.P. 028-627-009:

ICON Constructors LLC Mabel, MN 55954	\$136,396.81
Zenke, Inc. La Crescent, MN 55947	\$153,751.31
VanGundy Excavating LLP Houston, MN 55943	\$148,753.60
Alcon Construction Corp Rochester, MN 55904	\$150,777.70

The bids are for the replacement of a culvert with a large box culvert. The bids came in significantly lower than the engineer's estimate. The project should mitigate frequent overtopping of the roadway in this area during periods of heavy rain. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to accept the low bid submitted by ICON Constructors LLC in the amount of \$136,396.81.

File No. 4 - HR Director Arrick-Kruger reported that she recently posted the GIS Specialist job vacancy due to the urgency in filling said position. The revised position description was submitted to Arthur J. Gallagher and Company for banding. Both the description and banding recommendations were provided in the board packet for review. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve both the job description and banding recommendation of C-42 for the GIS Specialist.

HR Director Arrick-Kruger requested retroactive authorization to conduct a search to fill the GIS Specialist vacancy. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

File No. 5 - Recently a mechanic was hired in the Highway Department. A tool inventory was conducted by Engineer Pogodzinski. During the past 20 years the Mechanic has received a monthly tool stipend in the amount of \$275. HR Director Arrick-Kruger recommended the stipend be increased to \$325 and approved for Mechanic McCabe. It is common practice that mechanics provide their own tools. Commissioner Zmyewski questioned whether research had been conducted prior to making this recommendation. HR Director Arrick-Kruger responded

that it had not and that the inventory listing has a value of \$28,000. She explained that a stipend is paid in exchange for the use of the mechanics personal equipment. Commissioner Zmyewski questioned whether the monthly amount is excessive. Drawing from his own experience, he estimated that the mechanic could replace nearly all of the tools in a 3 year period. Auditor Meiners noted that the County's insurance policy covers the mechanics tools against theft, fire and breakage by someone other than the owner. Commissioner Zmyewski noted that many tools come with lifetime warranties while pneumatic and cordless items may require periodic replacement. HR Director Arrick-Kruger stated the item could be further researched and action taken at a later date.

Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and carried with Commissioner Connor abstaining to approve a \$30 phone stipend for Shane McCabe.

File No. 6 - HR Director Arrick-Kruger reported that two Social Work Lead positions were recently approved. The position descriptions have been drafted and submitted to Arthur J. Gallagher and Company for banding recommendation. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve both the position description and banding recommendation of C-42 for the Social Work Lead.

File No. 7 – HR Director Arrick-Kruger reported that three Sheriff's Office staff members are nearing the completion of their probationary periods. Each of them is recommended for regular status by Sheriff Inglett. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve a status change to regular for Tyler Fabian effective June 22, 2017.

Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve a status change to regular for Dean Ott effective June 24, 2017.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve a status change to regular for Samantha Hancock effective June 29, 2017.

HR Director Arrick-Kruger explained the Emergency Manager Director qualifies for a phone stipend due to the fact as she is expected to be available at all times. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve a \$50 per month phone stipend for Olivia Niday.

Chairperson Miller was pleased to report that several staff members who worked for Public Health as Home Health Aides have accepted positions with one of three home health care providers which will be servicing Houston County following the dissolution of Public Health home care services.

File No. 8 - Finance Director Lapham provided an overview of the current financial situation. She is actively preparing budget amendments for a couple of departments. There will be adjustments made to salary budgets once hires are made. Budgeting will begin following the release of June financials. Finance Director Lapham questioned how to proceed regarding budgeting for staff. She questioned whether the budgets are to cover current staff only, or also whether to include proposed positions. Commissioner Connor suggested maintaining the status quo. Commissioner Walter expressed a desire for supplemental information related to proposed positions.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to recess the regular meeting in order to convene the County Board of Equalization meeting scheduled for 6:00 p.m.

The time being 6:30 p.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to reconvene the regular meeting.

Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to appoint Ashley Dress to the EDA for a term to expire December 31, 2017.

File No. 9 - Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve a county credit card for Olivia Niday.

Commissioner Zmyewski reported that he has spoken with both Surveyor Schmitt and the previous surveyor, Dick Walter, as well as with Personnel Committee members regarding the GIS Specialist position and where it should be placed in the organization. Currently, the position falls under the oversight of the Assessor's Office. In addition to this position, he feels there is interest in restructuring offices commonly associated with land use. Commissioner Walter stated that a larger restructuring will take time. Commissioner Zmyewski expressed hesitation with moving the position from the Assessor at this time only to perform additional restructuring which will impact the same position again. HR Director Arrick-Kruger noted that moving the position could impact supervisory pay as that is based on the number of staff a department head has oversight of and also the banding of those staff members. Currently, HR Director Arrick-Kruger is working with the Board regarding strategic planning and how to free up funding in order to reallocate the funding to meet goals. This process will aid in determining the future organization structure of the land use departments and the positions within them. She expressed that Houston County has the ability to continue to work together effectively and efficiently with the current organizational structure. Commissioner Zmyewski stated the he fully expects that the GIS Specialist position will land under the direction of the Surveyor regardless. Chairperson Miller questioned when the next strategic planning session was scheduled for. It was noted that time is being set aside for this on the first Tuesday of each month.

File No. 10 - Commissioner Arnold provided information related to the Ag Society building project. There has been miscommunication related to an offer to donate building materials. As the project changed the materials cost increased significantly and it was assumed the materials cost was covered. The individual who originally made the offer based the amount of his donation on original plans, and not on the more recent ones. In addition, it has been learned that building codes related to square footage and sprinkler requirements will impact the final project. The Ag Society has requested an extension to the current land lease. A draft lease has been prepared. County Attorney Jandt expressed the length of time which binds the Board is of concern. Commissioner Zmyewski questioned who owns the buildings. Finance Director Lapham stated this has been researched and the Ag Society owns the buildings. Commissioner Zmyewski indicated that, in order to terminate the lease, it may require the County to purchase those buildings and a \$400,000 building project would impact the cost to do so significantly.

Commissioner Arnold commented on the One Watershed, One Plan. There are concerns related to unfunded mandates. He has discussed this with Dave Walter and shared that Mr. Walter feels the funding granted will be adequate to cover the program and necessary staffing unless there is additional legislation which has an impact.

Commissioner Walter reported on a Solid Waste Policy Board, Workforce Development and EMS meetings which she recently attended. She also provided a reminder of the upcoming annual La Crosse County Solid Waste meeting which is scheduled for Friday, June 23rd. It was noted that, due to unforeseen circumstances, Commissioner Walter would be unable to attend and Commissioner Arnold would attend to represent Houston County.

Commissioner Connor reported on Semcac and jail reuse study meetings which he attended.

County Attorney Jandt reported that there will be a meeting on June 29th regarding an escalation in the number of mental health cases within Houston County. Houston County is a single judge county and currently has 33 of these cases, while other single judge counties have between 8 and 10. Meeting the resource needs of this volume of cases is becoming more and more difficult; therefore, this meeting is being held in order to collaborate with other counties to hopefully learn how to effectively deal with them. The County is required to provide certain services which includes providing access which is challenging in a rural community where the required assistance is located elsewhere. There is a need to provide proper training for law enforcement which will hopefully result in better outcomes. The current situation is having significant collateral effects for the County and there is a need to find efficiencies so that we aren't continually operating in crisis mode. He also noted that this will likely be reflected in budgeting later this summer.

Chairperson Miller reported on an Emergency Communications Board and an EDA meeting which he attended. There is a Federal movement related to public safety and emergency entity connectivity referred to as FirstNet, which could impact Minnesota depending on action

by the Governor. Chairperson Miller noted that the distillery in Spring Grove will be hosting an open house this weekend for anyone interested.

File No. 11 - It was noted that the transfer of airport funding to the City of Albert Lea will not take place due to the fact that additional funding was secured by the City.

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

File No. 12 – Correspondence to Hank Koch regarding tons delivered to Xcel

File No. 13 – Correspondence from Southern MN Tourism Association

File No. 14 – Correspondence to payroll regarding recent changes and hires

File No. 15 – Public Notice regarding License Center transition to new system

File No. 16 – Information from Surveyor Schmitt regarding GIS Specialist position

There being no further business and the time being 7:19 p.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, June 27, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, June 27, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Bergey & Graff; County Attorney Jandt; Finance Director Lapham; Bob Goede; Engineer Pogodzinski; Kallie Rollenhagen; Dave Walter; Bryan VanGorp; Betts Reedy; Donna Buckbee; Emergency Manager Niday; Sheriff Inglett; Michael Fields; Yvonne Krogstad; Lorraine Culver; HR Director Arrick-Kruger; Bruce Kuehmichel; Zoning Officer Lacher; Steve Hartwick; Environmental Services Director Frank; Ronda Allis; Tracy Schnell

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and carried to approve the agenda.

Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the minutes of the June 20, 2017 meeting.

File No. a1 - Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the minutes of the June 20th Board of Equalization meeting.

File No. 1 - Motion was made by Commissioner Walter, 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	\$181,830.50
Road & Bridge Fund	9,654.19

Total	\$191,484.69
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File No. 2 - Bryan VanGorp, Yucatan Township resident, read from a prepared statement which is on file.

Michael Fields, Winnebago Township resident, commented that the County relies on citizen complaints related to mines and feedlots due to the fact that the Zoning Office lacks staff dedicated to enforcement and made accusations based on his perception of county government's inability to provide oversight.

Lorraine Culver, Houston City resident, shared thoughts and her opinion of why the Board takes certain action.

Sheriff Inglett introduced Emergency Management Director, Olivia Niday. Ms. Niday is from Becker, Minnesota and a graduate of North Dakota State with a degree in Emergency Management. She reported that she has been busy meeting city officials and emergency personnel and working with the Sheriff's Office to secure a grant for the purchase of equipment to benefit the Sheriff's Posse.

Chairperson Miller questioned how to ensure townships do not fail to meet deadlines for securing funding for storm damage. Mound Prairie Township has roadways which were damaged during May 2017 rains and failed to submit estimates timely causing them to miss out on an opportunity which may have resulted in State funding to help offset repair costs. Commissioner Zmyewski commented that townships should have a familiarity with the process. It was noted that the clerk of Mound Prairie began serving following the historic flooding of 2007 and 2008. Emergency Management Director Niday commented that laws changed in 2014. She indicated that she will work with townships to ensure all are on the same page and aware of requirements going forward.

File No. 3 - At this time the Board met with Bob Goede who provided an annual report and general update regarding MCIT. Mr. Goede is Houston County's risk management coordinator. Eighty one of Minnesota's Counties are members of MCIT. Enhancements to coverage in 2017 include electronic data compromise coverage.

File No. 4 - Engineer Pogodzinski requested finalization of C.P. 2016-801. The original amount for the project was \$48,900 and certified to date is \$51,201. The overage is due to the need for additional rip rap. The project provided for flood repair work to be completed on several roadways. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to adopt the following:

RESOLUTION NO. 17-28

WHEREAS, Contract No. 268 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 - Kallie Rollenhagen, Communications Coordinator for SMIF met with the Board to provide an overview of initiatives and new programs which are being offered.

File No. 6 - Dave Walter, Environmental Services Director Frank along with Zoning Officer Lacher discussed the options related to the Buffer Law and enforcement. Tomorrow is the deadline for the County to notify the State in the event they wish to keep enforcement local. Funding will be provided to those counties which opt to provide enforcement of the buffer law. Houston County's share of funding for FY18 has been estimated at \$50,000 with more budgeted for FY19. Commissioner Zmyewski questioned whether the funding would be retained by the County or provided to SWCD. Dave Walter responded that the Zoning Office would receive the funding and the SWCD would bill Zoning on a quarterly basis for services. He assured the Board that any billing from the SWCD would not exceed the grant amount. Chairperson Miller has discussed the buffer law with commissioners from neighboring counties. They have expressed concern that dry runs could be added which may make the grant amount inadequate. Chairperson Miller questioned whether funding was adequate to mitigate any potential need for additional staff and/or overtime expense. Dave Walter noted that dry runs are separate and are not included in the Buffer Law. Opting to maintain local control over enforcement has no impact on which waterways are or are not included. Mr. Walter also expressed confidence that funding would be adequate to cover expenses. Chairperson Miller questioned whether there is adequate personnel in place to provide for the required enforcement. Environmental Services Director Frank noted how his office and the SWCD have a well-established working relationship. In addition, a significant portion of property owners are already in compliance. Discussion with the County Attorney has taken place regarding enforcement. In addition, action to develop rules and incorporate those into the Zoning Ordinance will be required. In the event the County does not exercise the option to maintain local control of enforcement, funding designated for county enforcement will be directed to BWSR. The county will have the option to return enforcement responsibilities to the State after 60 days' notice. Zoning Officer Lacher indicated that grant funding is intended to provide for quality services. Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adopt the following:

RESOLUTION NO. 17-29

WHEREAS, provisions in Minnesota Statute 103F.48 (Buffer Law) allow a county or watershed district to affirm jurisdiction to carry out the compliance provisions regarding riparian vegetated buffers and alternative water quality practices for those waterbodies identified on the Department of Natural Resources' Buffer Protection Map; and

WHEREAS, a county with jurisdiction over a noncompliant site shall enforce corrective actions under the authority granted in Minnesota Statute 103B.101, subd. 12a, the Buffer Law or other authority granted by statute; and

WHEREAS, Houston County agrees to carry out corrective actions on a parcel basis to ensure compliance with the buffer requirements, which may include an Administrative Penalty Order (APO) plan under the authority provided in Minnesota Statutes 103B.101, subd. 12a and 103F.48 as well as other enforcement mechanisms authorized by statute; and

WHEREAS, Houston County is electing jurisdiction on all public drainage ditches for which it is not the drainage authority, located within its boundaries, if the watershed district has not elected jurisdiction for the Buffer Law; and

WHEREAS, the Buffer Law requires that each Local Government Unit provide notice affirming jurisdiction and identify the rule, ordinance, or other official controls that will be used to carry out the compliance provisions of the buffer requirements to the Board of Water and Soil Resources, including a copy of the adopting resolution.

THEREFORE, BE IT RESOLVED that Houston County hereby accepts the authority and administrative responsibility to implement the Buffer Law as the Local Government Unit within the legal boundaries of Houston County for the water features identified above as of November 1, 2017 in accordance with Minnesota Statute 103F.48.

BE IT FURTHER RESOLVED, that Houston County staff will draft a rule, ordinance, or official controls, to be approved by the Houston County Board of Commissioners, to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48

Environmental Services Director Frank noted that the next HHW collection is scheduled for July 6th between the hours of 1:00 p.m. and 6:00 p.m. at the Spring Grove drop site.

Dave Walter expressed a desire to provide a tour of flood control structures approved for the Winnebago watershed. Construction on the structures is scheduled to begin in July.

File No. 7 - Ronda Allis, MN Dot Planning Director, along with Tracy Schnell, member of the planning staff, met with the Board to provide an overview of dedicated projects and also long term projects. Ms. Allis reported that pavement conditions in the district are deteriorating faster than the ability to fund improvements. Bridge conditions are also deteriorating but not as rapidly. Therefore, MN Dot is directing a greater portion of funding to the improvement of pavement as opposed to bridge projects. When questioned, Ms. Allis responded that TZD is a joint effort between MN Dot and State Patrol. Outreach is being performed by MN Dot in hopes of gathering beneficial information to result in better project satisfaction. In closing, Ms. Allis noted concerns expressed today will be reviewed and researched. Responses will be forwarded to Auditor Meiners to be shared with members of the Board.

File No. 8 - HR Director Arrick-Kruger requested authorization to utilize the current search for an appraiser to hire a second appraiser. She reported that since the last meeting a

Senior Appraiser has provided information related to a planned retirement which is tentatively scheduled for July 2019. HR Director Arrick-Kruger noted the market isn't there to hire certified staff and she anticipates hiring at the appraiser trainee level. This will require a one year training investment before the new hire is able to secure credentials to perform basic appraiser functions. There would be savings gleaned as a result of having the opportunity to provide training to 2 staff at the same time. HR Director Arrick-Kruger reported that the second position is not new. Finance Director Lapham stated the position being discussed was vacated when an individual retired 5 years ago. The position has remained vacant for that entire period. Chairperson Miller questioned whether an internship could be offered which would result in developing an individual for hire at a later date. HR Director Arrick-Kruger noted appraisers receive training to advance through three levels being trainee, residential and commercial appraiser. Training is provided through experience, online and in person at a location in the metro area. It takes approximately three years to bring a new staff member up to speed with the proper credentials to perform all aspects of the appraiser position. Commissioner Connor questioned whether this hire should be made at this time or whether it should be held over until budget time. Commissioner Walter noted that the Board indicated any possible second appraiser hire would be discussed at budget time. HR Director Arrick-Kruger noted that there have been salary savings within the department, and savings would be gleaned if two appraisers were to be trained at the same time. Commissioner Connor questioned whether a no compete agreement could be signed prior to investing in the training for the new appraisers. HR Director Arrick-Kruger indicated it will likely be necessary to train and grow successful candidates due in part to under market compensation. It was agreed to further discuss this request when Assessor Cresswell-Hatleli can be present.

File No. 9 – HR Director Arrick-Kruger presented a Professional Services Agreement with The Schneider Corporation which would provide services to bring the County into compliance with Nextgen E911. It was noted Houston County's shortfall is in the area of rural addressing points and also road center points. The cost for services is a one time commitment in the amount of \$22,250 which HR Director Arrick-Kruger expressed will be cost effective. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the Professional Services Agreement with The Schneider Corporation.

It was noted that a representative from The Schneider Corporation will be onsite tomorrow to meet with HR Director Arrick-Kruger regarding how multiple layers are used across counties and municipalities and to provide training to Assessor Cresswell-Hatleli and Zoning Officer Lacher.

Last week discussion was held regarding a tool stipend for the mechanic. Regional data has been gathered. Several counties provide the tools necessary for the mechanic to perform his/her job. HR Director Arrick-Kruger received a response from one county outside the immediate region which provides a stipend to its mechanic in the amount of \$300 per month for the use of personal tools. HR Director Arrick-Kruger noted, as a government entity, the County is

prohibited from requiring the use of a private resource for the benefit of the public. Historically, the County has paid a monthly stipend in the amount of \$275 for the use of the mechanic's personal tools which are required. She made a recommendation last week to increase the stipend to \$325. Chairperson Miller noted an individual can lease a vehicle for the amount of the proposed stipend. He also questioned whether the amount was appropriate based on the value of the personal tools. It was noted that since the mechanic started his employment he has needed to purchase some specific tools which exceed \$500. Commissioner Arnold expressed understanding that there is a difference between the private and public business sectors. In the private sector it is acceptable to require a mechanic to provide the tools he needs and uses to work in his trade. Typically, specialized tools are provided. HR Director Arrick-Kruger reiterated the fact that as a public employer/government entity there are specific rules which apply, one of which is providing appropriate compensation for the use of personal property when it is for public benefit. She also expressed concern with comp worth reporting which would need to include a calculation for loan of private resources. It is necessary to supply the tools or pay a fair amount for the use of the private resource/tools. Commissioner Walter noted that the former county surveyor received such remuneration for personal equipment until the county was able to purchase and supply the equipment needed. Commissioner Zmyewski stated, as a certified mechanic, he has knowledge. Tool distributors offer large discounts to students going into mechanic trades. He expressed understanding that some private employers compensate mechanics with an hourly benefit, some provide no additional compensation while requiring a mechanic to provide his/her own tools, and it is the industry standard for an employer to provide specialized tools which may be required. Commissioner Zmyewski estimates the mechanic could fully replace all tools every ten years at the suggested stipend amount which he expressed is excessive, in his opinion. He suggested the county consider purchasing the tools and forego the requirement for a mechanic to provide them and the accompanying stipend. When HR Director Arrick-Kruger questioned whether Commissioner Zmyewski was supportive of the historic \$275 per month stipend he responded he was not interested in renting tools. Commissioner Arnold questioned whether the county would be better served owning tools or paying the stipend. He is aware of counties which operate both ways. It was noted that personal tools utilized by a mechanic are likely better cared for and kept track of. Changing to a county owned tool inventory raised concern regarding loss. Commissioner Zmyewski indicated in certain industry mechanics are required to account for each and every tool at the close of the day and loss would come at the expense of the mechanic. HR Director Arrick-Kruger noted that the mechanic has already made additional investment and is present to field any questions. Chairperson Miller expressed a desire to move the discussion along. Motion was made by Commissioner Walter to continue the \$275 per month stipend for the use of the mechanic's personal tools. The motion failed for lack of a second. HR Director Arrick-Kruger recommended action to continue the status quo until a plan for the future is developed, due to the fact that presently the county does not own any tools necessary for the mechanic to perform his duties and private tools are being utilized. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and carried with Commissioner Zmyewski voting in the negative and Commissioner Connor abstaining to authorize payment of a \$275 per month stipend until a plan to address tools is drafted.

Commissioner Arnold reported on the Annual La Crosse County Solid Waste meeting which he attended last week.

Commissioner Walter reported on HS committee meeting which she recently attended.

Commissioner Zmyewski questioned the reporting of vote totals and whether the Chairperson is indeed casting a vote on each and every matter, or whether he votes only in instances where there is a tie. Commissioner Walter indicated it is common practice for all members to cast votes when the Board is less than 12 members. Commissioner Arnold expressed support for voting by the Chairperson due to the fact that this individual is representing a constituency. It was agreed that Chairperson Miller is voting, making it acceptable for the news to report totals for and against which include his vote.

Chairperson Miller reported on an HS committee meeting which he attended.

Steve Hartwick, Yucatan Township resident, provided information related to a buffer law meeting which is scheduled to take place tomorrow in the LEC from 2:00 to 4:00 p.m. He is hopeful that appropriate procedures are in place to ensure proper enforcement.

Bryan VanGorp, Yucatan Township resident, expressed disagreement for a need to include a hardship waiver regarding the buffer law, as it is everyone's responsibility to protect waters for future generations. He also shared his lack of confidence in the ability to achieve adequate enforcement from local entities.

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

File No. 10 – Correspondence to Ashley Dress regarding appointment to EDA Board

File No. 11 – Correspondence to Payroll regarding various Board action

There being no further business and the time being 11:35 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, July 11, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, July 11, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead & Bergey; County Attorney Jandt; Courtney Bergey; Engineer Pogodzinski; Finance Director Lapham; HR Director Arrick-Kruger; Liz Gibson-Gassett; Ashley Dress; Dawn Johnson; Sherry Carlson; LaVonne Beach; Krista Ross; Assessor Cresswell-Hatleli

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and carried to approve the agenda.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes of the June 27, 2017 meeting.

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

County Revenue Fund	\$136,035.28
Road & Bridge Fund	23,800.15

Total	\$159,835.43
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File No. 2 – At this time the Board met with SELCO Director Krista Ross, along with the librarians from each of the public libraries housed in Houston County. They provided an overview of the programming offered at each library. Ashley Dress, Caledonia Public Library, shared information related to programming offered as part of a collaborative with Public Health to offer Yoga and Arthritis exercise classes. Sherry Carlson, Hokah Public Library, explained how their after school programming is growing and will be offered 2 nights weekly this fall. She also talked about the “fall back into reading” a program held at Como Falls in the City of Hokah. Liz Gibson-Gassett spoke at length regarding the “book bike” which travels around the City of

Houston to activities which community members are already attending and offering library services on the go. She also provided information regarding the Meet Up to Eat Up program which is a collaborative effort between the food shelf, Lutheran Church and Library to provide noontime meals to children. LaVonne Beach, La Crescent Public Library, shared information related to the discussion group which gathers at her library weekly discussing everything from music and books, to recommendations for home repairs. This group is made up of local retired citizens. The La Crescent Library is also host to an active knitting and crochet group which makes items from donated yarn, such as hats for newborns, blankets for care facility residents and even kennel mats for cats and dogs. Dawn Johnson, Spring Grove Library, showcased their program which provides for large print materials made available and delivered to senior housing and shut ins so that they can access library materials. In closing, discussion was held regarding the ever increasing Wi-Fi and public computer usage, and increasing programming. Houston County librarians were able to secure grant funding which has provided for the construction and placement of 25 little free libraries with 5 each being installed in each community having a library. In closing, they presented a proposal for continued funding of SELCO by the county which reflects a 5% annual increase for each of the next 3 years.

Courtney Bergey provided her monthly update related to EDA activities. She was pleased to share that Ashley Dress, Caledonia City Librarian, recently joined the EDA Board. Ms. Bergey has been working with the Jail Reuse Consultant. Lodging has been identified as an area of concern within Houston County. RFP's are coming in for the work on the website which is being solicited. Ms. Bergey has been meeting with local businesses regarding retention and expansion. She is pleased that Spring Grove Soda, SnoPac, LaX Fabricating and Miken are all strong and planning for expansion. Manufacturing has expressed concern with having a qualified workforce so Ms. Bergey is scheduling meetings with superintendents of local schools to brain storm how the schools could work with manufacturing to aid in the development of a skilled workforce. Houston City recently secured a small cities grant which will be used in the improvement of water treatment facilities and housing in that community.

File No. 3 – Engineer Pogodzinski recommended approval of the final payment for C.P. 2016-1201. This is a flood repair project located on several sites completed by Generation X Construction, LLC. The contract amount was \$38,900.00. Certified to date is \$37,130.00. Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to adopt the following:

RESOLUTION NO. 17-30

WHEREAS, Contract No. 270 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 C.P. 2016-24901. This is also a flood repair project completed by Generation X Construction, LLC on County Road 249. The contract amount was \$28,160.00. There was a significant amount of change related to the project resulting in overrun. The work certified to date is \$46,730.00. Full reimbursement for the project is expected from FEMA. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to adopt the following:

RESOLUTION NO. 17-31

WHEREAS, Contract No. 271 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 questioned how C.P. 2016-24901 expenses grew from the estimated to final amount. He expressed concern that significant cost overruns must be contained. Engineer Pogodzinski responded the cost increases were justified, approved and documented and are expected to receive full FEMA reimbursement. They resulted from the cleanup of an additional 1,000 foot of roadway ditch. Unit pricing is quoted and linear feet, cubic yards or whatever the measure are carefully documented. The increases were not the result of the contractor performing work at his own discretion. The Highway Department provided the contractor with direction to perform the work which resulted in the additional expenses.

File No. 5 - Engineer Pogodzinski reported on a confidentiality agreement with Volvo/Mack trucks. Access to the software system will provide the Mechanic with parts information and pricing in addition to truck specifications not otherwise available. Access to this information will increase the efficiency of the Mechanic. County Attorney Jandt has reviewed the agreement. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the Impact Confidentiality Agreement Internet-Based Technology Access.

File No. 6 - Engineer Pogodzinski reported that he has been approached in each of the past two years to provide winter road maintenance for townships. This is a growing concern not only in Houston County but across the State. He expressed his opinion that the issue will not be going away. Townships are finding it more and more difficult to find qualified individuals to provide for road maintenance. The county has, on occasion, provided limited services to Townships which have depended upon staff availability. The cost for services is billed to the Townships. The County also provides all road sign work which is also billed. Last fall one township was experiencing difficulty in hiring to provide for winter road maintenance. They approached the County and Engineer Pogodzinski was forced to decline assistance due to the fact there was no staff available to perform the scope of work required. Engineer Pogodzinski is

requesting direction from the Board going forward. He noted his expectation that one township in particular will likely be approaching him. He feels there is adequate staff at the current time to provide for a reasonable level of service, as the township has the fewest number of road miles of any township in the County. He indicated, in the event the County agreed to provide assistance, it could be used as a pilot project. He stated that the department would be unable to entertain service to additional townships if requested with current staff. Engineer Pogodzinski expressed his opinion that there is adequate work to keep additional staff busy year round, in the event the County decided to take on township winter road maintenance and staff were added. He stated if there were additional county staff, he would expect to utilize contractors less. He was uncertain how changes such as these would impact the budget. Discussion was held. It was agreed that the County would accept the request to assist the township with low road mileage if asked.

Chairperson Miller questioned the varied placement of rumble strips in relation to bike lanes. Engineer Pogodzinski indicated the State has been experimenting with placement to determine the best option and the greatest safety for both motorists and bicyclists.

Chairperson Miller received a complaint related to heavy manure handling farm equipment causing damage to County 6. Engineer Pogodzinski stated the County could research the situation and in some cases can pursue reimbursement for damages and cautioned that there are many exemptions for farm equipment.

File No. 7 - Finance Director Lapham reported that with 6 months of financial reporting the county is in line with the budget. She expressed hopefulness that during the second half expenses will come in below projections and end below budget. She stated budget worksheets will go out to department heads later this week.

File No. 8 - HR Director Arrick-Kruger indicated that a request to search for 2 appraiser trainees was presented at the last meeting. Assessor Cresswell-Hatleli explained that trainees will be required to attend 4 multi-day training events and work under a certified appraiser prior to being qualified to assign values. The department is currently down one assessor as a result of a retirement and internal promotion. There is an additional appraiser who intends to retire in 2019. Trainees will be allowed to perform several office functions as they work towards certification. She felt it would be beneficial to trainees to attend training with another individual. In addition, the individual who will be retiring has a special knack for training and Assessor Cresswell-Hatleli would like to capitalize on this. Assessor Cresswell-Hatleli provided an overview of a typical year and the cycles of work within her department. She reported that the quintile for the department is deficient. This is due in part to focusing time on bringing the Vanguard system online. However, action needs to be taken to address this. Discussion was held. Commissioner Connor questioned why personnel was decreased. Assessor Cresswell-Hatleli responded she is not privy to details regarding the decision not to replace an appraiser who retired several years ago. The current position the department is down is the result of a retirement and promotion of an appraiser to the position of Assessor. Commissioner Walter questioned why it is important to replace a staff member who isn't scheduled to retire until 2019. It seems there would be adequate

time following budgeting to add the second trainee if necessary. The department work cycle and training requirements were discussed again. HR Director Arrick-Kruger stated there are one-time cost savings which will mitigate the cost to hire 2 trainees at this time. The actual savings amounts have not been calculated. Commissioner Connor expressed concern that the County could invest a significant amount in an employee who chooses to go elsewhere. The County has no guarantee of service. HR Director Arrick-Kruger noted that traditionally that hasn't been an issue. It was agreed to further discuss the request at the next meeting after cost savings could be calculated and budgets reviewed.

HR Director Arrick-Kruger reported that both deputy auditors/license center staff members have resigned.

File No. 9 - Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to accept the resignation of Darlene Peter effective July 14th and to draft a letter of appreciation for her many years of service.

Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to accept the resignation of Renee Wagner effective July 24th and to draft a letter of appreciation for her service.

HR Director Arrick-Kruger requested authorization to search for 2 deputy auditors/license center employees. She recommended the position be posted "until filled" which is not a typical recommendation as it is her preference to have a complete pool prior to conducting interviews. However, she feels this situation is unique and the emergency staffing needs negate her concerns. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the search for 2 deputy auditors/license center employees.

File No. 10 - Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to appoint Paul Fruechte to the Crooked Creek Watershed Board to complete the unexpired term of Bob Mierau which will expire 11/30/2019.

Commissioner Arnold reported that during a recent Water Board meeting which he attended, he learned that 41 of 56 local units of government which are subject to the buffer law have maintained local control for enforcement. He expressed concern that Houston County has issues with invasive species, bugs, weeds and aquatic life. The County has not and does not currently employ a weed inspector. Commissioner Arnold expressed a desire to consider whether there needs to be consideration given to this position. Another concern Commissioner Arnold shared is that law enforcement is frequently faced with mental health crises and the budget impacts of this situation are unknown.

Commissioner Connor reported on meeting including Sheriff's Officer and Human Services personnel, and Olmsted County to discuss ways to deal with individuals suffering from

mental health issues who are repeatedly ending up in the legal system and at the same time failing to receive necessary assistance to help their situation.

Chairperson Miller reported on a HS Committee meeting which he attended earlier today and also on a meeting he had with HR Director Arrick-Kruger regarding strategic planning.

It was agreed to recess for 5 minutes prior to proceeding with the strategic planning discussion. The meeting will resume at 11:18 a.m.

File No. 11 - Chairperson Miller stated the GIS Coordinator position is vacant. There is an opportunity to review how our organization utilizes GIS and how to best move forward. Information is being gathered regarding how this position is addressed in other Counties. Chairperson Miller indicated he envisions a land use department which encompasses zoning, assessor, recorder, auditor and surveyor. He expressed confidence that there are capable staff in place to accomplish this. He expressed concern with barriers resulting from the current autonomy of departments. He expressed belief in the ability of staff to learn more and meet individual GIS needs.

HR Director Arrick-Kruger stated several issues need to be addressed including what is needed/expected from GIS. Consideration should be given to both short term and long term goals. Recently, Zoning Officer Lacher arranged for a representative from Schneider Corporation to make a presentation related to a workflow model. Commissioner Arnold was in attendance. Good discussion among department heads has taken place, several concerns which will need to be address have been brought forth and another meeting has been scheduled in order to provide department heads with the opportunity for further discussion. It was noted that a certain scope of service can be provided to the county for approximately 1/3 the cost to employ a dedicated staff person. HR Director Arrick-Kruger noted this is one way to leverage dollars or essentially, use the dollars available to accomplish more.

File No. 12 – HR Director Arrick-Kruger indicated there is consensus among the Board about a mission and purpose. She provided an intent based decision making process which may be used to help guide decision making.

Commissioner Walter questioned Auditor Meiners whether or not the possibility exists to loan staff from elsewhere to meet the needs of the License Center until regular staff is hired.

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

File No. 13 – Correspondence regarding tool stipend for mechanic

There being no further business and the time being 11:59 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, July 25, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, July 18, 2017

5:30 p.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Deputy Auditor Quinn; Reporters Moorhead, Bergey & Graff; HR Director Arrick-Kruger; Assessor Cresswell-Hatleli; Finance Director Lapham; Dick Walter; Yvonne Krogstad; IS Director Milde

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the agenda.

Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the minutes of the July 11, 2017 meeting.

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

County Revenue Fund	\$86,562.92
Road & Bridge Fund	51,528.56

Total	\$138,091.48
	=====

File No. 2 - HR Director Arrick-Kruger requested the amendment of the resignation date of Renee Wagner. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to amend the resignation date of Renee Wagner from July 25th to August 18, 2017.

File No. 3 - HR Director Arrick-Kruger invited Finance Director Lapham to explain the financial projections comparing the hire of a single appraiser versus the hire of two. Discussion was held. Finance Director Lapham noted that the Assessor's Office has contributed to the fund balance over the past several years due to the fact that they have not exhausted budgeted mileage funds. Commissioner Arnold stated his belief that he has a good understanding regarding the

situation. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to authorize the hire of 2 appraisers.

File No. 4 - Chairperson Miller explained the County originally planned to discontinue home care services as of July 31st. Due to unforeseen staffing issues with home care providers entering the area, the current date will not allow for continuous coverage of current home care clients. Therefore, a request has been made to change the date of when the County exits home care. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to amend the date to discontinue the home care program from July 31st to August 14, 2017.

File No 4a - Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the Easement Deed between Houston County and the City of Spring Grove for utilities. This deed was reviewed by County Attorney Jandt.

Commissioner Arnold reported on an article which he read which indicates the EPA and Corp of Engineer's is considering repealing federal regulations related to what are commonly considered dry runs.

Commissioner Arnold reported on the Fair Board construction project. Due to fire regulations involved and sprinkler system requirements of a single sizeable building the building committee is reconsidering retaining the existing pavilion and erecting three buildings. It is unknown how a plan change such as this will impact cost.

Commissioner Arnold reported on GIS meetings which he attended today.

Commissioner Walter reported that Chuck Schwartou, State Extension Director, has resigned and she has been assigned to the search committee for his replacement.

Commissioner Connor reported on GIS meetings which he attended today. There was a presentation by Schneider Corp followed by a land use meeting. Commissioner Connor expressed his opinion that consideration should be given to on hand applicants. In addition, he would like to hold another meeting with department heads to carry out additional discussion related to the position and departmental needs. He noted that the meeting with department heads brought to light many items which are beneficial to the decision making process. Commissioner Arnold expressed a desire to justify the need for the expertise and rate of pay and to ensure adequate work for the full time position.

Chairperson Miller reported on a meeting of the La Crosse Harbor Commissioner which he attended last night. Discussion was held regarding the danger which exists when boats speed through the west channel. He will be scheduling a meeting with the Mayor of La Crosse as the no wake zone is a city issue.

Discussion was held regarding scheduling a tour of the Winnebago structure repair construction site with Dave Walter. It was agreed that Commissioners Arnold, Walter and Zmyewski would attend the tour which will be held following the next regularly scheduled Board meeting.

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

File No. 5 – Correspondence to H Koch regarding tons delivered to Xcel

File No. 6 – Correspondence to Paul Fruechte regarding appointment to the Crooked Creek Watershed District Board.

There being no further business and the time being 6:08 p.m., motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, July 25, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, July 25, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporters Moorhead, Bergey & Graff; County Attorney Jandt; Bryan Van Gorp; Donna Buckbee; Yvonne Krogstad; Finance Director Lapham; Shirley Johnson; Duane St. Mary; Richard Cordes; Deb Wray; Georgia Rosendahl; Chief Deputy Lapham; Recorder Bauer; HR Director Arrick-Kruger; Surveyor Schmidt; Assessor Cresswell-Hatleli; Engineer Pogodzinski; Treasurer Trehus; IT Director Milde; Ryan Smith-Schneider Corporation; Zoning Administrator Lacher; Environmental Services Director Frank

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the agenda.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the minutes of the July 18, 2017 meeting.

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

County Revenue Fund	\$58,768.89
Road & Bridge Fund	64,450.35

Total	\$123,219.24
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File No. 2 - Bryan Van Gorp, Yucatan Township, read form a prepared statement. Brief discussion was held.

Donna Buckbee, Yucatan Township, reminded the Board that five years ago there was an EAW which over 100 citizens signed onto. One of the major concerns was signage on the main highway.

File No. 3 - At this time Shirley Johnson and members of the Houston County Historical Society met with the Board and presented their annual report. They thanked Houston County for their continued support. They reported that they received a donation of \$110,000.00 to install an elevator. In addition, the basement has been finished off. Shirley Johnson indicated that the Historical Society has an economic impact on the area, as people come here from throughout the United States, as well as from other countries, to do research. She also reported that they have started an endowment fund. They are requesting no increase in their appropriation for 2018.

File No. 4 - Chairman Miller reported on a claim received from the Evergreen Cemetery Association billing Houston County for maintenance costs on indigent graves for 2014 through 2016. It was his understanding that, due to turnover on the board of the Evergreen Cemetery Association, the County has not received an invoice for maintenance since 2013. Also, they are requesting that the maintenance fee be increased to \$500.00 beginning in 2017, as \$100.00 is not sufficient to cover expenses. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the same.

File No. 5 - At this time Dr. Ross Reichard and Monica Kendall, Southern MN Regional Medical Examiner's Office, presented their 2016 Annual Report. In 2016, 77 Houston County cases were referred to them, of which 14 deaths were certified after postmortem examination and 56 were not certified after investigation.

File No. 6 - HR Director Arrick-Kruger requested authorization to hire Karissa Meyer as a probationary Jailer/Dispatcher at step 1 of the appropriate comparable worth band. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the same.

HR Director Arrick-Kruger requested approval of the appointment of Pat Burns as probationary Foreman C42, Step 3 effective July 31, 2017. Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve the same.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to authorize a competitive search for a Highway Engineering Technician.

At this time the Board met with Chief Deputy Sheriff Lapham. Chairperson Miller reported that since La Crosse made the west channel a no wake zone, boats race through the Shore Acres area. It is a complicated issue because it involves two states, two counties, two cities, the Harbor Commission, the DNR, etc. A meeting was held last night in this regard. Chairperson Miller felt that the best solution would be for La Crosse to remove their no wake zone, however, it sounds like that will not happen. At the end of the meeting it was decided that the best route would be to pursue a no wake zone on the Minnesota side. Chief Deputy Lapham indicated that the Sheriff's Department will look into the possibility of implementing a no wake zone.

At this time Ryan Smith, Schneider Corporation, met with the Board regarding the possibility of providing staff augmentation for GIS services. The cost would be \$33,600.00 per year for a three year contract, with an out-clause. This includes 12 days onsite and 144 remote project hours. Commissioner Connor stated that he would like to hold one more meeting with the involved departments for further discussion. Chairperson Miller inquired whether more than two commissioners can attend this meeting. County Attorney Jandt stated that if it is an informational meeting with no decisions being made, this would be allowed. However, he suggested giving public notice of the meeting. Commissioner Arnold recommended that no action be taken at this time, as the departments have some concerns which should be discussed. After discussion, it was agreed to meet on Monday at 2:30 p.m. Recorder Bauer inquired whether, in the past, the County was billed when our previous GIS staff contacted Schneider with problems. Ryan responded that they were not, as this is included in the county's basic support package.

Commissioner Walter reported on the La Crescent City meeting which she attended last evening.

Commissioner Connor reported on a Parks Committee meeting held yesterday where the main point of discussion was bathrooms on the south end of Wildcat Park.

Chairperson Miller reported that he has been meeting with Zoning Administrator Lacher regarding zoning issues.

Yvonne Krogstad, Caledonia Township, indicated that GIS technology should only be used for things that really benefit the County.

Chairperson Miller inquired about the possibility of using social services to fund SELCO. Finance Director Lapham responded that a transfer could be made from fund balance.

There being no further business and the time being 10:47 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, August 1, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, August 1, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporters Moorhead, Bergey & Graff; County Attorney Jandt; HR Director Kruger; Engineer Pogodzinski; Sheriff Inglett; Chief Deputy Sheriff Lapham; Finance Director Lapham; Glenn Kruse; Zoning Administrator Lacher

Presiding: Justin Zmyewski, Vice-Chairperson

Call to order.

Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the agenda.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes of the July 25, 2017 meeting.

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

County Revenue Fund	\$ 58,966.94
Road & Bridge Fund	154,822.34

Total	\$213,789.28
	=====

File No. 2 - At this time the Board met with Engineer Pogodzinski to discuss replacing the 1967 and 1969 pup trailers. The 1967 trailer can no longer be DOT certified. Zenke Auction has two pup trailers available, one being a 1995 trailer for \$9,500.00 and a second trailer for \$7,500.00. The year of the second trailer is unknown, however, the box is new. Zenke is willing to give a trade in allowance of \$5,000.00 for the two county-owned trailers, resulting in a net cost of \$12,000.00. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the same.

File No. 3 - Engineer Pogodzinski reported on several areas on CSAH 27, as well as one area on CSAH 12, which are in need of patching. Dunn Blacktop will be in the area, and can do the work for \$11,887.00. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the same.

File No. 4 – Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the agreement with Jake Lonkoski for managing Wildcat Park for the 2018 camping season.

It was noted that Barb Kirchoff has resigned from the Wildcat Park Committee. The Board expressed their appreciation for Ms. Kirchoff's many years of service on this committee.

At this time the Board met with HR Director Kruger and Human Services Director Pugleasea and recommended appointing Lisa Arneson as a Probationary Adult & Disability Services Lead Social Worker, C-42, Step 6, effective August 6, 2017. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the same.

HR Director Kruger and Sheriff Inglett recommended appointing Nathan Smith to the rank of Investigator, effective retroactive to June 26, 2017. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the same.

On the recommendation of Sheriff Inglett, motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to change the employment status of Chad Reedy from probationary to regular effective August 3, 2017. Sheriff Inglett indicated that Mr. Reedy was the dispatcher on duty during the high speed chase which occurred recently and he did a phenomenal job.

File No. 4a - The time being 9:19 a.m., HR Director Kruger recommended that the board convene a closed session pursuant to Minnesota Statutes 13D.03, to discuss negotiations as well as a negotiated proposal for a Memorandum of Understanding with LELS, Unit #237. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to recess the meeting and convene in closed session.

The time being 9:41 a.m., motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to reconvene in open session. HR Director Kruger reported that the Board held a closed session pursuant to Minnesota Statute §13D.03.

File No. 5 – Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve a Memorandum of Understanding between Houston County and LELS, Unit #237.

HR Director Kruger reported that the Board also discussed labor negotiations during the closed session.

File No. 5a - HR Director Kruger reported that the Lieutenants in the Sheriff's Office are proposing to form their own LELS Union. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to agree to the formation of said union.

Commissioner Arnold reported on a Fair Board Building Committee meeting which he attended. The Agricultural Society met following this meeting. It is his understanding that they made the decision to build a 150' X 80' building as soon as sufficient funds are available to house sheep, goats and hogs. The building will be located south of the existing pavilion.

Commissioner Walter reported that she met with Finance Director Lapham and they intend to start holding budget meetings at 11:00 a.m. on Tuesdays beginning August 22nd.

Commissioner Connor reported on a GIS meeting held yesterday. It was agreed to form a sub-committee to look into this further.

Auditor Meiners reported that she received 21 applications for the two vacant positions in the License Center. Interviews will be scheduled soon. Since there is not a regularly scheduled board meeting until August 15th, she inquired whether the board would consider convening a special session for the purpose of hiring. It was the consensus of the Board that this would be agreeable.

File No. 6 – Zoning Administrator Lacher distributed the Environmental Assessment Worksheet in connection with The Underpass Quarry on behalf of Curt Roverud (J&C Farms Inc.).

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

File No. 7 – Correspondence to Barb Kirchoff thanking her for her years of service on the Wildcat Park Committee

File No. 8 – Correspondence to Payroll regarding the appointment of Pat Burns as Foreman and the hiring of Karissa Meyer as a Jailer/Dispatcher.

There being no further business and the time being 10:00 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, August 8, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, August 15, 2017

5:30 p.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Teresa Walter and Fred Arnold

Others Present: Deputy Auditor Quinn; Reporters Moorhead and Graff; HS Director Pogleasa; Finance Director Lapham; Betts Reedy; Bryan VanGorp; VSO Thoen; Engineer Pogodzinski; Donna Buckbee; Bruce Kuehmichel; Zoning Officer Lacher; PHN Director Marchel

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the agenda.

Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the minutes of the August 1, 2017 meeting.

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

County Revenue Fund	\$76,302.90
Road & Bridge Fund	25,516.34

Total	\$101,819.24
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Bryan VanGorp, Yucatan Township resident, read from a prepared statement.

File No. 2 – Veteran Service Officer Thoen recommended accepting a grant in the amount of \$10,000. This is the annual CVSO Operational Enhancement Grant from the Minnesota Department of Veterans Affairs. The funding is utilized to assist Veterans in our community. VSO Thoen reported there are approximately 1,500 resident Veterans in Houston County. This grant funding accounts for between 10 and 12% of the Veterans Service budget. Motion was made Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to adopt the following:

RESOLUTION NO. 17-32

BE IT RESOLVED by Houston County 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 Operational 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 23017, Chapter 4, Article 1, Section 38, Subdivision 2. This Grant should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED by the Houston County that Robert Thoen, 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 fifteenth day of August, 2017.

File No. 3 – Engineer Pogodzinski reported on bids received for S.A.P. 028-619-001. The low bid of \$605,233.25 was submitted by ICON Constructors. The next lowest bid was \$715,000. The engineer's estimate was \$698,587.50 with the low bid coming in approximately 13% under. This project is a bridge replacement. The roadway will be closed following the Labor Day holiday to complete the project which is expected to take between 3 and 4 months. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to accept the low bid submitted by ICON Constructors in the amount of \$605,233.25 for S.A.P. 028-619-001.

File No. 4 - Engineer Pogodzinski recommended approval of the final payment for Project AIP 3-27-0016-06-15. This is for airport pavement rehabilitation completed by Farhner Asphalt Sealers, LLC. The contract amount was \$135,746.00. Certified to date is \$148,557.69. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to adopt the following:

RESOLUTION NO. 17-33

WHEREAS, Project AIP 3-27-0016-06-16 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 - HS Director Pugleasa along with PHN Director Marchel reported on an agreement with Public Health to provide child care provider licensing processes. Through collaborative staffing the departments have been able to provide much needed services in a more efficient manner. PHN Director Marchel reported that Public Health Educator Myhre already provides services to child care providers such as emergency preparedness training and car seat safety. The additional duties will fit nicely with these and work well for providers since there is already an established relationship. HS Director Pugleasa commended staff for working well together to accomplish this. Chairperson Miller questioned the requirements. Child care providers have training requirements, background checks; compliance with requirements must be monitored. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the Family Child Care Licensing Process and Procedures.

File No. 6 – HS Director Pugleasa reported on uncollectible debts which are on the books. Many are the result of debtors having moved out of state without leaving a forwarding address, others may have died or become disabled resulting in the inability to fulfill the financial obligation. It is necessary to address these situations periodically. It was noted that debt may be the result of fees assessed for detox or detention service or for overpayments for certain types of assistance. Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve the write-off of \$138,088.93 in uncollectible debt.

File No. 7 – HS Director Pugleasa reported on a revised funeral policy which mirrors State policy related to MA Estate Recovery. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to adopt the Funeral Expenses Policy.

File No. 8 – HS Director Pugleasa reported on Guardianship/Conservator contracts for consideration noting they are similar to contracts approved earlier in the year and, if approved, will assist in meeting current needs. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve The Purchase of Service Agreement with Tri-County Fiduciary Services, LLC and Rebecca Servais.

File No. 9 - HR Director Arrick-Kruger and Assessor Cresswell-Hatleli reported on appraiser trainee interviews which were conducted. On their recommendation, motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to approve the transfer of Michelle Quinn to the position of Appraiser Trainee at Step 5 of the appropriate comparable worth band effective August 21, 2017.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to authorize a search for a Deputy Auditor B-22.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to hire

Larissa Erickson as a Deputy Auditor/License Center Clerk at Step 1 of the appropriate comparable worth band effective August 28, 2017.

Chairperson Miller commended Deputy Auditor Gulbranson for her efforts to accept the challenge of the new statewide motor Vehicle Licensing system and to continue the operations of the License Center under such adverse circumstances.

Motion was made Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve the hire of Jesse Reed as Children's Services Lead Social Worker at step 6 of the appropriate comparable worth band effective August 21, 2017. HS Director Pogleasa was pleased to share that a wealth of internal talent was interviewed for the position and all leaned in supportively which is a tribute to the commitment of staff to work well together.

Motion was made by Commissioner Arnold seconded by Commissioner Walter and unanimously carried to approve an effective start date of August 16th for jailer/dispatcher, Karissa Meyer.

Chairperson Miller commended the Sheriff's Department for assistance with the tragedy on the river over the past weekend.

File No. 10 - It was agreed to schedule the conservation tour for 4:00 p.m. on Tuesday, September 19, 2017. This should provide adequate time for the tour and for participants to report to the evenings Board of Commissioners meeting by 5:30 p.m.

File No. 11 - Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve Amendment No. 5 to Food Service Contract Between Houston County and CBM Managed Services.

Commissioner Arnold along with Chairperson Miller will be attending a training offered by MCIT on September 6th. Commissioner Arnold reported on discussion related to the position of County Weed Inspector which took place during a recent SWCD meeting. Possible funding streams were also discussed. Environmental Services Director Frank will be brought into additional discussion in this regard. A Fair Grounds lease was presented to the Fair Board who has turned it over to their counsel for review. Further action in this regard may take place following the Fair.

Commissioner Walter reported on an extension meeting which she and Commissioner Arnold attended recently. Commissioner Walter serves on the State Extension Committee which is busy searching for a new Regional Director for this area.

Commissioner Zmyewski reported on an SWCD meeting which he recently attended.

Chairperson Miller reported on HVMHC meeting which he attended. He also reported that discussion has been ongoing regarding the County's GIS needs and a plan to move forward.

Bryan VanGorp rebutted statements made by Chairperson Miller.

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

File No. 12 – Correspondence to Payroll regarding recent changes

File No. 13 – 2017 Dividend Notice from MCIT

There being no further business and the time being 6:32 p.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, August 22, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, August 22, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporters Moorhead & Graff; County Attorney Jandt; Engineer Pogodzinski; EDA Director Bergey; Environmental Services Director Frank; Personnel Director Arrick-Kruger; Bryan Van Gorp; Betts Ready; Yvonne Krogstad; Bruce Kuehmichel; Finance Director Lapham

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the agenda.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve the minutes of the August 15, 2017 meeting.

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

County Revenue Fund	\$10,905.87
Road & Bridge Fund	166,902.24

Total	\$177,808.11
	=====

Brian Van Gorp stated that he has not received a response to his request for enforcement and reiterated his complaints with regard to the Erickson mine.

File No. 2 – Engineer Pogodzinski requested approval of a two year maintenance agreement for the Houston County Airport. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the agreement and to adopt the following resolution:

RESOLUTION NO. 17-34

AUTHORIZATION TO EXECUTE MINNESOTA DEPARTMENT OF TRANSPORTATION AIRPORT MAINTENANCE AND OPERATION GRANT CONTRACT

BE IT RESOLVED by the County of Houston as follows:

1. That the State of Minnesota Agreement No. 1028938,
“Airport Maintenance and Operation Grant Contract,” at the Houston County Airport is accepted.
2. That the County Board Chairperson and County Auditor are authorized to execute this Contract and any amendments on behalf of the County of Houston.

Chairperson Miller reported that he attended a meeting in La Crescent regarding bike trail and pedestrian plans and it was mentioned that they were working with Engineer Pogodzinski and were very appreciative of the great working relationship they have with him. Chairperson Miller inquired what is being planned with regard to the bike trail. Engineer Pogodzinski responded that there are efforts to connect the trail throughout the city. They have discussed striping options. They have also discussed issues with regard to the bike trail along county roadways located in the city. At this time they are only in the discussion stages.

File No. 3 - EDA Director Bergey reported that an RFP was disseminated for the development of an EDA website. 15 proposals were received, with a wide range in price. The EDA is recommending accepting the proposal of Hazel Street Creative at a cost of \$2,850.00. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to accept the proposal of Hazel Street Creative.

EDA Director Bergey reported on a meeting held in connection with workforce development efforts. Local manufacturers have voiced concern about the lack of qualified employees and she is working with the schools in an effort to develop work experience for students who do not wish to go to college.

File No. 4 – Environmental Services Director Frank met with the Board to discuss the demolition of the Money Creek School. The court gave the landowner a deadline of August 1st to have the issues addressed. Since the landowners have not taken care of the issues, the county has the authority to raze the building. A request for proposals has been drafted, and they are suggesting allowing the successful contractor until May 1, 2018 to have the building razed, the well and septic systems addressed and the site landscaped. County Attorney Jandt indicated that a lien would be placed on the two lots involved. Auditor Meiners suggested that, if it is the County’s intent to place the lien on the taxes, the timeframe be moved up since tax statements are

sent out in March. After discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to authorize proceeding with the request for proposals.

Discussion was held regarding the position of Ag Inspector, also known as Weed Inspector. Environmental Services Director Frank indicated that he used to serve in this capacity, along with his other duties. In 2000 when the state had financial difficulties they eliminated state funding for this position, therefore, the position was also eliminated. At that time the duties were assumed by the townships. Mr. Frank stated that the townships are requesting that the County facilitate training for the townships in this regard. He indicated that he would work with the Extension Office and the Minnesota Department of Agriculture to facilitate training. Discussion was also held regarding the possibility of reinstating the position of Ag Inspector at the county level, if state funding was provided to cover the cost. After discussion, it was agreed that Mr. Frank would schedule a meeting with the Personnel Committee once he has information regarding potential grant funding.

File No. 5 – Environmental Services Director Frank requested approval of an agreement between the Southeast Minnesota Water Resources Board and Houston County for \$8,500.00 in funding for feedlot projects. Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve the contract and to authorize the signature of Chairperson Miller.

Environmental Services Director Frank reported that the last hazardous waste collection is scheduled for today from 1:00 to 6:00 p.m. at the La Crescent dropsite.

HR Director Arrick-Kruger reported that the Memorandum of Agreement with the AFSCME Union has been tabled until next Tuesday.

File No. 6 – Personnel Director Arrick-Kruger reported that interviews were held for the position of Deputy Auditor/License Center Clerk. She recommended that the Board take action to hire Jennifer Egge for this position. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve hiring Jennifer Egge as Deputy Auditor/License Center Clerk at step 2 of the B22 comparable worth band effective September 5, 2017.

Brief discussion was held regarding the potential position of Chief Deputy Auditor. After discussion it was agreed that the Personnel Committee would meet in this regard.

File No. 7 – Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-35

BE IT RESOLVED that the Houston County Board of Commissioners does hereby approve the Minnesota Lawful Gambling Application for Exempt Permit on behalf of NWTF Rush Creek Longbeards Chapter for gambling activities to be held at Ferndale Country Club, 23239 Hwy 16, Rushford, MN 55971 on November 4, 2017.

Brief discussion was held regarding notice which was received indicating that Camp Winnebago will be closing. It was suggested that there may be interest in more seasonal campsites at Wildcat Park as a result.

Commissioner Walter reported that she is serving on the search committee for filling the vacant regional extension director position for which 31 applications were received.

Commissioner Connor inquired whether he could request a closed session to discuss possible land purchase options. County Attorney Jandt stated that the statutes allows a closed session in this regard only for the purpose of privately discussing dollar amount negotiations for a land purchase. Commissioner Connor stated that there is land adjacent to the county highway department that is for sale. He indicated that, if a new highway department is built on the existing site, additional land is required for water retention. Also, it was felt that it would be prudent to move the Recycling Center and the Caledonia drop site to the highway department location. There was agreement among the commissioners that Commissioner Connor should work with County Attorney Jandt in this regard.

Personnel Director Arrick-Kruger reported that the GIS Committee has met twice and there was a lot of feedback from the IT Director and the Zoning Administrator. The Committee is recommending entering an agreement with Schneider Corporation for services with a review to revisit the matter in six months. They want to focus on GIS training for staff. They also want to explore the future use of GIS, as well as projects to help better serve the residents of the county. The coordination of GIS will stay in the Assessor's Office.

Commissioner Walter indicated that the county already utilizes Schneider Corporation for GIS, and she questioned spending additional funds for this contract. Personnel Director Arrick-Kruger responded that this contract would provide for 12 days of training per year plus 144 hours of technical assistance.

Commissioner Connor suggested utilizing the Surveyor for part-time surveying and part-time GIS instead of contracting with Schneider Corporation.

Commissioner Zmyewski suggested a third option, which would be to utilize the Surveyor as the County GIS position in addition to a contract with Schneider Corporation.

After lengthy discussion, it was agreed that a contract with Schneider Corporation would be drafted for consideration at a future meeting.

Bruce Kuehmichel indicated that the cleanup of the school property in Money Creek Township is similar to a mine that is not properly reclaimed.

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

File No. 8 – Correspondence regarding various personnel changes.

File No. 9 – Correspondence from Camp Winnebago regarding their decision to close the facility.

File No. 10 – Correspondence regarding the tonnages delivered to Xcel during July 2017.

There being no further business and the time being 11:00 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, September 5, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, September 5, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporters Moorhead & Graff; County Attorney Jandt; Engineer Pogodzinski; PHN Director Marchel & staff; Human Services Director Pogleasa; Recorder Bauer; HR Director Arrick-Kruger; Zoning Administrator Lacher; Ryan Smith-Schneider Corporation; Sheriff Inglett

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and carried to approve the agenda.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the minutes of the August 22, 2017 meeting.

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

County Revenue Fund	\$ 22,454.35
Road & Bridge Fund	198,317.29

Total	\$220,771.64
	=====

File No. 2 – On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-36

**For Agreement to State Transportation Fund
Local Bridge Replacement Program
Grant Terms and Conditions
SAP 028-619-001
September 5, 2017**

WHEREAS, Houston County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 28557; 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 \$ 197,179.00 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. The proper county officers are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

File No. 3 – On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-37

WHEREAS, Contract No. 265 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 on the bids which were received for the construction of C.P. 2017-01:

ICON Constructors, LLC Mabel, MN	\$158,594.60 *
LS Black Constructors St. Paul, MN	\$424,445.00

On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to accept the low bid of ICON Constructors, LLC.

File No. 5 - Engineer Pogodzinski reported on the bid which was received for the construction of C.P. 2017-09:

Dunn Blacktop Company
Onalaska, WI

\$799,587.95 *

Engineer Pogodzinski recommended accepting the bid and utilizing fund balance to fund a portion of this project. After discussion, motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to accept the bid of Dunn Blacktop Company and to utilize fund balance to fund a portion of the project.

File No. 6 – PHN Director Marchel presented a 2017 review of the Public Health Department. She expressed her concern regarding the \$22 million cost shift to counties for the MN Choices Program.

File No. 7 - HR Director Arrick-Kruger and PHN Director Marchel reported on the resignation of Laura O'Heron from the position of Public Health Nurse effective September 7, 2017. They are not requesting that the position be filled at this time. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to accept the resignation.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve a mobile computing stipend in the amount of \$50 per month for Audrey Staggemeyer in connection with the PEER Breastfeeding Program.

HR Director Kruger and Assessor Cresswell-Hatleli requested approval to hire Lucas Onstad as Appraiser Trainee, B22, Step 1 effective September 14, 2017. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the same.

File No. 8 – Discussion was held regarding a proposed agreement with Vanguard Appraisals, Inc. for the appraisal of new construction in the amount of \$120.00 per hour, not to exceed \$10,000.00. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the agreement and to authorize the signature of Chairperson Miller.

File No. 9 – Discussion was held regarding a proposed Staff Augmentation Agreement with Schneider Corporation for GIS services for four years at a cost of \$33,600.00 per year. Commissioners Walter and Connor expressed concern regarding the contract. After discussion,

motion was made by Commissioner Arnold and seconded by Commissioner Zmyewski to approve the contract. The motion carried with Commissioners Connor and Walter voting in the negative.

Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve a competitive search for a Deputy Auditor in alignment with the banding determination.

File No. 10 – At this time Zoning Administrator Lacher met with the Board regarding a Conditional Use Permit on behalf of Steve Halvorson, Houston Township, for an existing house on less than 40 acres in an agricultural district. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to adopt the findings of the Planning Commission and to approve the Conditional Use Permit.

File No. 11 – Placed on file was information from the Environmental Services Department regarding building sites and property splits in Houston County Ag Districts.

Chairperson Miller reported that he is working with Zoning Administrator Lacher regarding the reclamation process for mines. Discussion was held.

File No. 12 – Sheriff Inglett requested approval of a Canine Agreement. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the agreement and to authorize the signature of Chairperson Miller. Sheriff Inglett reported that he was contacted by a group of citizens who are forming a foundation to raise donations for the canine program.

File No. 13 – Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-38

Resolution of Support Endorsing Border-to-Border Grant application of AcenTek, Inc. in the rural Houston area

WHEREAS, broadband internet connectivity constitutes an essential infrastructural component of residential and commercial development, education, and industry; and

WHEREAS, the majority of customers in unincorporated regions of Houston County are either unserved or underserved by the State of Minnesota's established download and upload standards; and

WHEREAS, the applicant's primary objective is to secure financial and technical support for investments into regional telecommunications infrastructure and local provider improvements; and

WHEREAS, AcenTek is a locally controlled telecommunications cooperative, providing services to many residents in rural Houston County; and

WHEREAS, AcenTek intends to deliver new fiber optic connectivity to nearly 1,000 unserved passings within the rural Houston exchange; and

WHEREAS, AcenTek intends to submit a grant application to the State of Minnesota's Border- to-Border Grant Program to help make this project economically viable;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners, County of Houston, State of Minnesota, supports AcenTek's application to the Border-to-Border Grant Program.

File No. 14 – Sheriff Inglett requested approval to renew the Southeast MN Violent Crimes Enforcement Joint Powers Agreement. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the Joint Powers Agreement.

File No. 15 – Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-39
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 \$26,484 for 2018, (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 Arnold reported on the One Watershed One Plan meeting which he attended in Preston last week. BWSR will be meeting in late November to allocate funding. Since funding is an issue, the Board of the One Watershed One Plan decided not to meet again until January after funds have been allocated. Houston County has one project which costs in excess of \$200,000.00 and the entire budget for next year is just over \$400,000.00. It is anticipated that in 2019 the funding will be cut in half because there will be twice as many One Watershed One Plans in the state.

Commissioner Walter reported on the Joint Board of Health meeting held last Tuesday. She also attended the state Extension meeting last Wednesday. She indicated that Extension is involved in many projects. They toured the new natural history museum which will open next year.

Commissioner Connor reported on potential land for sale near the Houston County Highway Department. The next step is to obtain an appraisal of the property. It was the consensus to have Commissioner Connor move forward with obtaining appraiser quotes.

Commissioner Arnold reported on the department head meeting which he attended last week where the budget was discussed.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to recess the meeting.

The time being 11:04 a.m. the Board reconvened in open session and met with the following individuals to review their proposed 2018 budgets: County Attorney Jandt, Auditor Meiners, Recorder Bauer and VSO Director Thoen.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to recess the meeting until 1:00 p.m.

Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to reconvene the meeting at 1:04 p.m.

The Board met with the following individuals to review the proposed 2018 budgets: Surveyor Schmitt, HR Director Arrick-Kruger and Assessor Cresswell-Hatleli.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to schedule a special board meeting for 9:00 a.m. on September 12, 2017 to review proposed 2018 budgets.

Commissioner Arnold brought up the possibility of reorganizing county departments.

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

File No. 16 – Correspondence to Payroll regarding the hiring of Jennifer Egge as Deputy Auditor/License Center Clerk

File No. 17 – Finalized copy of RRSWCD Resolution to adopt Summary of Watercourses for inclusion in Local Water Management Plan

File No. 18 – Correspondence from MN DOT forwarding the Limited Use Permit for Public Parking Facility in connection with the parking lot near the Community Services (Meyer) Building.

There being no further business and the time being 2:15 p.m., motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to adjourn the meeting, the next meeting being Tuesday, September 12, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, September 19, 2017

5:30 p.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporter Moorhead; IT Director Milde; Engineer Pogodzinski; Chief Deputy Sheriff Lapham; HR Director Arrick-Kruger; HS Director Puggleasa; Bruce Kuehmichel

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and carried to approve the agenda.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the minutes of the September 5, 2017 and the September 12, 2017 meetings.

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

County Revenue Fund	\$ 65,846.51
Road & Bridge Fund	105,077.10

Total	\$170,923.61
	=====

File No. 2 – On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Arnold seconded by Commissioner Connor and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-40

WHEREAS, Contract No. 278 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 reported that four quotes were received for a FEMA project on CSAH 5. He requested that the Board take action to approve the low quote of Griffin Construction in the amount of \$19,700.00. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to accept the low quote of Griffin Construction.

File No. 4 - At this time HR Director Arrick-Kruger met with the Board. She recommended hiring Marvin Cleven as a 67 day drop site supervisor at a wage of \$12.99 per hour. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

HR Director Arrick-Kruger and Engineer Pogodzinski recommended reassigning Anthony Dockter from the position of Sign Specialist to Engineering Technician effective September 25, 2017. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to initiate a competitive search for a sign specialist.

File No. 5 - At this time Chief Deputy Sheriff Lapham met with the Board and requested approval of an ATV Grant for the period August 14, 2017 through June 30, 2019 in the amount of \$5,288.00 for fiscal year 2018 and \$5,288.00 for fiscal year 2019. Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to approve the grant and to adopt the following resolution:

RESOLUTION NO. 17-41

BE IT RESOLVED, that the Houston County Sheriff's Office enters into a grant agreement with the MN DNR for the fiscal years of 2018 and 2019. The grant will focus on ATV Safety and Enforcement.

BE IT FURTHER RESOLVED that the Houston County Sheriff's Office is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of Houston County

Chairperson Miller stated that he spoke with Sheriff Inglett regarding the possibility of implementing a "no wake" zone on the Minnesota side of the river near the west channel bridge. The Sheriff indicated that it is a complicated process, and he would like the Board to go on record directing him to draft an ordinance and begin the process. Motion was made by

Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

Finance Director Lapham met with the Board for the monthly finance update. She also reported that the county health insurance rates will be increasing by 2.5% for calendar year 2018, and the health insurance deductible will increase slightly due to changes in IRS regulations.

Finance Director Lapham reported that the State Auditor's exit interview is scheduled for tomorrow morning at 9:30.

File No. 6 – At this time HS Director Pugleasa met with the Board regarding technology projects. He indicated that his department originally partnered with a technology firm named Northwoods to develop a mobile program which would allow social workers to have remote access to documents; and further, would allow social workers to do case management without coming back to the office. During the process Northwoods decided they needed to do the development in house; however, now they are ready to have the software tested and they are willing to allow Houston County a 75% discount on the software subscription fee for 2018 if we are willing to test the product. They will also allow a 50% discount on the professional services necessary to train staff to utilize the software. The department will need to purchase surface tablets for staff. He indicated that, after all state reimbursements, the counties cost will amount to \$16,766 in 2017, \$2,250 in 2018. In 2019 and thereafter the subscription fee will amount to \$36,000 per year, however, this will be reduced to \$9,000 per year after state reimbursements. He is recommending utilizing fund balance to pay for it. Commissioner Zmyewski inquired as to the potential for security breaches. IT Director Milde responded that the surfaces have a native inscription that is compliant by FBI standards. After discussion, motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the contract and to authorize the signature of Chairperson Miller and HS Director Pugleasa.

File No. 7 – Discussion was held regarding the purchase of surface tablets for the social workers. HS Director Pugleasa indicated that they will have to accelerate replacement of some of their existing computers and repurpose them. He cautioned that, computers for which they received state reimbursement, cannot be given to another department. He estimated a cost not to exceed \$25,000 for the surfaces, however, this figure will be reduced to \$6,250 after state reimbursement. After discussion, motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve the purchase of surface tablets utilizing fund balance.

File No. 8 – HS Director Pugleasa recommended completing the Electronic Document Management System (EDMS) implementation in Income Maintenance and Child Support by adding the appointments component of the program. He indicated that this a time management tool which is being used successfully by other counties. The existing EDMS system digitally manages documents. This component will help manage how they allocate staff time and better determine what the clients' needs are, as well as how they are changing over time. The cost to

implement this would amount to \$78,160 for software licenses and professional services for installation and training, plus \$2,380 additional annual subscription for Winona County to host this, for a total cost in 2017 of \$80,540; however, the final cost will be \$40,270 after state reimbursements. For 2018 and going forward, the annual subscription with Winona County will amount to \$2,380, or \$1,190 after state reimbursement. After discussion, motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the same.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to schedule the Houston County Truth in Taxation meeting for 6:00 p.m. on Tuesday, December 19, 2017, in the Commissioners Room, Courthouse, Caledonia.

File No. 9 – Discussion was held regarding a proposed abatement for Christine Kellstrom Rischette, Parcel 24.0355.002, due to a correction in value. If approved, this will decrease the 2017 payable tax from \$4,774 to \$3,988, being a reduction of \$786. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

File No. 10 – Commissioner Connor reported on quotes he received for the appraisal of land which the county could potentially purchase adjacent to the county shop. Motion was made by Commissioner Connor and seconded by Commissioner Walter to accept the low quote of Mark Dokken in the amount of \$3,000. The motion carried, with Commissioner Zmyewski voting in the negative.

File No. 11 - Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve the following snowmobile trail Grant in Aid Agreements: Houston Money Creek \$21,901.14; Viking Ridge Trail \$17,843.38; La Crescent \$16,741.60; Gopherland Trails \$48,343.74.

File No. 12 - Commissioner Zmyewski commented that the new parking lot at Botcher Park turned out very nice. Dick Walter, representing the Parks Committee, met with the Board regarding a proposed Eagle Scout project at Botcher Park for installing trails and picnic areas. After discussion, motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to authorize Dick Walter to oversee this project. Brief discussion was held regarding the Botcher Park Ordinance. Placed on file was correspondence from County Attorney Jandt regarding the ordinance as it relates to proposed development in the park.

Commissioner Arnold reported on water meetings he attended, and the funding problems involved.

Commissioner Walter reported that she served on the interview committee for the vacant position of Regional Extension Director. Also, she reported that Extension has agreed to hold educational sessions for township officers with regard to weeds.

Chairperson Miller reported that a new motel and event center in La Crescent is moving forward and will become a reality.

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

File No. 13 – Correspondence to Payroll regarding the hire of Lucas Onstad and the approval of a mobile computing device stiped for Audrey Staggemeyer

File No. 14 – Public Notice of a special budget meeting scheduled for 9/19/17 at 2:00 p.m.

There being no further business and the time being 6:50 p.m., motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, September 26, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, September 26, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporters Kirscher & Moorhead; County Attorney Jandt; Bob Burns; Adam Swan-Caledonia City Administrator; Yvonne Krogstad; EDA Director Bergey; Environmental Services Director Frank; HR Director Arrick-Kruger; HS Director Pugleasea; Finance Director Lapham

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Connor and seconded by Commissioner Walter to approve the agenda. Chairperson voted to add a discussion item regarding the vacant position in the Auditor's Office. The motion carried with the amendment.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the minutes of the September 19, 2017 meeting and the special budget meeting held September 19, 2017.

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

County Revenue Fund	\$35,307.37
Road & Bridge Fund	22,579.56

Total	\$57,886.93
	=====

Adam Swann, Caledonia City Administrator, stated that he wanted to express his appreciation for the work done by the Auditor's Office and he urged the board to fill the vacant position in the Auditor's Office. He stated that he is impressed by the professionalism of the office. They provide election information, tax levy information, etc. He reported on the amount of training this department does for the clerks and election judges. Further, there is a lot of work involved in processing absentees. He stated that the support the city receives from the Auditor's Office is phenomenal. He indicated that this is a team effort that cannot be done by one individual, and he reiterated the need to fill the vacant position. He also expressed his concern

with having no backup for this position. He felt that elections and taxes are two very important government functions, and that this was not a place to make reductions.

Bob Burns, Caledonia City, expressed his support for keeping the elected official positions in the county, rather than making them appointed. He feels these positions should be answerable to the electorate, not the county board.

File No. 2 - At this time Courtney Bergey, EDA Director, reported on the situation with the closing of Camp Winnebago. She indicated that they owe just over \$14,000 on a \$30,000 loan, and they are unable to make payments at this time. However, they expect to make payment in full once the land is sold, as the property is valued over \$600,000. She has discussed this with the County Attorney, and they feel the next step is to send a letter of response acknowledging the situation and giving them 12 months to repay the loan as long as they are in the process of selling the land. The question was asked what would be done with any funds in excess of Camp Winnebago's expenses, and the response was that any profit would have to be donated to another non-profit organization. After discussion, motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to authorize a letter of response to Camp Winnebago giving them 12 months to repay the loan.

EDA Director Bergey reported that the Spring Grove soda pop expansion is moving forward, and that a TIF District has been authorized. Also, she is working on developing programs to increase the workforce for local businesses. She reported that next week is Manufacturer's Week, and she invited the Board to attend a CEDA event in Caledonia at 10:00 a.m. on Thursday, October 5th at Miken Sports.

File No. 3 – Environmental Services Director Frank reported that the TEP Panel reviewed a wetland application on behalf of A & K Solar Garden. He indicated that, while the parcel is located in a wetland area, the solar panels will have no impact on the wetlands. On the recommendation of the TEP Panel, motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve this as a no-loss to the wetland.

File No. 4 – Environmental Services Director Frank stated that the county's three year contract with Harters for the processing of recyclables will end on December 31st. He requested authorization to solicit bids for another three year contract which will run from January 1, 2018 to December 31, 2020. Motion was made by Commissioner Conner, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

File No. 5 – HR Director Arrick-Kruger requested authorization to hire Sam Benson as a 67 day employee for the position of drop-site supervisor, at a wage of \$12.99 per hour, effective immediately. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the same.

On the recommendation of HR Director Arrick-Kruger, motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adjust the mobile computing device stipend for Audrey Staggemeyer from \$50 per month to \$30 per month for a cellular phone.

The time being 9:26 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to convene a closed session pursuant to Minnesota Statute 13D.03, Subd. 1, (b) to discuss strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to open the meeting in closed session.

HR Director Arrick-Kruger reported that the board met in closed session to discuss labor negotiation strategies, and that no decisions were made.

File No. 6 – Discussion was held regarding the proposed levy for taxes payable 2018.

Discussion was held regarding the Veteran Services request to increase the department's clerical position to full-time. Commissioner Walter indicated that she feels the clerical position in Extension can cover for Veteran Services in this person's absence.

Commissioner Walter reported that she attended several meetings where discussion was held regarding proposed 2018 levy increases for area counties, the lowest being Wabasha County at 4%.

Motion was made by Commissioner Walter to adopt a 2% increase for the 2018 proposed levy. The motion failed due to the lack of a second.

Commissioner Arnold stated that we have to decide if there are going to be any increased costs as a result of salary negotiations. Commissioner Zmyewski indicated that setting the levy prior to settling negotiations is a poor way of doing business.

File No. 7 – Commissioner Zmyewski distributed information regarding tax levy increases from 2010 to 2016.

Motion was made by Commissioner Zmyewski to approve a 0% levy increase for taxes payable 2018. The motion died due to the lack of a second.

File No. 8 – Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to adopt the following resolution which provides for a 1% levy increase for Taxes Payable 2018:

RESOLUTION NO. 17-42

BE IT RESOLVED, that the proposed levy after the deduction of County Program Aid (CPA), in the amount of \$12,113,385 be made on all taxable property in the County of Houston for taxes payable in 2018 in the following amounts by County Fund:

County Revenue	\$ 7,967,340
Road & Bridge	2,317,759
Human Services	1,396,748
Bond Fund – 2009B Jail CIP Bonds	233,087
Bond Fund – 2009C Jail Bonds	546,538
Bond Fund – 2010A Jail CIP Bonds	384,389
Bond Fund – 2010B Jail Bonds	224,707

Total	\$13,070,568
Less CPA	(957,183)

Total Levy	\$12,113,385
	=====

File No. 9 – Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-43 RESOLUTION ADOPTING 2018 OPERATING BUDGET

	Revenue	Expenditures	Revenues Over (Under) Expenditures
	-----	-----	-----
County Revenue	\$12,236,666	\$12,236,666	\$ 0
Road & Bridge	9,331,382	9,331,382	0
Human Services	5,003,049	5,225,261	(222,212)
Debt Service	1,385,222	1,385,222	0
	-----	-----	-----
Grand Total			
County Funds	\$27,956,319	\$28,178,531	\$ (222,212)
	=====	=====	=====

File No. 10 – Discussion was held regarding an Application for Abatement on behalf of Whitney Steele, Parcel# 21.0484.000, because the property should have been classified as homestead. If approved, this will reduce the payable 2017 tax from \$1,494 to \$1,031, being a reduction of \$463. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the same.

File No. 11 – Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve a Minnesota State Wildlife Grant Program Agreement which will provide for DNR services at Botcher Park.

Discussion was held regarding whether the vacant Deputy Auditor position in the Auditor's Office should be filled. Commissioner Arnold stated that the Board wants to reduce staff through attrition. He felt that the computerization of many of the tasks over the years should enable the county to reduce staff. While the position in question is responsible for a lot of work involved with elections, he stated that elections are not held each year. Auditor Meiners responded that elections are in fact, held every year. While state elections are usually not held in odd-numbered years, in 2017 she has facilitated three elections, being the annual township election, the upcoming election in School District #299 and the upcoming election in School District #300. In years when state elections are held, the Auditor's Office begins preparing for the Township Election prior to the first of the year. Soon after the follow-up work has been completed from the Township Election, Auditor's Office staff attend state training. This is followed by preparations for Clerk and Head Judge Trainings, Election Judge Trainings, the filing process, preparation of approximately 42 ballot styles, creating test decks and testing 28 pieces of election equipment with multiple program cards for each piece of equipment, administering voter registration and absentee voting, etc. After the election is over, there is still a minimum of six weeks of work to post new voter registrations and voter history. Further, Auditor Meiners indicated that the county is expected to begin transitioning to a new tax program within the next year. She is of the understanding that this will involve many hours of manually updating records that are unable to be converted into the new software automatically.

Chairperson Miller indicated that "splits" can be outsourced to Schneider Corporation and this will reduce 50% of one of the Deputy Auditor's duties. Auditor Meiners responded that determining if a document is a split and drawing it into GIS, is only a portion of the Auditor's Office involvement with deeds. Recorder Bauer was present and stated that Minnesota Statute requires a ten day turnaround for documents. Jeff from Schneider indicated that he could have splits drawn into GIS within ten days. However, she clarified that the documents have to be processed through three departments within the ten days. Further, there seemed to be some confusion with him as to what his role in determine splits would be. After discussion, it was agreed to schedule a meeting with Schneider and the Auditor, Treasurer and Recorder, as well as county board members to discuss this further.

Commissioner Arnold reported on the Finance Committee meeting which he attended this morning. He indicated that there is not good communication with regard to the work to be

done at Wildcat Park. Finance Director Lapham indicated that there is also being work done at Botcher Park that has not been budgeted for.

Commissioner Walter reported on EMS and Workforce Development meetings which he attended. Also, with the discussion of destination medical in Rochester, Mayo is considering closing some of their outlying clinics. She also reported on a historical society tour of the driftless interpretive center which she attended.

Commissioner Connor reported on a jail re-use meeting which he attended where three possible ideas were discussed which included utilizing it for office space, for the city library and/or EDA, or a brew pub.

Commissioner Zmyewski reported that he received calls about Wildcat Park.

Commissioner Zmyewski reported that he felt the county would gain a lot of efficiencies by employing a county administrator or coordinator. He would like to have further discussion on this during the budget process.

Chairperson Miller reported on the SWCD tour and the state auditor's exit conference which he attended.

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

File No. 12 - Correspondence to Payroll regarding the hiring of Marvin Cleven and the reassignment of Anthony Dockter to Engineering Technician

File No. 13 - Correspondence from MN DNR regarding purchase of trout stream angling access agreement on Thompson Creek & Butterfield Creek

File No. 14 – Minutes of the September 19, 2017 budget meeting

File No. 15 - Correspondence from the Houston County Historical Society inviting the Commissioners to attend a dedication of the elevator at the museum to be held at 2:00 p.m. on Friday, October 6th.

There being no further business and the time being 11:12 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, October 3, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, October 3, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporter Moorhead, County Attorney Jandt; Sheriff Inglett; Engineer Pogodzinski; Emergency Manager Niday; Dale Omodt; Environmental Services Director Frank; Zoning Administrator Lacher; Ryan Smith-Schneider Corporation

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and carried to approve the agenda.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes of the September 26, 2017 meeting.

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

County Revenue Fund	\$15,466.66
Road & Bridge Fund	14,443.51

Total	\$29,910.17
	=====

File No. 2 – Engineer Pogodzinski requested approval of a Memorandum of Agreement on NOTAM Manager System between the Aeronautical Services (AJM-336) of the Federal Aviation Administration and the Houston County Airport. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the agreement and to authorize the signature of Chairperson Miller.

File No. 3 – At this time Sheriff Inglett and Emergency Manager Niday met with the Board and requested approval of the EMPG Grant. They reported how the funding would be spent. Sheriff Inglett indicated that one item he had originally included in his 2018 budget

request would be funded through this grant, allowing him to reduce his 2018 budget request. After discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to approve the agreement and to authorize the signatures of Chairman Miller and Auditor Meiners.

File No. 4 – Environmental Services Director Frank reported that two quotes were received for the demolition of the former Money Creek School. The low quote is from Van Gundy Excavating, LLP in the amount of \$46,100.00, of which \$1,500 is for the asbestos inspection. Mr. Frank indicated that the asbestos abatement was not part of the quote, because it is totally unknown what that cost will amount to until the asbestos inspection has been completed. Commissioner Connor suggested having the asbestos inspection done separately so that the Board has some idea of the abatement cost, prior to executing a contract for demolition. After discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to accept the low quote, minus the inspection and abatement of asbestos, with the contract contingent upon the approval of the asbestos abatement.

File No. 5 – Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to enter into a permit with the Commissioner of Transportation and State of Minnesota in connection with the parking lot designated for the County Community Services (Meyer) Building, and to adopt the following resolution:

RESOLUTION NO. 17-44

BE IT RESOLVED by the Houston County Board of Commissioners that the County enter into a permit with the Commissioner of Transportation of the State of Minnesota providing for the limited use, under the terms and conditions set forth therein, of certain right of way of Trunk Highway 44 within the City of Caledonia, County of Houston, Minnesota.

The limited use of the right of way will be for purpose of maintaining a Public Parking Facility within the right of way of Trunk Highway 44 at the location designated and shown on the exhibits attached to the permit agreement.

The Board Chairperson and the County Auditor are authorized to execute said permit on behalf of the County.

File No. 6 – At this time Zoning Administrator Lacher, Environmental Services Director Frank and Ryan Smith, Schneider Corporation, met with the Board. Mr. Lacher indicated that he is requesting authorization to purchase permitting software. Currently, their permit information is housed on paper spreadsheets. This software will computerize the process and allow citizens to apply for permits online, even when the office is closed. It is his intent to eventually enter all existing permit information into this system. The system will provide the ability to query data as needed. Commissioner Arnold inquired whether other offices could utilize this software for things such as gun registration, marriage licenses, etc. Mr. Smith responded that this is a work

flow tool. Mr. Lacher reported that he has spoken with city staff throughout the county, and there is an interest in some of the cities buying into the system. The total cost of the system is \$34,900 and he proposes to utilize 2017 Buffer Grant funding to pay for it. There is also an annual subscription fee of \$6,900 which the county will have to cover. Mr. Smith indicated that the annual fee is based on the number of parcels of land in the county. He suggested that if some of the cities are interested in utilizing the software, the county could charge them a fee which would help to reduce the county's annual cost. After discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to approve the purchase of the software and to authorize the signature of Chairperson Miller on the Professional Services Agreement.

Commissioner Arnold reported that he attended the department head meeting held last Tuesday. He expressed his concern that the meeting was not constructive, due to differing opinions. Commissioner Walter stated that she was also at the meeting and expressed her concern that people were being interrupted when they were trying to speak. It was agreed that Commissioner Walter will attend the next meeting and propose that someone be put in charge of these meetings in terms of setting the agenda, acting as moderator, etc.

Commissioner Walter reported that she was contacted by the state Extension Office regarding the vacant district director position. It was agreed that the three finalists interviewed were not a good fit for our region. Therefore, the application process will be starting over.

Chairperson Miller reported that the HVMHC meeting scheduled for last evening was canceled, however, there is big news in terms of a new facility.

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

File No. 7 – Correspondence to payroll regarding the hiring of Sam Benson as a drop site supervisor and the adjustment of the phone per diem for Audrey Staggemeyer

There being no further business and the time being 10:21 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, October 17, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, October 17, 2017

5:30 p.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporters Moorhead, Bergey & Graff; County Attorney Jandt; Bruce Kuehmichel, Yvonne Krogstad, Environmental Services Director Frank, Zoning Administrator Lacher, Glenn Kruse, Finance Director Lapham, Attorney Jandt, Personnel Director Arrick-Kruger, HS Director Puleasa

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and carried to approve the agenda.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes of the October 3, 2017 meeting.

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

County Revenue Fund	\$152,125.49
Road & Bridge Fund	89,980.77

Total	\$242,106.26
	=====

File No. 2 – At this time Dan Wermager, SWCD, met with the Board and highlighted the proposed updates to the local water plan. The Pine Creek Watershed area is the only watershed not covered by the One Watershed One Plan. The five year extension is required to cover this until it is absorbed into the Whitewater Watershed. Very few comments were received. The main changes are to the executive summary and the outcome goals.

File No. 3 – Environmental Services Director Frank reported that bids were received for transporting the recyclable materials from the drops sites to La Crosse. The three year contract

will be for the years 2018 through 2020. Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to table the bids to allow Mr. Frank to review the same.

Mr. Frank provided an update with regard to the Money Creek School. He has been in contact with three firms that have expertise in the area of asbestos abatement, and is now working with a firm from Rochester. There is garbage, hazardous waste and asbestos in the building and these will be separated for proper disposal. Our contract states that all materials must be disposed of in La Crosse. However, due to the timing and the amount of material involved, La Crosse is granting a one-time exemption to this requirement, as they would prefer that the materials be disposed of elsewhere. Mr. Frank indicated that he would report to the Board when he has firm numbers.

File No.4 – Zoning Administrator Lacher reported that the Planning Commission is recommending approval of a Conditional Use Permit on behalf of Doug Heintz, Sheldon Township, to expand a feedlot from 299 animal units to 444 animal units. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the permit and to adopt the findings.

File No. 5 – Zoning Administrator Lacher reported that the Planning Commissioner is recommending approval of a Conditional Use Permit on behalf of Leslie and Cindy Goetzinger, Crooked Creek Township, for an existing house on less than 40 acres in an Agricultural Protection District. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the permit and to adopt the findings.

File No. 6 – Zoning Administrator Lacher reported on an application for a Zoning Amendment on behalf of Robert Klankowski, Spring Grove Township, to rezone from Highway Business to Agricultural Protection District. On the recommendation of the Planning Commission, motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the rezone and to adopt the findings.

File No. 7 – Zoning Administrator Lacher reported on an application for a Conditional Use Permit on behalf of Robert Klankowski, Spring Grove Township, to construct a house on less than 40 acres in an Agricultural Protection District. On the recommendation of the Planning Commission, motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the rezone and to adopt the findings.

File No. 8 – Zoning Administrator Lacher reported on an Environmental Assessment Worksheet (EAW) on behalf of Curt Roverud (JUC Farms, Inc.) for the Underpass Quarry. There is one existing permit and the EAW covers the maximum acreage this quarry could encompass. Comments were received and responded to. Chairperson Miller inquired whether a reclamation bond will be required. Mr. Lacher stated that this site requires two permits. The County has the ability to treat the existing mine and the new area differently, and he indicated

there will be significant reclamation needed. Mr. Lacher reviewed the matter in depth. After discussion, motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to make a negative finding whereby an Environmental Impact Statement (IES) is not required, and to adopt the following resolution:

RESOLUTION #17-45

**APPROVE FINDINGS OF FACT AND RECORD OF DECISION FOR THE
PROPOSED CURT ROVERUD (J&C FARMS, INC.) EXPANSION OF THE
UNDERPASS QUARRY AND THE NEGATIVE DECLARATION OF NEED FOR AN
ENVIRONMENTAL IMPACT STATEMENT**

WHEREAS, Curt Roverud (J&C Farms Inc.) proposes a 19 acre expansion of the Underpass Quarry, from 51 acres to 70 acres; and

WHEREAS, MN Rules 4410.4300, subpart 12, classifies the project as a Mandatory Environmental Assessment Worksheet (EAW) Category because the project proposes to excavate 40 or more acres; and

WHEREAS, Houston County is the Responsible Governmental Unit for preparing the EAW and for determining the potential for environmental impacts of the project; and

WHEREAS, Houston County distributed the EAW for the required 30-day comment period on August 7, 2017; and

WHEREAS, the 30-day comment period ended on September 7, 2017; and

WHEREAS, Houston County received comments on the EAW from five entities; and

WHEREAS, pursuant to Minnesota Rules 4410.1700 Subp. 2a B. Houston County extended the deadline for a decision on the need for an Environmental Impact Study until November 7, 2017; and

WHEREAS, Houston County, reviewed the comments, and prepared a specific written response to each in accordance with Minnesota Rules (see attached Exhibit A: Findings of Fact and Record of Decision); and

WHEREAS, the preparation of the EAW and comments received on the EAW have generated information adequate to determine whether the proposed Curt Roverud (J&C Farms Inc.) Expansion of the Underpass Quarry has the potential for significant environmental impacts; and

WHEREAS, the Houston County Board held a public meeting on October 17, 2017, to review the EAW, provided written findings, and determined that there is no need for the preparation of an Environmental Impact Statement (EIS); and

WHEREAS, the Houston County Board, based on the findings of fact, concludes that an Environmental Impact Statement (EIS) for the project is not necessary because (1) the Project does not fall within a mandatory EIS category as set for in Minnesota Rules 4410.4400; and (2) the Project does not have the potential for significant environmental effects according to the criteria and procedures set forth in Minnesota Rules 4410.1700.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSTON COUNTY, MINNESOTA BOARD OF COMMISSIONERS AS FOLLOWS:

Section 1. Findings of Fact and Record of Decision. The Houston County Board adopts the Findings of Fact and Record of Decision related to the proposed Curt Roverud (J&C Farms Inc.) Expansion of the Underpass Quarry incorporated herein as Exhibit A.

Section 2. Negative Declaration. The Houston County Board finds based on the adopted Findings of Fact and Record of Decision that no Environmental Impact Statement is required for the proposed Curt Roverud (J&C Farms Inc.) Expansion of the Underpass Quarry.

Section 3. Direction to Publish. The Houston County Board directs that this resolution and the attached Findings of Fact and Record of Decision be distributed within five days in accordance with Minnesota Rules 4410.1700, subpart 5.

Section 4. Effective Date. This resolution shall become effective immediately upon its passage and without publication.

File No. 9 - Zoning Administrator Lacher reported on an Environmental Assessment Worksheet on behalf of Skyline Materials for the Winnebago Quarry. Mr. Lacher reviewed the matter in depth. Lengthy discussion was held. After discussion, motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to make a negative finding whereby an Environmental Impact Statement (IES) is not required, and to adopt the following resolution:

RESOLUTION #17-46

APPROVE FINDINGS OF FACT AND RECORD OF DECISION FOR THE PROPOSED WINNEBAGO QUARRY EXPANSION AND THE NEGATIVE DECLARATION OF NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

WHEREAS, Skyline Materials, Ltd. proposes a 27.9 acre expansion of the Winnebago Quarry, from 6.5 acres to 34.4 acres; and

WHEREAS, Skyline Materials, Ltd. initiated a discretionary Environmental Assessment Worksheet (EAW); and

WHEREAS, Houston County is the Responsible Governmental Unit for preparing the EAW and for determining the potential for environmental impacts of the project; and

WHEREAS, Houston County distributed the EAW for the required 30-day comment period on August 7, 2017; and

WHEREAS, the 30-day comment period ended on September 7, 2017; and

WHEREAS, Houston County received comments on the EAW from ten entities; and

WHEREAS, pursuant to Minnesota Rules 4410.1700 Subp. 2a B. Houston County extended the deadline for a decision on the need for an Environmental Impact Study until November 7, 2017; and

WHEREAS, Houston County, reviewed the comments, and prepared a specific written response to each in accordance with Minnesota Rules (see attached Exhibit A: Findings of Fact and Record of Decision); and

WHEREAS, the preparation of the EAW and comments received on the EAW have generated information adequate to determine whether the proposed Winnebago expansion has the potential for significant environmental impacts; and

WHEREAS, the Houston County Board held a public meeting on October 17, 2017, to review the EAW, provided written findings, and determined that there is no need for the preparation of an Environmental Impact Statement (EIS); and

WHEREAS, the Houston County Board, based on the findings of fact, that an Environmental Impact Statement (EIS) for the project is not necessary because (1) the Project does not fall within a mandatory EIS category as set for in Minnesota Rules 4410.4400; and (2) the Project does not have the potential for significant environmental effects according to the criteria and procedures set forth in Minnesota Rules 4410.1700.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSTON COUNTY, MINNESOTA BOARD OF COMMISSIONERS AS FOLLOWS:

Section 1. Findings of Fact and Record of Decision. The Houston County Board adopts the Findings of Fact and Record of Decision related to the proposed Winnebago Quarry Expansion incorporated herein as Exhibit A.

Section 2. Negative Declaration. The Houston County Board finds based on the adopted Findings of Fact and Record of Decision that no Environmental Impact Statement is required for the proposed Winnebago Quarry expansion.

Section 3. Direction to Publish. The Houston County Board directs that this resolution and the attached Findings of Fact and Record of Decision be distributed within five days in accordance with Minnesota Rules 4410.1700, subpart 5.

Section 4. Effective Date. This resolution shall become effective immediately upon its passage and without publication.

The Board clarified that their motions on the two quarries are based on their independent review of the packets of materials they were provided as background information.

File No. 10 - At this time Finance Director Lapham met with the Board and provided an overview of the third quarter 2017 financial reports. She also reported on the audit finding received from the State Auditor for the year ended December 31, 2016.

File No. 11 – The Board met with HS Director Pogleasa who requested approval of a policy revision with regard to receiving fees for services based on participants or guardians ability to pay such fees. There have been legislative changes and DHS Rule changes which he has incorporated into the proposed policy. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the policy.

File No. 12 – At this time Personnel Director Arrick-Kruger, Environmental Services Director Frank and Zoning Administrator Lacher met with the Board to discuss the proposed position of Environmental Services, Feedlot/Septic Specialist. The recommended banding for the position is B24 and they are proposing advertising for the position to be staffed in 2018. Mr. Lacher stated that they propose to use a portion of both the feedlot grant and the buffer grant to fund the position. Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve the position and banding determination and to initiate a competitive search to fill this position with a start date of January 2018.

File No. 13 – Personnel Director Arrick-Kruger and HS Director Pogleasa requested that the Board take action to accept the resignation of Social Worker Melissa Foth. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to accept the resignation and to thank her for her years of service.

Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to initiate a search for three social workers in the areas of Child Protection, Forensic, and Intake; with the understanding that if one position is filled by an internal candidate, the vacancy will be filled using the same pool of applicants.

File No. 14 - HR Director Arrick-Kruger requested approval of the AFSCME Memorandum of Agreement for on call pay for Child Protection Services. HS Director Pugleasa reported that this stems from new legislation which requires that 24 hour service be given in the area of Child Protection. After discussion, motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the same and to authorize the signature of the Board Chairperson.

File No. 15 - HR Director Arrick-Kruger reported that, subsequent to closing the home health care program, the position of Home Care Coordinator will be phased out. This position will be replaced with the position of Long-Term Care Lead Nurse. The recommended banding for this position is C43. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the position and banding determination for the Long-Term Care Lead Nurse and to approve an internal search to fill this position.

HR Director Arrick-Kruger requested authorization to change the status of Jailer/Dispatcher Lynn Bauer from probationary to regular status effective October 19, 2017. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the same.

The time being 7:13 p.m., motion was made by Commissioner Connor, seconded by Commissioner Arnold, and unanimously to convene a closed session pursuant to M.S. 13D.03, Subd. 1, (b) to discuss strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25.

The time being 7:32 p.m., motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to reconvene in open session. HR Director Arrick-Kruger gave a synopsis of the closed session.

File No. 16 – Received and filed was an application for an abatement on behalf of Crystal Bechtel, Parcel 22.0031.003, as the property should have been classified as homestead. If approved, the payable 2017 tax will be decreased from \$1,776 to \$1,202, being a reduction of \$574. Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve the abatement.

File No.17 – Received and filed was correspondence from MCIT requesting the appointment of voting delegates for the annual meeting to be held at 4:00 p.m. on Monday, December 4, 2017. After discussion, it was agreed that Chairperson Miller will serve as Voting Delegate and Commissioner Arnold will serve as Alternate.

Commissioner Arnold reported on an Extension meeting and a Water Planning meeting which he attended.

Commissioner Walter reported that she also attended the Extension Committee meeting. She and Commissioner Connor attended a meeting with regard to the appraisal of land in connection with the Highway Department building project. She also attended the Historical Society elevator dedication. She and Commissioner Connor will be meeting with SELCO representatives regarding the proposed three year contract. She also plans to attend the AMC District Meeting on October 30th.

Commissioner Connor reported that he and Chairperson Miller met with Engineer Pogodzinski regarding the issue of bike trails in the city of La Crescent.

Chairperson Miller reported on union negotiations, an EDA meeting and a radio board meeting which he attended. He has been elected Chairman of the radio board for 2018. He also reminded the Board that the Corps of Engineers will be meeting with them on November 7th regarding Wildcat Park.

Commissioner Arnold reported that the Agricultural Society has approved the new lease agreement for the Fairgrounds. Also, it was mentioned that they have been successful in being approved as a 501C3.

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

File No. 18 – Correspondence regarding the tons delivered to Xcel during September 2017

File No. 19 – Correspondence from MN DOT responding to commissioner concerns raised at the June 27, 2017 board meeting

File No. 20 – Correspondence from MCIT announcing 2017 annual meeting and notice of election to be held December 4, 2017

File No. 21 – Correspondence from MCIT notifying of an upcoming vote to amend the MCIT Joint Powers Agreement

There being no further business and the time being 7:49 p.m., motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, October 24, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, October 24, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporter Moorhead; County Attorney Jandt; Emergency Manager Niday; Environmental Services Director Frank; Personnel Director Arrick-Kruger; Engineer Pogodzinski; Finance Director Lapham; HS Director Pugleasa; PHN Director Marchel; Ken Tschumper; Yvonne Krogstad; Chief Deputy Lapham; Highway Accountant Schroeder; Maintenance Foreman Burns; Glenn Kruse; MN DOT Officials: Julie Carr, Cassandra Isackson, Brian Conklin & Chris Meyer

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and carried to approve the agenda, with the addition of addressing the vacant position in the Auditor's Office.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes of the October 17, 2017 meeting.

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

County Revenue Fund	\$ 53,336.87
Road & Bridge Fund	36,768.19

Total	\$ 90,105.06
	=====

Ken Tschumper, La Crescent Township, expressed his concern regarding non-conforming mines.

File No. 2 – At this time Emergency Manager Niday and Chief Deputy Lapham met with the Board. Discussion was held regarding the Emergency Operations Plan. After discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to approve the plan and to adopt the following resolution:

RESOLUTION NO. 17-47

Houston County Board Resolution Approving 2017 Emergency Operations Plan

WHEREAS, the Houston County Board of Commissioners recognizes the 2017 update of the Emergency Operations Plan and all of its annexes as approved by responsible department heads;

WHEREAS, the Board of Commissioners recognizes and accepts its roles prior to, during, and after a disaster as outlined in the 2017 updated of the Emergency Operations Plan;

NOW, THEREFORE, BE IT RESOLVED that we accept the 2017 Houston County Emergency Operations Plan and all of its annexes, roles, and responsibilities.

File No. 3 - Emergency Manager Niday reported that she applied for a Minnesota Energy Resources Safety Grant and it was approved for funding in the amount of \$1,722.02. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve acceptance of said grant.

File No. 4 – At this time Environmental Services Director Frank met with the Board regarding the bids which were opened at the last meeting for transporting recyclable materials from the drop sites. Mr. Frank recommended accepting the bid of Harters. After discussion, motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the same.

File No. 5 – Personnel Director Arrick-Kruger stated that, pursuant to M.S. 13D.05, Subd. 3(a), a public body may close a meeting to evaluate the performance of an individual who is subject to its authority. She indicated that Human Services Director Pugleasa is nearing the end of his probationary period, and it is his choice whether the meeting to review his performance is open or closed. Mr. Pugleasa requested that the meeting remain open. Discussion was held. After discussion, motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold, and unanimously carried to approve the change in employment status of John Pugleasa from probationary to regular status effective at the end of the day on November 13, 2017.

Commissioner Walter reported that she and Commissioner Connor met with library officials and have agreed on a three year contract for SELCO as follows: 2018 – 0% increase;

2019 – 4% increase; 2020 – 4% increase. If approved, a contract will be forthcoming from SELCO for the county attorney’s review. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the same. Chairperson Miller suggested that consideration be given to utilizing Human Services Department fund balance for a portion of the increase in the future.

File No. 6 – Engineer Pogodzinski presented a bridge prioritization schedule for the Board’s review. After discussion, motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-48

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 removed 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	Proposed Const. Year
8161	CSAH 12	212,710.00	76,750.00	-	82,400.00	53,560.00	2018
88412	CSAH 4	181,280.00	-	-	-	181,280.00	2018
1703	Looney Valley Road	381,100.00	360,500.00	-	-	20,600.00	2018
92280	CSAH 4	362,560.00	226,600.00	-	82,400.00	53,560.00	2018
L4549	Fort Ridgley Rd	261,836.00	241,236.00	-	-	20,600.00	2018
L3990	Old Indian Trail Rd	291,274.00	270,674.00	-	-	20,600.00	2018
L3974	Eitzen Creek Drive	341,610.00	320,392.00	-	-	21,218.00	2019
R0624	Hatleli Drive	341,610.00	320,392.00	-	-	21,218.00	2019
6110	Dotseth Road	341,610.00	320,392.00	-	-	21,218.00	2019

L9501	Prairie Ridge Road	491,727.00	469,872.00	-	-	21,855.00	2020
L9037	Gates Coulee Drive	351,858.00	330,003.00	-	-	21,855.00	2020
28501	Looney Valley Road	923,354.00	901,499.00	-	-	21,855.00	2020
L4012	Rooster Valley Road	362,414.00	339,904.00	-	-	22,510.00	2021
L3997	Freeburg Ridge Road	925,168.00	902,658.00	-	-	22,510.00	2021
L4009	Rooster Valley Road	313,004.00	289,819.00	-	-	23,185.00	2022
7540	CSAH 10	498,488.00	405,746.00	-	92,742.00	-	2022
		6,581,603.00	5,776,437.00	-	257,542.00	547,624.00	

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 – Discussion was held regarding an application for abatement on behalf of Thomas Trehus, Parcel 15.0246.001. If approved, this will decrease the 2017 payable tax from \$302 to \$216, being a reduction of \$87. Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

Discussion was held regarding whether to fill the current vacant position in the Auditor's Office. After discussion, motion was made by Commissioner Miller and seconded by Commissioner Arnold not to fill the position. The motion carried with Commissioners Connor and Walter voting against the motion.

Commissioner Zmyewski requested that discussion of an Administrator/Coordinator position be placed on the next board agenda.

Discussion was held regarding the AMC Conference scheduled for December 4th and 5th. Commissioners Walter, Arnold and Miller plan to attend. Commissioner Zmyewski was uncertain at this time whether he will be able to attend.

Yvonne Krogstad commented on the motion to not fill the vacant position in the Auditor's Office.

Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to and unanimously carried to recess the meeting.

File No. 8 - The time being 11:02 the Board convened and met with MN Department of Transportation officials regarding the Houston County Airport.

Cassandra Isackson, Planner for the MN DOT Department of Aeronautics, stated that this meeting is intended to be a conversation. They try to hold a meeting regarding each airport in the state every three years, in the year prior to the next inspection. She inquired how the airport is currently working for the county. Commissioner Zmyewski responded that it is working fine. He indicated that he does not foresee a larger airport being beneficial. He indicated that the reality is that the La Crosse airport is close, and a larger county airport is not needed. He is aware of the issues with obstructions, and indicated that having GPS approach back would be desirable. He is glad to have the airport, but does not see the necessity of an expansion.

Chris Meyer stated that airport approaches and inspections are his role at MN DOT. He indicated that visual approaches can be used when the weather is nice, however, instrument approaches are necessary when the visibility is poor. Discussion was held regarding the fact that the airport no longer meets the requirements for GPS approach. Mr. Meyer indicated that many of the VOR ground radio based navigational aid approaches are being phased out, including the VOR Nodine which Houston County currently has. This system is scheduled to be terminated sometime between 2021 and 2025. It is felt that it is time to modernize.

Mr. Meyer stated that they inspect each airport every three years. When they do the inspection they satisfy three areas: 1) data collection; 2) Licensing; 3) acting as contractors on behalf of FAA for obstruction analysis. Houston County's airport is scheduled to be inspected in 2018. He reported briefly on the obstructions at the airport, as well as the required setbacks. The FAA does not have land use authority, so they cannot require a property owner to cut down a tree that is an obstruction. However, they do have the authority to not allow the airport to have an approach. He indicated that state and local government have land use authority.

Commissioner Zmyewski stated that going from a VOR to a GPS approach allows for greater precision, so it seems that there should not be a need for a wider zone for making an approach. Mr. Meyer responded that current regulations are not written to specify a difference for GPS approaches.

Mr. Meyer stated that the inventory indicates there are approximately 13 airplanes housed at the Houston County Airport. Houston County is part of the national plan and receives federal

dollars and one of the requirements to be eligible is having at least 10 aircraft at the airport. He recommended that this inventory be updated each year.

Julie Carr inquired whether the county has an airport board. Engineer Pogodzinski responded that we used to have an Airport Commission, however, that has been disbanded.

Julie Carr indicated that the last official Airport Layout Plan was from 1967.

Brian Conklin stated that they would like to see airport capital improvement plans for 20 years, with years 0 - 5 being very accurate; years 5 – 11 including maintenance things that we know will be required; and years 12 – 20 being possible projects. They feel the legislature needs this long range information in order to allocate funding. Houston County's current plan runs through 2021. Cassandra Isackson recommended involving zoning in the planning process.

It was pointed out that transferring airport entitlements to other entities in Minnesota is good, as the funding will be spent somewhere, and it was felt that keeping it in Minnesota was preferable. There are approximately 300 airports in Minnesota, and approximately 95 of them are included in the federal funding system.

Commissioner Zmyewski inquired whether it would be easier to leverage funding if the airport was owned by the city, rather than the county. Cassandra Isackson responded that cities general do not have the engineering staff that counties have, so it can be more difficult if an airport is owned by the city.

Discussion was held regarding the process for grant requests. There is some confusion since the federal fiscal year is October to October, the State is July to July, and municipalities are usually by calendar year.

Discussion was held regarding the importance of addressing the airport in the county's comprehensive plan.

Mr. Conklin reported on the pavement condition. He stressed that the sooner it is maintained, the less costly it will be to maintain.

Mr. Meyer inquired whether the county has adopted minimum standards document. This would define the expectations the county has for things such as a Fixed Base Operator. He also recommended daily self-inspections. Engineer Pogodzinski stated that daily inspections are not cost-effective, and they are being done on a weekly basis. Discussion was held regarding the required number of tie-downs. The rule is to have 3 more than are normally being used.

Discussion was held regarding issue a NOTUM, or Notice to Airman. This is a way for the aviation world to send messages to pilots that are time sensitive or critical. Mr. Meyer indicated that anytime the runway is not dry, a NOTUM should be issued. Houston County

currently issues them over the phone, however, they hope to be set up to issue them on-line in the near future.

Mr. Meyer recommended that the county adopt an airport emergency plan.

Discussion was held regarding airport leases and the county's responsibility to know whether there are hazardous materials stored in the hangars.

Discussion was held regarding proposed EPA fuel regulation changes. Accountant Schroeder reported on the difficulty with keeping the fuel system compliant with regulations and the issue of whether or not the cost we are charging for fuel covers the county's costs.

It was pointed out that pilots like to have a courtesy car at local airports.

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

File No. 9 – Correspondence to Payroll regarding the change in employment status for Lynn Bauer

File No. 10 – A notice of public hearing to be held 11/7/17 to review proposed amendments to the Houston County Zoning Ordinance

There being no further business, motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, November 7, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, November 7, 2017

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporter Moorhead; County Attorney Jandt; Environmental Services Director Frank; Zoning Administrator Lacher; Kevin Berg, Keith Rose & Eric Hammer-U.S. Corps of Engineers; Finance Director Lapham; Personnel Director Arrick-Kruger; Jake Lonkoski; Bruce Kuehmichel; Brian Van Gorp; Dick Walter; Bruce Kimmel, Ehlers & Associates; Dennis Yeiter; Robert Kremer; Steve Hartwick; Yvonne Krogstad; Ken Tschumper; Jeff Winjum; Tracy Schmitz; Engineer Pogodzinski; IT Director Milde; IT Support Technician Kuntz; Audrey Almo

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Connor, seconded by Commissioner Arnold and carried to approve the agenda.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes of the October 24, 2017 meeting. Commissioner Zmyewski expressed concern with regard to the video from the last board meeting.

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

County Revenue Fund	\$103,814.27
Road & Bridge Fund	24,860.02

Total	\$128,674.29
	=====

Bruce Kuehmichel stated that Camp Winnebago has paid back their EDA loan to Houston County. He also inquired about Wildcat Park. Chairperson Miller stated there is no plan to close Wildcat Park.

Bryan Van Gorp, Yucatan Township, expressed his concern regarding appeals to the Board of Adjustment related to mines.

Ken Tschumper stated that everything about zoning in Houston County is in the Zoning Ordinance, and expressed his concern that it is not properly administered or enforced.

Yvonne Krogstad, Caledonia Township, stated that the Zoning Administrator does not have the right to deny an appeal.

File No. 2 – Auditor Meiners requested that the Board take action to adopt a resolution approving an application for funding from the state Voting Equipment Grant. After discussion, motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to adopt the following resolution:

RESOLUTION #17-48

Approving Houston County's application for funding from the Voting Equipment Grant.

WHEREAS, Minnesota counties are responsible for administering elections, which includes the purchase and maintenance of supplies and election equipment, including accessible voting equipment; and

WHEREAS, Minnesota last updated much of its voting equipment between 2002 and 2006 meaning that the equipment is rapidly approaching the end of its 10 to 15 year lifespan; and

WHEREAS, it's essential for precincts to have functioning voting equipment so that voters are able to cast their ballot on equipment that is secure, accessible, accurate, and reliable; and

WHEREAS, Minnesota's 90th Legislature authorized \$7 million for the Voting Equipment Grant Account to assist counties, cities, towns, and school districts with the purchase of voting equipment; and

WHEREAS, to receive funding from the Voting Equipment Grant Account, counties must submit an application to the Minnesota Secretary of State before December 15, 2017;

NOW, THEREFORE, BE IT RESOLVED, Houston County approves its application for funding from the Voting Equipment Grant; and

BE IT FURTHER RESOLVED, the County certifies that any funds awarded from the Voting Equipment Grant will be used only to purchase assistive voting technology, an electronic roster system, an electronic voting system, any individual component of an electronic voting system, or any other equipment or technology approved by the Secretary of State.

File No. 3 – Auditor Meiners requested that the Board take action to support legislation to allow for the printing of alternative ballot styles in order that Houston County can replace their current assistive voting devices. After discussion, motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to adopt the following resolution:

RESOLUTION 17-49
A RESOLUTION TO SUPPORT
THE PRINTING OF ALTERNATIVE BALLOT STYLES

WHEREAS, the advancement of voting system technology allows for new and improved voting systems which will assist in the voting process; specifically in the following areas:

- New voting system technology is easier to use for the voter, poll worker and election staff.
- New voting system technology allows voters to vote independently.
- New voting system technology reduces the expense of running elections, specifically saving in the cost of pre-printing election ballots.
- New voting system technology reduces ballot errors and the need to review and remark ballots to ascertain voter intent.

WHEREAS, current State of Minnesota law does not provide for the ability to utilize such new voting system technology in order to take advantage of the benefits of the new voting system technology; and

WHEREAS, the State of Minnesota Township Association has determined that changes are necessary to current State of Minnesota law in order to allow for the use of the use of new voting system technology.

NOW, THEREFORE, BE IT RESOLVED, that the Houston County Board of Commissioners hereby requests that certain provisions of State of Minnesota law be amended in order to allow for the use of new voting system technology, including the use of touch screen voting systems that include a voter verifiable paper record that may be of a different size than a standard hand marked ballot and which may be used in the event of a recount, so long as efforts are made to retain the privacy of the voter through the use of the voter verifiable paper record.

BE IT FURTHER RESOLVED that Houston County requests that the necessary changes to State of Minnesota law as set forth in Attachment 1 to this Resolution be adopted by the State of Minnesota legislature and approved by the Governor.

BE IT FINALLY RESOLVED, that Houston County requests that the changes set forth in Attachment 1 be approved this upcoming legislative session.

File No. 4 – At this time Environmental Services Director Frank met with the Board and provided an update on the Money Creek school demolition. There is asbestos in the building, which will increase the cost of cleanup, however, the estimated cost for cleanup is less than the appraised value of the property. La Crosse County does not want the material from this project at their landfill, and is willing to grant a one-time exemption which will allow the County to dispose of the material at another site. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to proceed with the cleanup process.

File No. 5 – Environmental Services Director Frank reported that Houston County's contract with Richard's Sanitation for transportation of material from the drop sites can be extended additional years. Richard's Sanitation would like to extend the contract through 2023, and is willing to forego any increase for 2018. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the same.

Kevin Berg, Kevin Rose and Eric Hammer, U.S. Corps of Engineers, met with the Board to discuss Wildcat Park. Chairperson Miller stated that the County has a Parks Committee that reviews various aspects of Wildcat Park operations. He indicated that there are several questions they would like to have addressed by the Corps of Engineers. The County would like to convert nine additional sites to seasonal sites. This would generate fees to help cover the cost of improvements that have been made to the park in the last few years. Kevin Berg responded that seasonal sites are not allowed on Corps managed areas, and the Corps wants to limit them on Corp land which is managed by other entities. However, he understands the need to generate revenue and the Corps is willing to work with the County in this regard. Jack Lonkoski stated that he would also like to add two daily sites near shelter #1. It was agreed that a request should be submitted to the park in writing with a map showing the proposed changes.

Chairperson Miller inquired whether the County could charge for boat launching. Mr. Berg responded that this would be allowed, and that many places already do so. Erick Hammer stated that the Corps currently charges \$5 per launch, or a \$40 annual fee. They also honor the National Park Pass.

Chairperson Miller inquired whether the Corps would considering sharing in the cost of future upgrades. Mr. Berg responded that the Corps budget can only be used on the facilities they specifically run. However, they can make suggestions for generating revenue.

Eric Hammer stated that he installed a traffic counter at Wildcat Park and can provide the County with visitation numbers.

File No. 6 – Discussion was held regarding a proposed application for an Arlin Falck Foundation grant for an in-squad video camera system replacement project. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

File No. 7 – Discussion was held regarding a Minnesota Lawful Gambling Application for Exempt Permit on behalf of Gopher State Sportsmen’s Club for gambling activities to be held at 970 Sportsmans Valley Road North, La Crescent, on February 3, 2018. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the same and to adopt the following resolution:

RESOLUTION NO. 17-50

BE IT RESOLVED that the Houston County Board of Commissioners does hereby approve the Minnesota Lawful Gambling Application for Exempt Permit on behalf of Gopher State Sportsmen’s Club for gambling activities to take place at 970 Sportsmans Valley Road North, La Crescent, Minnesota on February 3, 2018.

File No. 8 – Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the SELCO contract for the years 2018 through 2020.

The time being 10:00 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to recess the meeting.

The Public Hearing was called to order.

File No. 9 - Zoning Administrator Lacher reported on the proposed changes to the Zoning Ordinance, Section 12 - Board of Adjustment.

File No. 10 - Zoning Administrator Lacher reported on the proposed addition to the Zoning Ordinance, being Section 37 – Riparian Buffer Standards.

Commissioner Zmyewski stated that the language regarding buffer requirements seems cumbersome and he requested clarification.

Commissioner Arnold stated that there is a lot of discussion in the proposed language about enforcement, and he inquired how much enforcement he expects to have realistically. Mr. Lacher stated that, as of last week, there were 25 parcels that need to be reviewed.

Bruce Kuehmichel stated that he likes the proposed changes for numbering in the ordinance. He would also like to see an addendum that lists when changes were made to the ordinance.

Ken Tschumper stated that many municipalities allow their elected board the right to review decisions made by their Board of Adjustment. He does not agree with allowing an appointed Board of Adjustment make final decisions, with the elected officials having no authority to override Board of Adjustment decisions. He also stated that he felt 90% of the

variances granted are in violation of the zoning ordinance. He pointed out that the Zoning Ordinance allows any aggrieved person to appeal a ruling made by the Board of Adjustment, and this is not up to the discretion of the Zoning Administrator. He indicated that the Ordinance states that the Zoning Administrator shall forward all petitions to the Board of Adjustment

Brian Van Gorp stated that justice delayed is justice denied. He concurred that the ordinance is not being enforced properly with regard to the issuance of variances.

Chairperson Miller inquired whether the County has the option of changing the Ordinance to allow the County Board to overrule decisions of the Board of Adjustment. Mr. Lacher responded that he is not prepared to answer this question, however, he agreed to research this.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to close the public hearing and to reconvene the regular meeting.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the proposed revisions ordinance, subject to striking “and as measured according to subsection 37.4 subd.2” in Section 37.4, Subd 1 (2).

Finance Director Lapham inquired how the Board wants to address the 2018 budget. The final levy and budget must be adopted at the December 26th meeting. It was agreed that the Personnel Committee will meet regarding proposed staffing changes.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the issuance of a county credit card to Human Services Director Pugleasa, upon the receipt of his signed acknowledgment.

File No. 10a - Finance Director Lapham and Bruce Kimmel, Ehlers and Associates, discussed the possibility of refinancing the 2009C Bonds and the 2010B Bonds. With proposed changes by the federal legislature, the County’s ability to refinance after 2017 may be compromised. Mr. Kimmel estimated that the County could realize a savings of \$800,000 by refinancing at this time. After discussion, motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to direct county staff to work with Ehlers to proceed with refinancing the 2009C Bonds and the 2010B Bonds.

Personnel Director Arrick-Kruger requested that the Board take action to change the employment status of IT Support Technician Luke Kuntz from probationary to regular effective November 15, 2017. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

File No. 11 – Personnel Director Arrick-Kruger requested approval of a revised Public Health Nurse Wage Grid that reflects the new position and classification of Long-Term Care

Lead Nurse, at a comparable worth rating of C43. After discussion, motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the same.

File No. 12 – Personnel Director Arrick-Kruger requested that the Board take action to accept the resignation of Marcia Bauer as Home Care Coordinator, C51, and appoint her as a Staff Nurse, C42, Step 9, effective November 13, 2017. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the same and to thank her for her years of dedicated service.

Personnel Director Arrick-Kruger requested that the Board take action to appoint Michelle Schulte as a probationary Long-Term Care Lead Nurse, C43, Step 7, effective November 13, 2017. It was pointed out that a condition of appointment is that she successfully completes a BSN within two years of the date of this appointment. Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

Personnel Director Arrick-Kruger requested that the Board take action to approve a monthly mobile computing device stipend of \$50 for Greg Olson. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the same.

The Board recessed the meeting.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to convene a closed session pursuant to M.S. 13D.03, Subd. 1, (b) to discuss strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to reconvene in open session. HR Director Arrick-Kruger reported that the Board discussed strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals.

Commissioner Arnold reported on the Minnesota Water Resources Board budget, AMC and Extension meetings he attended.

Commissioner Walter reported on the AMC District meeting.

Chairperson Miller reported on the need for veteran housing in the area. He would like to work with Fillmore County on this.

Commissioner Walter reported on the Historical Society annual meeting which she attended.

Commissioner Connor reported that Dave Walter inquired about the possibility of the Board increasing the SWCD budget by \$14,400 in order to leverage additional grant funding.

Commissioner Zmyewski reported on that Minnesota Statutes state that all decisions of the Board of Adjustment are final. He also discussed Wildcat Park and License Center concerns.

Chairperson Miller reported on a CETA dinner and HVMHC meeting which he attended.

Commissioners Arnold and Walter reported that proposed levy increases in the region range from 3 to 10%.

Commissioner Zmyewski brought up the possibility of hiring a coordinator or an administrator. He indicated that this position would be a point of contact for department heads, commissioners and citizens. They would bridge the gap between the Board and department heads, be involved with budgets, union negotiations, etc. Commissioner Walter stated that 52 counties have administrators and 15 have coordinators. Administrators have statutory authority, while coordinators do not. Commissioner Zmyewski indicated that he would like to discuss this further at the next meeting.

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

File No. 13 – A notice of public hearing scheduled for November 28, 2017 on the local water plan

File No. 14 – Correspondence to Payroll regarding the change in employment status for John Pugleasa

File No. 15 – A petition to not close Wildcat Park Landing & Campground

File No. 16 – Correspondence from the MN DNR regarding the sale of two parcels of land

File No. 17 – Tons delivered to Xcel during October 2017

There being no further business and the time being 12:44 p.m., motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, November 21, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, November 21, 2017

5:30 p.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporters Moorhead; County Attorney Jandt; Finance Director Lapham; Engineer Pogodzinski; Personnel Director Arrick-Kruger; Zoning Administrator Lacher; Sheriff Inglett; Jeremy Chipp

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and carried to approve the agenda.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the minutes of the November 7, 2017 meeting.

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

County Revenue Fund	\$ 95,736.34
Road & Bridge Fund	932,307.98

Total	\$1,028,044.32
	=====

File No. 2 – Engineer Pogodzinski recommended approval of a final estimate for C.P. 2017-04. On the recommendation of Engineer Pogodzinski, motion was made by Commissioner Connor, second by Commissioner Zmyewski and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-51

WHEREAS, Contract No. 277 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.

Personnel Director Arrick-Kruger requested that the Board take action to hire Robert Ott as a probationary Highway Sign Specialist, B24-2, Step 1, effective December 4, 2017. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the same.

File No. 3 - Personnel Director Arrick-Kruger requested approval of an agreement between Houston County (Environmental Services) and Ability Building Center for 2018. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the same.

File No. 4 - Personnel Director Arrick-Kruger requested approval of two contracts with CEDA for 2018, one for Courtney Bergey's staff time and one for grant writing expertise. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the same.

File No. 5 - Personnel Director Arrick-Kruger reported that at the November 7th meeting, Marcia Bauer was appointed as a Staff Nurse, C42, Step 9, effective November 13, 2017. The record should reflect that this appointment is as a Staff Nurse, C41, Step 9. Further, Michelle Schulte was promoted to Long-Term Care Lead Nurse, C43, Step 7, and it should have been Step 8. Motion was made by Commissioner Walter, seconded by Commissioner Connor, and unanimously carried to approve the same.

File No. 6 - Personnel Director Arrick-Kruger reported that Jeremiah Shaver has submitted his resignation. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to accept the resignation effective at the end of the business day on December 8, 2017, and to thank him for his years of service.

File No. 7 – Zoning Administrator Lacher requested approval of a Conditional Use Permit on behalf of Tim Morken/Morken Farms LLC, Black Hammer Township, to expand a feedlot from 281.8 animal units to 433 animal units, consisting of turkeys. Motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the same, to adopt the findings, and the conditions as stated in the permit.

At this time Finance Director Lapham met with the Board and presented the financial report as of October 31, 2017. She will be presenting budget amendments at next week's meeting. It was agreed that budget reviews would be held at the December 12th board meeting.

File No. 8 – Sheriff Inglett reported that the canine, Ray, was recently killed. Chance has been retired, but is still certified. Therefore, he would like to reinstate him until another canine is

acquired. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the modification to the current lease agreement.

File No. 9 – Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve an Amendment to Ground Lease Agreement.

File No. 10 - Discussion was held regarding proposed changes to the Bluff Country HRA bylaws. After discussion, motion was made by Commissioner Connor, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

Commissioner Connor inquired whether money could be saved if employment vacancies were advertised internally first. Discussion was held.

Jeremy Chipps, La Crescent City stated that a Judge in Winona County recently upheld the ban on frac sand mining. He asked that the Board consider moving forward with a ban on frac sand mining in Houston County. Chairman Miller stated that there is a plan to meet with Attorney Jay Squires in this regard.

Commissioner Walter reported on two joint board meetings this past week. She spoke with Commissioner Lentz about petitioning for a Veterans home in SE MN. At this point they are asking counties to send letters of support to our legislators.

Commissioner Walter reported on a Brownsville Township meeting she attended. They thanked the Board for not shutting down Wildcat Park, and indicated that they are in favor of charging fees for the boat landing, but had concerns as to how this would be handled. They also expressed their concern regarding staffing levels in the Auditor's Office.

Commissioner Walter reported that there are 33 applicants for the Regional Extension position. Three interviews are scheduled for next week.

Commissioner Walter reported on a SE Emergency Medical Services Joint Board meeting where they discussed active shooter training. They are also in favor of hiring a private auditor to review their financials, as the cost would be approximately half of the cost to utilize the state auditors. Discussion was held regarding the county utilizing a private audit firm. Finance Director Lapham indicated that we would need to notify the State Auditor's of our intent by August of next year if we would like to hire a private auditor for the 2019 audit which will occur in 2020.

Commissioner Walter reported on a Workforce Development meeting and a La Crescent hotel/convention center meeting which she attended. She also asked that Commissioners Arnold and Miller pick up door prizes for the AMC Conference.

Chairman Miller reported on a dedication of a bench donated by AFSCME. He also attended a meeting regarding the Jail Reuse Study.

County Attorney Jandt reported that he has a copy Judge Leahy's findings with regard to upholding the frac sand ban in Winona County. A training session will be held with Attorney Jay Squires in the near future, and he thought this issues would be discussed at that time. He indicated that, if the case is appealed, it would create case law which could be beneficial in the future.

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

File No. 11 – Correspondence to payroll regarding various changes

File No. 12 – An advertisement for 2018 printing bids

File No. 13 – An acknowledgement of Dorsey & Whitney LLP as bond counsel in connection with proposed issuance of GO Refunding Bonds.

There being no further business and the time being 6:33 p.m., motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, November 28, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, November 28, 2017 9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporter Moorhead; County Attorney Jandt; Finance Director Lapham; Yvonne Krogstad; Bets Reedy; Bruce Kuehmichel; Brian Van Gorp; Courtney Bergey; Engineer Pogodzinski; Zoning Administrator Lacher; Dave Walter; Dan Wermager; PHN Director Marchel; HS Director Pogleasa; Jeremy Chipps

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and carried to approve the agenda.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the minutes of the November 21, 2017 meeting.

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

County Revenue Fund	\$32,151.77
Road & Bridge Fund	20,641.47

Total	\$52,793.24
	=====

Brian Van Gorp, Yucatan Township, stated that getting things done in government is a matter of a lack of inertia. He indicated that this is true in the area of banning frac sand mining.

Jeremy Chipps, La Crescent City, reported on a child in Wisconsin with what they believe is the beginning of silicosis. He asked the Board to move toward a resolution to ban frac sand mining in Houston County.

Chairperson Miller briefly mentioned the derailment near La Crescent.

Bruce Kuehmichel, Caledonia City, stated that the Board is considering the position of County Administrator or County Coordinator. He understands that the Administrator has statutory authority to make certain decisions. Commissioner Zmyewski referenced the following statutes regarding County Administrator authority: M.S. 375.48, 375.49, 375.50 and 375A.06.

EDA Director Bergey reported that Camp Winnebago has been sold and the loan funds have been repaid. The EDA is considering a loan application for a local business that is working on a succession plan. She is also working on a project with Workforce Development in an attempt to build up the workforce needed by various businesses in Houston County.

EDA Director Bergey reported that Gasthaus, LLC currently has a contract for deed, a bank loan, and a loan with the EDA. The EDA loan is in second position between the bank loan and the contract for deed. They are in the process of refinancing their contract for deed and bank loan. Merchants Bank is asking for a subordination of the EDA loan which would place this loan behind the loan which will consolidate the contract for deed and bank loans into one. Lengthy discussion was held. EDA Director Bergey felt confident that the equity is sufficient to cover all loans, and she indicated that the EDA wants to support the business as much as possible. After discussion, motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the subordination as requested.

File No. 2 - Engineer Pogodzinski requested approval of a final payment for S.A.P. 28-599-090. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-52

WHEREAS, Contract No. 275 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 reported that Mound Prairie Township would like to submit a local road improvement funding application in order to make improvements to South Ridge Road from County 25 to Winona County 103. If this project is selected, the county becomes the fiscal agent, acts as go-between with the township and the state, and serves as program sponsor. Engineer Pogodzinski recommended adopting a resolution approving the same. Motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to adopt the following resolution.

RESOLUTION NO. 17-53

RESOLUTION OF SUPPORT FROM SPONSORING AGENCY

WHEREAS, Local Road Improvement Program (LRIP) funds administered by the Minnesota Department of Transportation makes available up to \$750,000 to apply towards local agency projects meeting Routes of Regional Significance or Rural Road Safety criteria, and;

WHEREAS, Non-state aid cities and townships must have a county sponsor to apply for LRIP funding, and;

WHEREAS, Mound Prairie Township has requested that Houston County sponsor its application for the reconditioning of South Ridge Road between Houston County State Aid Highway 25 and Winona County Road 103, and;

WHEREAS, Mound Prairie Township understands that it will be responsible for all costs not covered by LRIP funding, including all engineering, inspection, administration, and construction costs over the funding cap, and;

WHEREAS, Mound Prairie Township will maintain the road for the lifetime of the improvements and;

WHEREAS, the South Ridge Road improvements need additional funding in order to be implemented;

NOW THEREFORE BE IT RESOLVED, that the County of Houston hereby sponsors the application for LRIP funding for the reconditioning of South Ridge Road between Houston County State Aid Highway 25 and Winona County 103.

File No. 4 - Zoning Administrator Lacher reported on an application for a Conditional Use Permit on behalf of Thomas Sawle, Caledonia Township, for a cabin in an Agricultural District. On the recommendation of the Planning Commission, motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve the permit and to adopt the findings as recommended by the Planning Commission.

File No. 5 - Zoning Administrator Lacher reported on an application for a Conditional Use permit for William and Karen Kohlmeyer/Wayne Houdek in Mayville Township to build a house on less than 40 acres in an Agricultural Protection District. Motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to approve the permit and findings, subject to the conditions stipulated.

File No. 6 - Zoning Administrator Lacher reported that the Feedlot Program Delegation Agreement lays out the county's strategy for administration of the feedlot program. Motion was

made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the 2018/2019 feedlot delegation agreement work plan.

File No. 7 - Dave Walter and Dan Wermager, SWCD, requested that the Board approve an increase of \$14,400 to their budget, as the state will match this amount. Lengthy discussion was held regarding the fact that the Feedlot Program is being moved to the Environmental Services Department, and the impact this has on the SWCD's budget. He expressed concern with regard to the amount of work that needs to be done, even though the feedlot program will now be handled by Environmental Services. Additional funding is needed to maintain the 4 full-time technician positions in the department. After discussion, motion was made by Commissioner Walter and seconded by Commissioner Arnold to approve an additional allocation of \$14,400 to the SWCD. The motion passed with Commissioner Zmyewski voting in the negative.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to recess the board meeting and to convene the public hearing to consider amending the Local Water Plan.

File No. 8 - Dan Wermager, SWCD, reported that there are two types of water plans. The first is a local plan following county lines, whereas, a regional water plan follows watershed lines. He indicated that the second option makes more sense than dividing efforts based on political boundaries. The One Watershed One Plan encompasses 95% of the county. Only the Pine Creek Watershed is not included. Houston County needs to amend their local water plan to cover the Pine Creek Watershed until it is absorbed into a different regional water plan. Comments on the proposed plan amendment were received from BWSR and the Department of Agricultural, however, they did not require any changes.

Jeremy Chipps asked, from a scientific perspective, what testing is being done and where the results can be found. Dan Wermager responded that the water plan encompasses detecting surface water and ground water issues. He reported on the volunteer nitrate well monitoring program as well as testing being done by the Department of Agriculture. Dave Walter added that MPCA has done extensive water sampling over the last few years, and the results are currently being compiled. Mr. Chipps inquired whether there are any problem areas in the county. Mr. Walter responded that there are some "hot spots" in the Wilmington and Spring Grove area with high nitrates. They plan to do intensive well water testing in 2018. He also reported that the Root River near Hokah has been impaired for quite some time. Extensive testing has been done to obtain a more focused report on that so that treatment can be done upriver more efficiently. Overall, he felt that the county's waters are more safe than they are unsafe. Dan Wermager indicated that the program also involves abandoned well sealing and buffer strips around sinkholes.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to adjourn the public hearing and to reconvene in open session.

The board recessed for a five minute break.

The Board reconvened at 10:26 a.m.

PHN Director Marchel and HS Director Pugleasa met with the Board to discuss the potential for hiring a County Administrator or Coordinator. Commissioner Zmyewski stated that he has had conversations with these two department heads in this regard, as they worked with an Administrator and/or a Coordinator in the past. He would like them to share their perspective in this regard.

PHN Director Marchel stated that she worked for Beltrami County for 28 years, 22 years as PHN Director and the balance as Health & Human Services Director. For the first 5 to 6 years, Beltrami County had a County Coordinator, which had no supervisory role. The county quickly outgrew that business model and wanted to expand into a more professional business structure. Through attrition they went to an administrator. She indicated that all of her experiences have been positive. This is the key entry point for all county affairs. She indicated that they advocate at the state, and even the federal level. They were helpful with implementing policies in Health and Human Services. The administrator provided general supervision to county department heads, set goals, and held them accountable. They prepared capital expenditure plans and gave full technical assistance to the county board. She felt the resulting timeliness and the ability to get things done was of value.

HS Director Pugleasa reported that he was the Director of a Community Collaborative for 12 years and worked closely with Health and Human Services. He then worked in the Human Services Department for 8 years. He worked with two administrators over 20 years as both a community member and as staff. He indicated that the county administrator is charged with communicating the collective voice of the board. He felt it was a valuable position to assist with cross-departmental work and policies.

Commissioner Arnold inquired as to any down sides. Mr. Pugleasa responded that the board needs to be very careful in selecting the person for this position. Further, once they are hired the Board needs to pay attention to ensure they are following their collective wishes. He indicated that there can be some communication challenges. Also, he did not feel this changes the role of the board members or the department heads, but rather, gives a conduit between the two.

Commissioner Arnold expressed his concern that the job description be properly written. Mr. Pugleasa indicated that he thought the AMC would assist with this.

Commissioner Walter inquired whether an Administrator would require clerical staff. PHN Director Marchel and HS Director Pugleasa indicated that there was some administrative

support, however, some duties were spread out between the auditor and the Personnel Department.

Chairperson Miller expressed his concern that some staff may perceive this as “big brother” watching over their shoulder. PHN Director Marchel indicated that she never felt this way. Rather, she felt this position provided assistance in various ways.

Commissioner Zmyewski inquired if there was anything specific in Houston County that they felt could be improved by adding this position. PHN Director Marchel responded that the current chain of command is not clear, and that department heads have five bosses. She used the example of implementing a public health nuisance ordinance. She stated that this involves many departments and without an Administrator it can be difficult to coordinate the process.

Commissioner Zmyewski inquired whether they felt there were any problematic areas that an Administrator could help with. Mr. Pugleasa responded that cross-departmental issues, such as the county budget, could benefit. He feels that Houston County has a lot of committed department heads, and he felt an Administrator would help to unify them. As a new department head, he initially found it challenging to figure out the process to get certain things accomplished. PHN Director Marchel added that the budget process seems cumbersome, and sometimes changes by year due to a change in the elected board. She felt having a county vision was important, especially with resources shrinking.

Commissioner Arnold stated that he felt there is cooperation between department heads, however, he felt it was needed at a different level. Further, he felt the county has not done a good job of following through on a vision.

Commissioner Connor inquired as to the relationship between 5 commissioners and a coordinator/administrator. PHN Director Marchel responded that there was a lot of dialog between commissioners and the administrator. In Beltrami County the board generally met with the administrator in open session for about an hour in order for the administrator to relay information to the board, during which time no action was taken. The regular board meeting was held immediately after this session.

After discussion, the Board thanked PHN Director Marchel and HS Director Pugleasa for their insight into this matter.

Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to reappoint Maynard Welscher to the Crooked Creek Watershed Board of a three year term to expire November 30, 2020.

Discussion was held as to whether members of committees should be automatically reappointed without opening up vacancies to the public.

Commissioner Arnold reported on a water meeting which he attended. He indicated that funding is an issue.

Commissioner Connor reported on a Justice Center meeting which he attended regarding streamlining of processes.

Commissioner Zmyewski reported that the AMC is willing to make a presentation regarding the pros and cons of coordinators and administrators. They also are willing to bring both a coordinator and an administrator along to answer specific questions about their roles. It was agreed that Commissioner Zmyewski will work with AMC in order to schedule this.

Chairperson Miller reported on conference calls held yesterday regarding the refinancing of county bonds.

Bets Reedy reported on Judge Leahy's decision with regard to banning frac sand in Winona County.

Yvonne Krogstad inquired what is happening with the highway department building. Commissioner Connor responded that a landowner with property adjacent to the existing shop is interested in selling land to the county. He was charged with obtaining appraisals, which he received yesterday. A closed session will be scheduled for the next meeting in this regard.

Bruce Kuehmichel stated that he hopes the County Board understands that an administrator/coordinator would not be responsible for creating the county's vision. The vision should be created by the Board.

Jeremy Chipps commended Commissioner Arnold on his statements regarding hiring and administrator. He also expressed concern regarding rail safety.

Brief discussion was held regarding appointments to the Board of Adjustment and the Planning Commission. Three options were presented previously, and it was agreed to discuss these options at the next meeting.

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

File No. 9 – Correspondence to Payroll regarding various employment changes

There being no further business and the time being 11:34 a.m., motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, December 12, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, December 12, 2017 9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Deputy Auditor Erickson; Reporter Moorhead; Yvonne Krogstad; Bruce Kuehmichel; Chris Mickelson-Ehlers & Associates; Employees present for awards; Craig Oscarson, Mower County Administrator

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Zmyewski to table the Drop Site discussion until next week. The motion was seconded by Commissioner Connor and carried unanimously.

Motion was made by Commissioner Miller, seconded by Commissioner Arnold, and unanimously carried to approve the agenda.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor and unanimously carried to approve the minutes of the November 28, 2017 meeting.

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

County Revenue Fund	\$ 97,385.47
Road & Bridge Fund	187,285.36

Total	\$284,670.83
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File No. 2 – At this time EDA Director Bergey met with the Board and reported on an application for an EDA loan on behalf of Todd Lemke for gap financing in connection with the purchase of Caledonia Oil. Motion was made by Commissioner Conner, seconded by Commissioner Arnold and unanimously carried to approve Todd Lemke’s loan in the amount of \$25,000 from the Revolving Loan Fund.

File No. 3 – Finance Director Lapham reported on the refinancing of the 2009C Bonds and the 2010B Bonds, with General Obligation Refunding Bonds, Series 2017A in the amount of \$9,380,000.

Commissioner Walter introduced the following resolution and moved its adoption, which motion was seconded by Commissioner Arnold:

RESOLUTION 17-54

RESOLUTION AUTHORIZING ISSUANCE, AWARDING SALE, PRESCRIBING THE FORM AND DETAILS AND PROVIDING FOR THE PAYMENT OF \$9,380,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017A

BE IT RESOLVED by the Board of Commissioners (the “Board”) of Houston County, Minnesota (the “County”), as follows:

SECTION 1. AUTHORIZATION AND SALE.

1.01. Authorization. The Board hereby determines that it is in the best interest of the County to issue its \$9,380,000 General Obligation Refunding Bonds, Series 2017A (the “Bonds”), pursuant to Minnesota Statutes, Section 641.23 and Chapter 475. The proceeds of the Bonds will be used to (i) refund in advance of maturity and prepay on February 1, 2020 (the “Series 2009C Redemption Date”) a portion of the 2025 maturity and the 2026 through 2030 maturities, aggregating \$4,045,000 in principal amount, of the County’s \$7,250,000 General Obligation Jail Bonds, Series 2009C, dated, as originally issued, as of October 27, 2009 (the “Series 2009C Refunded Bonds”) and (ii) refund in advance of maturity and prepay on February 1, 2021 (the “Series 2010B Redemption Date”) the 2023 through 2031 maturities, aggregating \$5,220,000 in principal amount, of the County’s \$5,220,000 General Obligation Jail Bonds, Series 2010B, dated, as originally issued, as of December 7, 2010 (the “Series 2010B Refunded Bonds”, and together with the Series 2009C Refunded Bonds, the “Refunded Bonds”). The refunding is being carried out for the purpose described in Minnesota Statutes, Section 475.67, subdivision 3, section (b)(2)(i) and in compliance with Minnesota Statutes, Chapter 475. The portion of the Bonds allocable to the refunding of the Series 2009C Refunded Bonds, \$4,015,000, shall be referred to herein as the “Series 2009C Refunding Bonds,” and the portion of the Bonds allocable to the refunding of the Series 2010B Refunded Bonds, \$5,365,000, shall be referred to herein as the “Series 2010B Refunding Bonds.” Each Redemption Date is the earliest date upon which the respective series of Refunded Bonds may be redeemed without payment of premium.

1.02. Sale. The County has retained Ehlers & Associates, Inc. as independent municipal advisor in connection with the sale of the Bonds. The Bonds are being sold pursuant to Minnesota Statutes, Section 475.60, Subdivision 2, paragraph (9), without meeting the requirements for public sale under Minnesota Statutes, Section 475.60, Subdivision 1. Pursuant to the Official Statement for the Bonds, proposals for the purchase of the Bonds were received at or before the time specified for receipt of proposals. The proposals have been opened and publicly read and considered, and the purchase price, interest rates and true interest cost under the terms of each bid have been determined. The most favorable proposal received is that of FTN Financial Capital Markets, of Memphis, Tennessee (the “Purchaser”), to purchase the

Bonds at a price of \$9,816,787.69, the Bonds to bear interest at the rates set forth in Section 2.02. The proposal is hereby accepted, and the Chairperson and the County Auditor are hereby authorized and directed to execute a contract on the part of the County for the sale of the Bonds with the Purchaser. The good faith deposit of the Purchaser shall be retained and deposited by the County until the Bonds have been delivered and shall be deducted from the purchase price paid at settlement.

1.03. Savings. It is hereby determined that:

(a) by the issuance of the Bonds the County will realize a substantial interest rate reduction, a gross savings of approximately \$813,817.78 and a present value savings (using the yield on the Bonds, computed in accordance with Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), as the discount factor) of approximately \$687,173.62; and

(b) as of the Series 2009C Redemption Date, the sum of (i) the present value of the debt service on the Series 2009C Refunding Bonds, computed to their stated maturity dates, after deducting any premium, using the yield of the Series 2009C Refunding Bonds as the discount rate, plus (ii) any expenses of the refunding payable from a source other than the proceeds of the Bonds or investment earnings thereon, is lower by 6.693% than the present value of the debt service on the Series 2009C Refunded Bonds, exclusive of any premium, computed to their stated maturity dates, using the yield of the Series 2009C Refunding Bonds as the discount rate; and

(c) as of the Series 2010B Redemption Date, the sum of (i) the present value of the debt service on the Series 2010B Refunding Bonds, computed to their stated maturity dates, after deducting any premium, using the yield of the Series 2010B Refunding Bonds as the discount rate, plus (ii) any expenses of the refunding payable from a source other than the proceeds of the Bonds or investment earnings thereon, is lower by 6.062% than the present value of the debt service on the Series 2010B Refunded Bonds, exclusive of any premium, computed to their stated maturity dates, using the yield of the Series 2010B Refunding Bonds as the discount rate.

SECTION 2. BOND TERMS; REGISTRATION; EXECUTION AND DELIVERY.

2.01. Issuance of Bonds. All acts, conditions and things which are required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed precedent to and in the valid issuance of the Bonds having been done, now existing, having happened and having been performed, it is now necessary for the Board to establish the form and terms of the Bonds, to provide security therefor and to issue the Bonds forthwith.

2.02. Maturities; Interest Rates; Denominations and Payment. The Bonds shall be originally dated as of the date of issuance thereof, shall be in the denomination of \$5,000 each, or any integral multiple thereof, of single maturities, shall mature on February 1 in the years and amounts stated below, and shall bear interest from date of issue until paid or duly called for redemption at the annual rates set forth opposite such years and amounts, as follows:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2019	\$ 65,000	2.00%	2026	\$1,105,000	3.00%
2020	90,000	2.00	2027	1,140,000	3.00
2021	60,000	2.00	2028	1,170,000	3.00
2022	205,000	2.00	2029	1,205,000	3.00
2023	445,000	2.00	2030	1,240,000	3.00
2024	445,000	3.00	2031	1,315,000	3.00
2025	895,000	3.00			

For purposes of compliance with Minnesota Statutes, Section 475.54, the maturity schedule for the Bonds shall be combined with the maturity schedule for the other general obligation bonds of the County issued or outstanding on the date of issuance of the Bonds. The Bonds shall be issuable only in fully registered form. Interest shall be computed on the basis of a 360-day year composed of twelve 30-day months. The interest on and, upon surrender of each Bond, the principal amount thereof, shall be payable by check or draft issued by the Registrar described herein, provided that, so long as the Bonds are registered in the name of a securities depository, or a nominee thereof, in accordance with Section 2.08 hereof, principal and interest shall be payable in accordance with the operational arrangements of the securities depository.

2.03. Dates and Interest Payment Dates. Upon initial delivery of the Bonds pursuant to Section 2.07 and upon any subsequent transfer or exchange pursuant to Section 2.06, the date of authentication shall be noted on each Bond so delivered, exchanged or transferred. Interest on the Bonds shall be payable on February 1 and August 1 in each year, commencing August 1, 2018, each such date being referred to herein as an Interest Payment Date, to the persons in whose names the Bonds are registered on the Bond Register, as hereinafter defined, at the Registrar's close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date, whether or not such day is a business day.

2.04 Redemption. Bonds maturing in 2028 and later years shall be subject to redemption at the option of the County, in whole or in part, in such order of maturity dates as the County may select and, within a maturity, by lot as selected by the Registrar (or, if applicable, by the bond depository in accordance with its customary procedures), in integral multiples of \$5,000, on February 1, 2027, and on any date thereafter, at a price equal to 100% of the principal amount thereof and accrued interest to the date of redemption. At least 30 days before the date specified for redemption of any Bond, the County Auditor shall cause notice of redemption to be published if and as required by law, and mailed by first class mail, postage prepaid, to the Registrar and to the Holders, as hereinafter defined, of all Bonds to be redeemed at their addresses as they appear on the Bond Register, provided that notice shall be given to any securities depository in accordance with its operational arrangements. No defect in or failure to give such notice of redemption shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure.

2.05. Appointment of Initial Registrar. The County hereby appoints Bond Trust Services Corporation in Roseville, Minnesota, as the initial bond registrar, transfer agent and paying agent (the “Registrar”). The Chair and County Auditor are authorized to execute and deliver, on behalf of the County, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company organized under the laws of the United States or one of the states of the United States and authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The County agrees to pay the reasonable and customary charges of the Registrar for the services performed. The County reserves the right to remove the Registrar, effective upon not less than thirty days’ written notice and upon the appointment and acceptance of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the Bond Register to the successor Registrar.

2.06. Registration. The effect of registration and the rights and duties of the County and the Registrar with respect thereto shall be as follows:

(a) Register. The Registrar shall keep at its principal corporate trust office a register (the “Bond Register”) in which the Registrar shall provide for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged. The term Holder or Bondholder as used herein shall mean the person (whether a natural person, corporation, association, partnership, trust, governmental unit, or other legal entity) in whose name a Bond is registered in the Bond Register.

(b) Transfer of Bonds. Upon surrender for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until such interest payment date.

(c) Exchange of Bonds. Whenever any Bonds are surrendered by the registered owner for exchange the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity, as requested by the registered owner or the owner’s attorney in writing.

(d) Cancellation. All Bonds surrendered for payment, transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of. The Registrar shall furnish the County at least once each year a certificate setting forth the principal amounts and numbers of Bonds canceled and destroyed.

(e) Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The County and the Registrar may treat the person in whose name any Bond is at any time registered in the bond register as the absolute owner of the Bond, whether the Bond shall be overdue or not, for the purpose of receiving payment of or on account of, the principal of and interest on the Bond and for all other purposes; and all payments made to any registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability upon Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Bonds (except for an exchange upon a partial redemption of a Bond), the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the County and the Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the County. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it shall not be necessary to issue a new Bond prior to payment.

(i) Authenticating Agent. The Registrar is hereby designated authenticating agent for the Bonds, within the meaning of Minnesota Statutes, Section 475.55, Subdivision 1, as amended.

(j) Valid Obligations. All Bonds issued upon any transfer or exchange of Bonds shall be the valid obligations of the County, evidencing the same debt, and entitled to the same benefits under this Resolution as the Bonds surrendered upon such transfer or exchange.

2.07. Execution, Authentication and Delivery. The Bonds shall be prepared under the direction of the County Auditor and shall be executed on behalf of the County by the signatures

of the Chair and County Auditor, provided that the signatures may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery. Notwithstanding such execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this resolution. When the Bonds have been prepared, executed and authenticated, the County Auditor shall deliver them to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore executed, and the Purchaser shall not be obligated to see to the application of the purchase price.

2.08. Securities Depository. (a) For purposes of this section the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person's subrogee.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participant” shall mean any broker-dealer, bank or other financial institution for which DTC holds Bonds as securities depository.

“Representation Letter” shall mean the Representation Letter pursuant to which the County agrees to comply with DTC's Operational Arrangements.

(b) The Bonds shall be initially issued as separately authenticated fully registered bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. The Registrar and the County may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to registered owners of Bonds under this resolution, registering the transfer of Bonds, and for all other purposes whatsoever, and neither the Registrar nor the County shall be affected by any notice to the contrary. Neither the Registrar nor the County shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person which is not shown on the bond register as being a

registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this resolution, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. So long as any Bond is registered in the name of Cede & Co., as nominee of DTC, the Registrar shall pay all principal of and interest on such Bond, and shall give all notices with respect to such Bond, only to Cede & Co. in accordance with DTC's Operational Arrangements, and all such payments shall be valid and effective to fully satisfy and discharge the County's obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the County to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with paragraph (e) hereof.

(c) In the event the County determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds in the form of bond certificates, the County may notify DTC and the Registrar, whereupon DTC shall notify the Participants of the availability through DTC of Bonds in the form of certificates. In such event, the Bonds will be transferable in accordance with paragraph (e) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the County and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with paragraph (e) hereof.

(d) The execution and delivery of the Representation Letter to DTC by the Chair or County Auditor is hereby authorized and directed.

(e) In the event that any transfer or exchange of Bonds is permitted under paragraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this resolution. In the event Bonds in the form of certificates are issued to owners other than Cede & Co., its successor as nominee for DTC as owner of all the Bonds, or another securities depository as owner of all the Bonds, the provisions of this resolution shall also apply to all matters relating thereto, including, without limitation, the printing of such Bonds in the form of bond certificates and the method of payment of principal of and interest on such Bonds in the form of bond certificates.

2.09. Form of Bonds. The Bonds shall be prepared in substantially the attached hereto as Exhibit A.

SECTION 3. USE OF PROCEEDS. The County Auditor is hereby authorized and directed, simultaneously with the delivery of the Bonds, to deposit proceeds thereof in the amount of \$9,726,207.93, in escrow with U.S. Bank National Association in St. Paul, Minnesota (the "Escrow Agent"), and shall invest the funds so deposited in securities authorized for such

purpose, maturing on such dates and bearing interest at such rates as are required to provide funds sufficient, with cash retained in an escrow account (the “Escrow Account”), to (i) pay the interest through and including and to redeem the Series 2009C Refunded Bonds on the Series 2009C Redemption Date and (ii) pay the interest through and including and to redeem the Series 2010B Refunded Bonds on the Series 2010B Redemption Date. The Chair and the County Auditor are hereby authorized to enter into an escrow agreement with the Escrow Agent (the “Escrow Agreement”) establishing the terms and conditions for the escrow account in accordance with Minnesota Statutes, Section 475.67.

(b) Of the remaining proceeds of the Bonds, the amount of \$88,068.00 shall be applied to pay issuance expenses and contingencies, and \$2,511.76 shall be deposited in the special General Obligation Refunding Bonds, Series 2017A Bond Fund (hereinafter defined).

SECTION 4. GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017A BOND FUND. The Bonds shall be payable from a separate and special General Obligation Refunding Bonds, Series 2017A Bond Fund (the “Bond Fund”) of the County, which the County agrees to maintain until the Bonds have been paid in full. If the money in the Bond Fund should at any time be insufficient to pay principal and interest due on the Bonds, such amounts shall be paid from other moneys on hand in other funds of the County, which other funds shall be reimbursed therefor when sufficient money becomes available in the Bond Fund. The moneys on hand in the Bond Fund from time to time shall be used only to pay the principal of and interest on the Bonds. Into the Bond Fund shall be paid: (a) the amounts specified in Section 3; (b) ad valorem taxes collected in accordance with the provisions of Section 5 hereof; and (c) any other funds appropriated by the Board for the payment of the Bonds.

There are hereby established two accounts in the Bond Fund, designated as the “Debt Service Account” and the “Surplus Account.” All money appropriated or to be deposited in the Bond Fund shall be deposited as received into the Debt Service Account. On each February 1, the County Auditor shall determine the amount on hand in the Debt Service Account after payment of the principal of and interest on the Bonds due on that date. If such amount is in excess of one-twelfth of the debt service payable from the Bond Fund in the immediately preceding 12 months, the County Auditor shall promptly transfer the amount in excess to the Surplus Account. Amounts on hand in the Surplus Account shall (unless an opinion is otherwise received from bond counsel) be invested at a yield which does not exceed the yield on the Bonds calculated in accordance with Section 148 of the Code. If at any time the amount on hand in the Debt Service Account is insufficient for the payment of principal and interest then due, the County Auditor shall transfer to the Debt Service Account amounts on hand in the Surplus Account to the extent necessary to cure such deficiency. Investment earnings (and losses) on amounts from time to time held in the Debt Service Account and Surplus Account shall be credited or charged to said accounts.

If the aggregate balance in the Bond Fund is at any time insufficient to pay all interest and principal then due on all Bonds payable therefrom, the payment shall be made from any fund of the County which is available for that purpose, subject to reimbursement from the Surplus Account in the Bond Fund when the balance therein is sufficient, and the County Board

covenants and agrees that it will each year levy a sufficient amount of ad valorem taxes to take care of any accumulated or anticipated deficiency, which levy is not subject to any constitutional or statutory limitation.

SECTION 5. PLEDGE OF TAXING POWERS. For the prompt and full payment of the principal of and interest on the Bonds as such payments respectively become due, the County hereby irrevocably pledges its full faith, credit and unlimited taxing powers. In order to produce aggregate amounts which, together with the collections of other amounts as set forth in Section 4, will produce amounts not less than 5% in excess of the amounts needed to meet when due the principal and interest payments on the Bonds, ad valorem taxes are hereby levied on all taxable property in the County. The taxes will be levied and collected in the following years and amounts:

<u>Levy Years</u>	<u>Collection Years</u>	<u>Amount</u>
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(see attached Schedule I)

SECTION 6. DEFEASANCE. When all of the Bonds have been discharged as provided in this section, all pledges, covenants and other rights granted by this Resolution to the registered owners of the Bonds shall cease. The County may discharge its obligations with respect to any Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full; or, if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued from the due date to the date of such deposit. The County may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank or trust company qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such time and at such rates and maturing or callable at the holder's option on such dates as shall be required to pay all principal and interest to become due thereon to maturity.

SECTION 7. CERTIFICATION OF PROCEEDINGS.

7.01. Registration of Bonds. The County Auditor is hereby authorized and directed to file a certified copy of this resolution and prepare a certificate that the Bonds have been duly entered upon the Auditor's bond register and the tax required by law has been levied.

7.02. Authentication of Transcript. The officers of the County are hereby authorized and directed to prepare and furnish to the Purchaser and to Dorsey & Whitney LLP, Bond Counsel, certified copies of all proceedings and records relating to the Bonds and such other affidavits, certificates and information as may be required to show the facts relating to the legality and marketability of the Bonds, as the same appear from the books and records in their custody and control or as otherwise known to them, and all such certified copies, affidavits and certificates, including any heretofore furnished, shall be deemed representations of the County as to the correctness of all statements contained therein.

7.03. Official Statement. The Preliminary Official Statement relating to the Bonds, dated November 30, 2017, and Addendum thereto dated December 7, 2017, prepared and distributed by Ehlers & Associates, Inc., the financial advisor for the County, is hereby approved. Ehlers & Associates, Inc. is hereby authorized on behalf of the County to prepare and deliver to the Purchaser within seven business days from the date hereof a supplement thereto listing the offering price, the interest rates, selling compensation, delivery date, the underwriters and such other information relating to the Bonds required to be included in the Official Statement by Rule 15c2-12 adopted by Securities and Exchange Commission (the “SEC”) under the Securities Exchange Act of 1934. The officers of the County are hereby authorized and directed to execute such certificates as may be appropriate concerning the accuracy, completeness and sufficiency of the Official Statement.

SECTION 8. TAX COVENANTS; ARBITRAGE MATTERS AND CONTINUING DISCLOSURE.

8.01. General Tax Covenant. The County covenants and agrees with the registered owners of the Bonds that it will not take, or permit to be taken by any of its officers, employees or agents, any actions that would cause interest on the Bonds to become includable in gross income of the recipient under the Internal Revenue Code of 1986, as amended (the “Code”) and applicable Treasury Regulations (the “Regulations”), and covenants to take any and all actions within its powers to ensure that the interest on the Bonds will not become includable in gross income of the recipient under the Code and the Regulations. It is hereby certified that the proceeds of the Refunded Bonds were used for the acquisition and betterment of municipal infrastructure improvements owned and maintained by the County, and the County covenants and agrees that, so long as the Bonds are outstanding, the County shall not enter into any lease, management agreement, use agreement or other contract with any nongovernmental entity relating to the improvements so financed which would cause the Bonds to be considered “private activity bonds” or “private loan bonds” pursuant to Section 141 of the Code.

8.02. Arbitrage Certification. The Chair and County Auditor being the officers of the County charged with the responsibility for issuing the Bonds pursuant to this resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with Section 148 of the Code, and applicable Regulations, stating the facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds which make it reasonable to expect that the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be “arbitrage bonds” within the meaning of the Code and Regulations.

8.03. Arbitrage Rebate Exemption. The County acknowledges that the Bonds are subject to the rebate requirements of Section 148(f) of the Code. The County covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Regulations unless the Bonds qualify for an exception from the rebate requirement pursuant to one of the spending exceptions set forth in Section 1.148-7 of the Regulations and no “gross proceeds” of the Bonds (other than amounts constituting a “bona fide debt service fund”) arise during or after the expenditure of the original proceeds thereof.

8.04. Redemption of Refunded Bonds. The County Auditor is hereby directed to advise Bond Trust Services Corporation, as paying agent for the Refunded Bonds, to call such bonds for redemption and prepayment on the respective Redemption Date, and to give thirty days mailed Notice of Redemption, all in accordance with the Escrow Agreement and the provisions of the resolutions authorizing the issuance of such bonds.

8.05. Qualified Tax-Exempt Obligations. The Board hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code relating to the disallowance of interest expense for financial institutions, and hereby finds that the reasonably anticipated amount of tax-exempt obligations which are not private activity bonds (not treating qualified 501(c)(3) bonds under Section 145 of the Code as private activity bonds for the purpose of this representation) and are not excluded from this calculation by Section 265(b)(3)(C)(ii)(III) of the Code which have been and will be issued by the County and all subordinate entities during calendar year 2017 does not exceed \$10,000,000.

8.06. Continuing Disclosure. (a) Purpose and Beneficiaries. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit the Purchaser and other participating underwriters in the primary offering of the Bonds to comply with amendments to Rule 15c2-12 promulgated by the SEC under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12), relating to continuing disclosure (as in effect and interpreted from time to time, the Rule), which will enhance the marketability of the Bonds, the County hereby makes the following covenants and agreements for the benefit of the Owners (as hereinafter defined) from time to time of the outstanding Bonds. The County is the only obligated person in respect of the Bonds within the meaning of the Rule for purposes of identifying the entities in respect of which continuing disclosure must be made. If the County fails to comply with any provisions of this section, any person aggrieved thereby, including the Owners of any outstanding Bonds, may take whatever action at law or in equity may appear necessary or appropriate to enforce performance and observance of any agreement or covenant contained in this section, including an action for a writ of mandamus or specific performance. Direct, indirect, consequential and punitive damages shall not be recoverable for any default hereunder to the extent permitted by law. Notwithstanding anything to the contrary contained herein, in no event shall a default under this section constitute a default under the Bonds or under any other provision of this resolution. As used in this section, Owner or Bondowner means, in respect of a Bond, the registered owner or owners thereof appearing in the bond register maintained by the Registrar or any Beneficial Owner (as hereinafter defined) thereof, if such Beneficial Owner provides to the Registrar evidence of such beneficial ownership in form and substance reasonably satisfactory to the Registrar. As used herein, Beneficial Owner means, in respect of a Bond, any person or entity which (i) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, such Bond (including persons or entities holding Bonds through nominees, depositories or other intermediaries), or (ii) is treated as the owner of the Bond for federal income tax purposes.

(b) Information To Be Disclosed. The County will provide, in the manner set forth in subsection (c) hereof, either directly or indirectly through an agent designated by the County, the following information at the following times:

- (1) on or before twelve (12) months after the end of each fiscal year of the County, commencing with the fiscal year ending December 31, 2017, the following financial information and operating data in respect of the County (the Disclosure Information):
 - (A) the audited financial statements of the County for such fiscal year, prepared in accordance with the governmental accounting standards promulgated by the Governmental Accounting Standards Board or as otherwise provided under Minnesota law, as in effect from time to time, or, if and to the extent such financial statements have not been prepared in accordance with such generally accepted accounting principles for reasons beyond the reasonable control of the County, noting the discrepancies therefrom and the effect thereof, and certified as to accuracy and completeness in all material respects by the fiscal officer of the County; and
 - (B) to the extent not included in the financial statements referred to in paragraph (A) hereof, the information for such fiscal year or for the period most recently available of the type contained in the Official Statement under headings: “VALUATIONS—Current Property Valuations,” “DEBT—Direct Debt,” and “TAX RATES, LEVIES AND COLLECTIONS—Tax Levies and Collections” and “GENERAL INFORMATION—US Census Data-Population Trend” and “-Employment / Unemployment Data,” which information may be unaudited.

Notwithstanding the foregoing paragraph, if the audited financial statements are not available by the date specified, the County shall provide on or before such date unaudited financial statements and, within 10 days after the receipt thereof, the County shall provide the audited financial statements. Any or all of the Disclosure Information may be incorporated by reference, if it is updated as required hereby, from other documents, including official statements, which have been submitted to the Municipal Securities Rulemaking Board (the MSRB) through its Electronic Municipal Market Access System (EMMA) or the SEC. The County shall clearly identify in the Disclosure Information each document so incorporated by reference. If any part of the Disclosure Information can no longer be generated because the operations of the County have materially changed or been discontinued, such Disclosure Information need no longer be provided if the County includes in the Disclosure Information a statement to such effect; provided, however, if such operations have been replaced by other County operations in respect of which data is not included in the Disclosure Information and the County determines that certain specified data regarding such replacement operations would be a Material Fact (as defined in paragraph (2) hereof), then, from and after such determination, the Disclosure Information shall include such additional specified data regarding the replacement operations. If the Disclosure Information is changed or this section is amended as permitted by this paragraph (b)(1) or subsection (d), then the County shall include in the next Disclosure Information to be

delivered hereunder, to the extent necessary, an explanation of the reasons for the amendment and the effect of any change in the type of financial information or operating data provided.

- (2) In a timely manner, not in excess of 10 business days after the occurrence of the event, to the MSRB through EMMA, notice of the occurrence of any of the following events (each a “Material Fact,” as hereinafter defined):
 - (A) principal and interest payment delinquencies;
 - (B) non-payment related defaults, if material;
 - (C) unscheduled draws on debt service reserves reflecting financial difficulties;
 - (D) unscheduled draws on credit enhancements reflecting financial difficulties;
 - (E) substitution of credit or liquidity providers, or their failure to perform;
 - (F) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
 - (G) modifications to rights of Bond holders, if material;
 - (H) Bond calls, if material and tender offers;
 - (I) defeasances;
 - (J) release, substitution, or sale of property securing repayment of the Bonds if material;
 - (K) rating changes;
 - (L) bankruptcy, insolvency, receivership, or similar event of the obligated person;
 - (M) the consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
 - (N) appointment of a successor or additional trustee or the change of name of a trustee, if material.

As used herein, for those events that must be reported if material, an event is material if a substantial likelihood exists that a reasonably prudent investor would attach importance thereto in deciding to buy, hold or sell a Bond or, if not disclosed, would significantly alter the total information otherwise available to an investor from the Official Statement, information disclosed hereunder or information generally available to the public. Notwithstanding the foregoing sentence, an event is also material if it would be deemed material for purposes of the purchase, holding or sale of a Bond within the meaning of applicable federal securities laws, as interpreted at the time of discovery of the occurrence of the event.

For the purposes of the event identified in (L) hereinabove, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(3) In a timely manner, to the MSRB through EMMA, notice of the occurrence of any of the following events or conditions:

- (A) the failure of the County to provide the Disclosure Information required under paragraph (b)(1) at the time specified thereunder;
- (B) the amendment or supplementing of this section pursuant to subsection (d), together with a copy of such amendment or supplement and any explanation provided by the County under subsection (d)(2);
- (C) the termination of the obligations of the County under this section pursuant to subsection (d);
- (D) any change in the accounting principles pursuant to which the financial statements constituting a portion of the Disclosure Information are prepared; and
- (E) any change in the fiscal year of the County.

(c) Manner of Disclosure.

- (1) The County agrees to make available to the MSRB through EMMA, in an electronic format as prescribed by the MSRB, the information described in subsection (b).
- (2) All documents provided to the MSRB pursuant to this subsection (c) shall be accompanied by identifying information as prescribed by the MSRB from time to time.

(d) Term; Amendments; Interpretation.

- (1) The covenants of the County in this section shall remain in effect so long as any Bonds are outstanding. Notwithstanding the preceding sentence, however, the obligations of the County under this section shall terminate and be without further effect as of any date on which the County delivers to the Registrar an opinion of Bond Counsel to the effect that, because of legislative action or final judicial or administrative actions or proceedings, the failure of the County to comply with the requirements of this section will not cause participating underwriters in the

primary offering of the Bonds to be in violation of the Rule or other applicable requirements of the Securities Exchange Act of 1934, as amended, or any statutes or laws successory thereto or amendatory thereof.

- (2) This section (and the form and requirements of the Disclosure Information) may be amended or supplemented by the County from time to time, without notice to (except as provided in paragraph (c)(2) hereof) or the consent of the Owners of any Bonds, by a resolution of this Board filed in the office of the recording officer of the County accompanied by an opinion of Bond Counsel, who may rely on certificates of the County and others and the opinion may be subject to customary qualifications, to the effect that: (i) such amendment or supplement (a) is made in connection with a change in circumstances that arises from a change in law or regulation or a change in the identity, nature or status of the County or the type of operations conducted by the County, or (b) is required by, or better complies with, the provisions of paragraph (b)(5) of the Rule; (ii) this section as so amended or supplemented would have complied with the requirements of paragraph (b)(5) of the Rule at the time of the primary offering of the Bonds, giving effect to any change in circumstances applicable under clause (i)(a) and assuming that the Rule as in effect and interpreted at the time of the amendment or supplement was in effect at the time of the primary offering; and (iii) such amendment or supplement does not materially impair the interests of the Bondowners under the Rule.

If the Disclosure Information is so amended, the County agrees to provide, contemporaneously with the effectiveness of such amendment, an explanation of the reasons for the amendment and the effect, if any, of the change in the type of financial information or operating data being provided hereunder.

- (2) This section is entered into to comply with the continuing disclosure provisions of the Rule and should be construed so as to satisfy the requirements of paragraph (b)(5) of the Rule.

SECTION 9. PAYMENT OF ISSUANCE COSTS. The County authorizes the Purchaser to forward the amount of Bond proceeds allocable to the payment of issuance expenses to Klein Bank, on the closing date for further distribution as directed by the County's financial advisor, Ehlers & Associates, Inc.

Upon vote being take thereon, the following voted in favor thereof: Commissioners Miller, Zmyewski, Connor, Walter & Arnold

and the following voted against the same: None

whereupon the resolution was declared duly passed and adopted.

SCHEDULE I

Tax Levies

TAX LEVY CALCULATION	Issue ID#	331234
Houston County, MN	Dated Date:	12/27/2017
\$9,380,000 General Obligation Refunding	Call Date:	2/1/2027
Bonds, Series 2017A		

Partial Net Cash Refunding Series 2009C I Net Cash Refunding Series 2010B

Tax Levy Year	/	Tax Collect Year	/	Bond Pay Year	Total P & I	P & I @ 105%	Net Levy
2017	/	2018	/	2019	363,509.72	381,685.21	381,685.21
2018	/	2019	/	2020	361,450.00	379,522.50	379,522.50
2019	/	2020	/	2021	329,650.00	346,132.50	346,132.50
2020	/	2021	/	2022	473,450.00	497,122.50	497,122.50
2021	/	2022	/	2023	709,350.00	744,817.50	744,817.50
2022	/	2023	/	2024	700,450.00	735,472.50	735,472.50
2023	/	2024	/	2025	1,137,100.00	1,193,955.00	1,193,955.00
2024	/	2025	/	2026	1,320,250.00	1,386,262.50	1,386,262.50
2025	/	2026	/	2027	1,322,100.00	1,388,205.00	1,388,205.00
2026	/	2027	/	2028	1,317,900.00	1,383,795.00	1,383,795.00
2027	/	2028	/	2029	1,317,800.00	1,383,690.00	1,383,690.00
2028	/	2029	/	2030	1,316,650.00	1,382,482.50	1,382,482.50
2029	/	2030	/	2031	1,354,450.00	1,422,172.50	1,422,172.50
Totals					12,024,109.72	12,625,315.21	12,625,315.21

Notes: Original tax levies for collection years 2023 (partial) through 2029 on the Series 2009C Bonds will be cancelled and the original tax levies for collection years 2021 through 2030 on the Series 2010B Bonds will be cancelled.

EXHIBIT A

UNITED STATES OF AMERICA
STATE OF MINNESOTA

HOUSTON COUNTY

GENERAL OBLIGATION REFUNDING BOND, SERIES 2017A

R-_____ \$_____

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP No.</u>
___%	February 1, 20__	December 27, 2017	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: THOUSAND DOLLARS

HOUSTON COUNTY, MINNESOTA (the "County"), acknowledges itself to be indebted and hereby promises to pay to the registered owner named above, or registered assigns, the principal amount specified above on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above, all subject to the provisions referred to herein with respect to the redemption of the principal of the Bond before maturity. Interest hereon is payable on February 1 and August 1 in each year, commencing August 1, 2018, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. Interest hereon shall be computed on the basis of a 360-day year composed of twelve 30-day months. The interest hereon and, upon presentation and surrender hereof at the principal office of the agent of the Registrar described below, the principal hereof are payable in lawful money of the United States of America by check or draft drawn on Bond Trust Services Corporation in Roseville, Minnesota, as bond registrar, transfer agent and paying agent, or its successor designated under the Resolution described herein (the "Registrar"), or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the County have been and are hereby irrevocably pledged.

This Bond is one of an issue (the "Bonds") in the aggregate principal amount of \$9,380,000, issued pursuant to a resolution adopted by the County Board on December 12, 2017 (the "Resolution") to provide funds to refund certain outstanding general obligation bonds of the County, and is issued pursuant to and in full conformity with the Constitution and laws of the State of Minnesota thereunto enabling, including Minnesota Statutes Chapter 475. The Bonds are issuable only in fully registered form, in the denomination of \$5,000 or any integral multiple thereof, of single maturities.

Bonds having stated maturity dates in the years 2028 and thereafter are each subject to redemption at the option of the County, in whole or in part, in such order of maturity dates as the County may select and, within a maturity, by lot as selected by the Registrar (or, if applicable, by the bond depository in accordance with its customary procedures), in integral multiples of \$5,000, on February 1, 2027, and on any date thereafter, at a price equal to 100% of the principal amount thereof plus interest accrued to the date of redemption. At least 30 days before the date specified for the redemption of any Bond the County will cause notice of redemption to be published if and to the extent required by law, and to be mailed by first class mail (or, if applicable, provided in accordance with the operational arrangements of the bond depository), to the registered owner of any Bond to be redeemed at the owner's address as it appears on the Bond Register maintained by the Registrar, but no defect in or failure to give such notice of redemption shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure. Upon surrender to the Registrar of any Bond which has been redeemed in part, a new Bond or Bonds will be delivered to the owner without charge, representing the unredeemed portion of the principal of the Bond so surrendered.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the County at the principal office of the Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner's attorney, and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the County will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The County and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the County nor the Registrar shall be affected by any notice to the contrary.

Notwithstanding any other provisions of this Bond, so long as this Bond is registered in the name of Cede & Co., as nominee of The Depository Trust Company, or in the name of any other nominee of The Depository Trust Company or other securities depository, the Registrar shall pay all principal of and interest on this Bond, and shall give all notices with respect to this Bond, only to Cede & Co. or other nominee in accordance with the operational arrangements of The Depository Trust Company or other securities depository as agreed to by the County.

The Bonds have been designated as "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done, do exist, have happened and have been performed as so required; that, prior to the issuance hereof the Board of Commissioners has levied ad valorem taxes upon all taxable property in the County, which taxes are estimated to be collectible for the years and in amounts sufficient to produce sums not less than five

percent in excess of the principal of and interest on the Bonds when due, and has appropriated such taxes to the payment of such principal and interest; that if necessary for payment of such principal and interest, additional ad valorem taxes are required to be levied upon all taxable property in the County, without limitation as to rate or amount; that the issuance of this Bond, together with all other indebtedness of the County outstanding on the date hereof and on the date of its actual issuance and delivery, does not cause the indebtedness of the County to exceed any constitutional or statutory limitation of indebtedness.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, Houston County, Minnesota, by its Board of Commissioners, has caused this Bond to be executed on its behalf by the facsimile signatures of the Chair and County Auditor.

File No. 4 – Finance Director Lapham reported on proposed budget amendments. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the budget amendments as presented.

File No. 4a - Brief discussion was held regarding the proposed 2018 budget.

File No. 5 – Engineer Pogodzinski requested approval of a 2018 Lease Agreement with Caledonia Implement for a tractor rental. Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to approve the same.

Discussion was held regarding correspondence from Brownsville City regarding the speed limit in Brownsville on County 3 and County 18 and the possibility of either reducing the speed limit or moving the signs further out hoping to slow traffic. Engineer Pogodzinski stated that the Minnesota Department of Transportation wants uniformity throughout the state. Counties do not have much authority in this regard.

File No. 6 – At this time the following employees were recognized for their years of service:

40 Year Awards
Geraldine K Klug
Beverly J Bauer

35 Year Awards
Carolyn J Olson

25 Year Awards

Mary A Zaffke
Michael P Kost
Sharen K Lapham
Cynthia E Melbostad

20 Year Award
Loretta J Lillegraven
Carol A Sherburne

15 Year Awards
Mary M Gulbranson
Matthew Q Papenfuss
Nancy A Welsh

10 Year Awards
Janet A Becker

File No. 7 – Assistant County Attorney Hammell requested approval of a Professional Services Agreement between Minnesota Counties Computer Cooperative and Strategic Technologies Incorporated for the maintenance and support of MCAPS. The agreement will be effective January 1, 2018 through December 31, 2022. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the same.

File No. 8 – Human Services Director Pugleasa requested approval of a 2018-2019 County MFIP Biennial Service Agreement. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to approve the Agreement and to authorize the signature of Chairperson Miller.

File No. 9 – Human Services Director Pugleasa requested approval of a 2018-2019 State of Minnesota – County Child Support Program Interagency Cooperative Agreement in connection with Title IV-D. Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the Agreement and to authorize the signature of Chairperson Miller.

Commissioner Miller inquired as to mental health services which appear to be higher in Houston County than in other counties. Mr. Pugleasa indicated that he will review year end data in an attempt to determine the cause.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to convene a closed session per M.S. 13D.05, subd 3c.

Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to reconvene in open session. The board reported that the closed session was held per M.S. 13D.05, subd 3c to review appraisals of property the county may potentially be interested in purchasing.. This will be studied further before any decisions are made.

Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to appoint Arlyn Pohlman to the Crooked Creek Watershed for a three-year term to expire November 30, 2020 and to thank Wilfred Pohlman for his many years of service on this Board.

File No. 10 – Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to approve Disaster Credit in the amount of \$706.05 for Casey and Corina Jefferson, Parcel 26.0039.000, due to a house fire.

Commissioner Arnold reported on an Extension meeting. He also reported on input he received from department heads regarding the proposed position of county administrator.

Commissioner Zmyewski indicated concerns regarding soil and water and asked that this be added to agenda for next week

Commissioner Walter reported on interviews for Regional Extension Director. She also reported on the AMC Conference sessions she attended.

Discussion was held regarding scheduling performance reviews of department heads.

Commissioner Walter reported on the state Extension meeting which she attended.

Chairperson Miller reported that he attended the AMC Conference and met with representatives of North Woods with whom Houston County contracts in connection with Human Services. He also reported on an Emergency Communications meeting which he attended.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to increase the Board of Adjustment from three members to five members.

File No. 11 – Discussion was held regarding the policy for making appointments to the Board of Adjustment. Commissioner Connor indicated that he felt all commissioners should be involved in choosing the members of the Board of Adjustment. Three potential policies were read and discussed. Discussion was also held regarding the possibility of making these appointments in December prior to newly elected Commissioners taking office. Commissioner Arnold suggested that the Personnel Director be involved as far as overseeing the interview process, but should not have a vote. After discussion, it was the consensus that each

applicant will be asked to complete an application and questionnaire. Each Commissioner will review and rank the applicants. The top two applicants for each position will be given a face to face interview with the Personnel Committee and the Zoning Administrator. The Personnel Director will oversee the interview process, but will have no vote. It was agreed that Commissioner Arnold will draft this proposed policy and it will be placed on the agenda as an action item for the next meeting.

Bruce Kuehmicel inquired whether the applicants from last year for Board of Adjustment would have to reapply. The Board stated that they would have to reapply. Mr. Kuehmicel inquired whether the Board intends each commissioner district to be represented on the Board of Adjustment. The Board indicated that they would like to have the county represented as equally as possible.

Yvonne Krogstad stated that she felt representatives to the Planning Commission should be by Commissioner District, and that members of the Board of Adjustment should be from varied backgrounds.

Motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously to recess until 1:00 p.m.

The time being 1:00 p.m., motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to reconvene the meeting.

Craig Oscarson, Mower County, met with the Board. Mr. Oscarson indicated that he serves as Coordinator for Mower County, however, at times he serves more in the role of Administrator. His position has evolved over time. He has the final authority to terminate all employees other than elected officials and department heads. He is the lead negotiator for all union contracts, serves as clerk to the Board and supervises the Finance Department and all smaller departments. He indicated that Administrators have more authority to enforce Board policy than a Coordinator has. Generally, a Coordinator is equal with other department heads. He indicated that the County Board's job is not to manage day to day operations.

Mr. Oscarson estimated a salary of \$115,000 to \$125,000 for an Administrator, plus benefits. They would also need support staff. He indicated that a Coordinator would supervise Finance. An Administrator would supervise all non-elected department heads.

Commissioner Zmyewski stated that he would like to compensate Mr. Oscarson for assisting the Board today. Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to compensate Mr. Oscarson from the commissioner's budget in the amount of \$150.00 for his services.

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

File No. 12 – Correspondence to Maynard Welscher regarding his reappointment to the CCWSD Board of Directors

File No. 13 - Correspondence to A&F Consulting regarding Money Creek School issue

File No. 14 - Report of tons delivered to Xcel during November 2017

File No. 15 - Notice of IT Hardware Purchase

There being no further business and the time being 2:51 p.m., motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, December 19, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, December 19, 2017 5:30 p.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Scott Connor, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporters Moorhead; County Attorney Jandt; HR Director Arrick-Kruger; Yvonne Krogstad; Bruce Kuehmichel; Surveyor Schmitt; Engineer Pogodzinski; Environmental Services Director Frank; Bryan Van Gorp; Finance Director Lapham; Recorder Bauer; VSO Director Thoen; IT Director Milde; Assessor Cresswell; Sheriff Inglett; Glenn & Allene Buxengard

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the agenda.

Motion was made by Commissioner Walter, seconded by Commissioner Connor and unanimously carried to approve the minutes of the December 12, 2017 meeting.

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

County Revenue Fund	\$121,615.96
Road & Bridge Fund	13,050.00

Total	\$134,665.96
	=====

Bryan Van Gorp expressed his concern regarding how mines are handled in Houston County.

File No. 2 - HR Director Arrick-Kruger stated that the Board may convene a closed session pursuant to M.S. 13D.03, Subd. 3(a) to discuss the Surveyor's performance and probationary status. Surveyor Schmitt requested that the meeting remain open for this review. Mr. Schmitt's probationary period expires on January 3, 2018. Commissioner Arnold inquired

how many corners have been remonumented, and how many still need to be completed. Surveyor Schmitt responded that there are a total of approximately 1,825 corners, of which 70 – 80% have been remonumented. He indicated that there are approximately 400 left to do. Chairman Miller inquired what the point is in remonumenting, and expressed concern regarding the time it is taking to get this completed. Surveyor Schmitt responded that when he took over, it was estimated that it would take an additional 8 years to complete, and he felt this was reasonable. He indicated that his department also assists the Highway Department, and established section corners are needed in preparing Highway plats. Commissioner Connor stated that he feels Surveyor Schmitt has done an excellent job. Commissioner Arnold indicated that some counties have less staff in their Surveyor's Department. Motion was made by Commissioner Walter and seconded by Commissioner Connor to approve changing Surveyor Schmitt's employment status from probationary to regular, effective at the end of his probationary period. Commissioner Zmyewski stated that there have been a few issues that have come up, there are some developments coming down the pipeline, and there are a lot of questions. Therefore, he would like to postpone the motion one week. HR Director Arrick-Kruger indicated that it sounds as though there are two separate matters, and she felt one does not impact the other. She recommended that the Board act on the performance review now, and that the other matter be addressed separately. After discussion the vote was taken and the motion passed, with Commissioner Zmyewski voting in the negative.

File No. 3 – At this time the Truth in Taxation portion of the meeting was held. Finance Director Lapham stated that the preliminary budget and levy were adopted in September at a 1% increase over the 2017 levy. Placed on file was a summary of the budget and levy information, which was reviewed in detail. Next Tuesday the Board must take action to adopt the Certified Levy and Budget for Taxes Payable 2018.

Glenn & Allene Buxengard stated that the proposed tax for some of their parcels of land increased by 104%, 105.9% and 212.5%. Assessor Cresswell stated that they are no longer eligible for Agricultural Homestead classification, which results in approximately doubling the taxes. Mr. Buxengard stated that, while land values have decreased slightly, the estimated market value on their farms has increased. Assessor Cresswell explained that the values are based on a sales ratio study. It was agreed that Mr. and Mrs. Buxengard will meet with Assessor Cresswell for further explanation.

File No. 4 – Engineer Pogodzinski requested approval of an application for a Minnesota Pollution Control Agency MS4 General Stormwater Permit. Motion was made by Commissioner Connor, seconded by Commissioner Arnold and unanimously carried to approve the same and to authorize the signature of Chairperson Miller.

File No. 5 – Engineer Pogodzinski reported on the FAA Airport Grant PreApplication Checklist, which is the first step of the process to apply for federal funds to assist with updating the Airport Master Plan and Airport Layout Plan (ALP). The estimated cost is approximately \$195,000, of which 90% will be funded by the FAA, 5% by the state, and 5% by the county. The

county's 5% share amounts to \$9,750. This is not included in the 2018 budget. However, Engineer Pogodzinski stated that a lot of the plan would not be completed until 2019. Also, in the future, the FAA and/or state share may be reduced. Motion was made by Commissioner Connor and seconded by Commissioner Zmyewski to not move forward with the grant at this time. Commissioner Arnold stated that he feels it should be approved now in order to lock in the 90% cost share by the FAA. A roll call vote was taken: District 1 – no; District 2 – yes; District 3 – yes; District 4 – no; District 5 no. The motion failed.

Motion was made by Commissioner Arnold and seconded by Commissioner Walter to approve the FAA Airport Grant PreApplication Checklist. A roll call vote was taken: District 1 – no; District 2 – no; District 3 – no; District 4 – yes; District 5 yes. The motion failed.

File No. 6 – Engineer Pogodzinski requested approval of a State of Minnesota Agency Agreement for Federal Participation in Construction (Contract No. 31030028). Motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to approve the agreement and to adopt the following resolution:

RESOLUTION NO 17-55
RESOLUTION FOR AGENCY AGREEMENT NO. 10300028

BE IT RESOLVED, that pursuant to Minnesota Statute Section 161.36, the Commissioner of Transportation be appointed as Agent of the County of Houston to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, that Jack Miller, Chairman of the County Board of Commissioners and Charlene Meiners, County Auditor, are hereby authorized and directed for and on behalf of the County of Houston 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. 1030028, a copy of which said agreement was before the County Board and which is made a part hereof by reference.

File No. 7 – At this time Finance Director Lapham and Treasurer Trehus met with the Board to provide a finance report. Treasurer Trehus presented an investment report. Lengthy discussion was held.

File No. 8 – Discussion was held regarding adopting the Local Water Plan. Motion was made by Commissioner Arnold, seconded by Commissioner Zmyewski and unanimously carried to adopt the following resolution:

RESOLUTION NO. 17-56

**Resolution for Adoption and Implementation
of the Houston County Comprehensive Local Water Management Plan
Amendment**

WHEREAS, on January 9, 2017, the Minnesota Board of Water and Soil Resources (BWSR) approved an extension to the Houston County Comprehensive Local Water Management Plan; and

WHEREAS, the BWSR approval did stipulate that Houston County was required to update the goals, objectives and action items of the Plan through amendment by December 31, 2017; and

WHEREAS, following the Comprehensive Local Water Management Plan Amendment Guidelines developed by the BWSR, Houston County submitted the amendment to the BWSR for approval; and

WHEREAS, the Houston County Board of Commissioners has been notified by the BWSR that the amendment to the Houston County 2007-2022 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 amended Comprehensive Local Water Management Plan.

BE IT FURTHER RESOLVED, the amended Comprehensive Local Water Management Plan shall be in effect until December 31, 2022.

BE IT FURTHER RESOLVED, after adoption of the amended Comprehensive Local Water Management Plan, Houston County shall notify local government units within the County of the adoption of this amendment to the plan.

File No. 9 – Auditor Meiners presented an abatement on behalf of Schroeder Heating & Cooling, LLC for Parcel 24.0027.000. If approved, this will reduce the 2017 tax from 5,534.00 to \$3,607.00, being a reduction of \$1,927.00. Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve the same.

File No. 10 – Discussion was held regarding the proposed Policy for appointing members to the Board of Adjustment. It was agreed to table the policy until next Tuesday.

File No. 11 – Auditor Meiners requested approval of a resolution supporting increased fees for local license bureaus. After discussion, motion was made by Commissioner Connor, seconded by Commissioner Walter and unanimously carried to adopt the following resolution:

RESOLUTION NO 17-57

**RESOLUTION SUPPORTING
THE MAINTENANCE OF LOCAL LICENSE BUREAUS**

WHEREAS, the State of Minnesota established a deputy registrar network to provide our citizens with motor vehicle titling and registration services, including driver license transactions; and,

WHEREAS, deputy registrars are required to operate as agents on behalf of the State of Minnesota without compensation from the State for the services they offer; and,

WHEREAS, in 1949, the State of Minnesota established in statute a user-based filing fee on motor vehicle and driver license transactions to be retained by the deputy registrar to defray all their costs to provide this localized service to our citizens for the State; and,

WHEREAS, the State of Minnesota now receives over \$1 billion annually in state fees and taxes collected through the deputy registrar network; and,

WHEREAS, the State of Minnesota has now shifted substantial clerical and auditing responsibilities onto the deputy registrar network due to the State's conversion to their new MNLARS (Minnesota Licensing and Registration System) program; and,

WHEREAS, the new MNLARS regimen is now documented to have multiple shortcomings which have severely strained normal deputy registrar operations with longer processing times that greatly limit their typical volume of daily business; and,

WHEREAS, other MNLARS shortcomings have frequently forced deputies to conduct “no-(filing) fee” services for customers which acerbates the deputy business model; and,

WHEREAS, deputy registrar offices are now forced to invest in additional staff, office equipment, and more space to meet customer demand due to the MNLARS conversion; and,

WHEREAS, the filing fee revenue no longer covers the operational costs to maintain deputy registrar offices such that many local government-based deputies are seeking local property tax subsidies and private operators are applying for lines of credit to stave off complete closure,

NOW, THEREFORE, BE IT RESOLVED that Houston County calls upon the State Legislature and our Governor to enact legislation in 2018 to provide deputy registrars with proper compensation by reallocating from existing state fee structures or other appropriate filing fee adjustments to ensure their valued service and continued presence remains in our local community to serve our citizens and the State.

File No. 12 – Motion was made by Commissioner Zmyewski, seconded by Commissioner Connor, and unanimously carried to approve Tobacco Licenses for calendar year 2018 for Money Creek Haven, Houston Food Mart, and River Valley Convenience Store.

Chairperson Miller reported that a meeting was held yesterday with Kevin Kelleher regarding the drop sites. Commissioner Zmyewski stated that discussion centered around a policy which allowed a certain amount of scavenging of items with little or no value from the sites. However, state statute requires that there must be equal opportunity for any county property. Environmental Services Director Frank stated that he contacted other counties to determine what their policies are. He would like to draft a policy that meets statutory requirements.

Commissioner Arnold stated that a department head meeting is scheduled for next Tuesday. He inquired whether the Board would like him to ask whether department heads are in favor of continuing with evening meetings. It was agreed that Commissioner Arnold should discuss this with the department heads.

Commissioner Arnold stated that most of what they have heard so far regarding the Coordinator/Administrator issue has been positive. He inquired what the downside is. He stated that he would be willing to spend time talking to AMC and trying to find a county that had a bad experience with the county administrator form of government who would be willing to talk to the Board. Chairperson Miller stated that he would like to hold a special meeting to discuss this further. Commissioner Connor stated that he would also like to have firm numbers for the entire budget for a coordinator/administrator and staff.

Commissioner Walter reported that Lisa Dierks will be the new regional extension director. Also, Commissioner Walter is working on finding out what the county needs to do in regard to the census.

Commissioner Connor reported that Bluff Country is asking for contributions for a county-wide housing study. The cost would be \$18,000 to \$20,000 per county.

Commissioner Zmyewski inquired as to the timeline for hiring a coordinator/administrator. However, he agreed with Commissioner Arnold's idea about looking at the negative.

Commissioner Zmyewski stated that additional discussion should be held regarding the Soil and Water appropriation. Commissioner Arnold stated that he felt this should not be changed at this point, however, we should let Soil and Water know that they are not pleased with the amount of information given, and that the Board will reconsider this next year. Commissioner Zmyewski disagreed, because the budget has not yet been approved. Commissioner Arnold responded that the state has already been notified that the County Board approved this, and acted accordingly. Finance Director Lapham indicated that she is not sure what the implication would be at the state level if the county decides to withdraw this after it was approved. However, she indicated that she will check into this.

Commissioner Miller reported on a SCHAC meeting which he attended.

Commissioner Connor reported that Engineer Pogodzinski has some information on the Highway Department site which may be helpful with site design for the proposed new building.

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

File No. 13 – Correspondence to Arlyn Pohlman regarding his appointment to the CCWSD Board

File No. 14 – Correspondence to Wilfred Pohlman thanking him for his years of service on the CCWSD Board

File No. 15 – Correspondence from the MN Historical Society regarding the Ballard House being placed on the National Register of Historic Places

File No. 16 – Correspondence from SEMAAA in appreciation of the county's appropriation

There being no further business and the time being 7:55 p.m., motion was made by Commissioner Arnold, seconded by Commissioner Connor and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, December 26, 2017.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: Tuesday, December 26, 2017 9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present: Jack Miller, Justin Zmyewski, Teresa Walter and Fred Arnold

Others Present: Auditor Meiners; Reporter Moorhead; County Attorney Jandt; Finance Director Lapham; Yvonne Krogstad; Brian Van Gorp; Social Work Supervisor Moen; HR Director Arrick-Kruger; Sheriff Inglett; Recorder Bauer; Treasurer Trehus

Presiding: Jack Miller, Chairperson

Call to order.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and carried to approve the agenda.

Motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to approve the minutes of the December 19, 2017 meeting.

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

County Revenue Fund	\$107,100.51
Road & Bridge Fund	19,820.60

Total	\$126,921.10
	=====

Brian Van Gorp expressed his concern regarding transparency in county government relating to the Zoning Department.

File No. 2 – Engineer Pogodzinski requested approval of a final estimate for Icon Constructors LLC for S.A.P. 28-627-09. Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to adopt the following resolution:

RESOLUTION NO 17-58

WHEREAS, Contract No. 276 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 – Discussion was held regarding the FAA Airport Grant PreApplication Checklist. Engineer Pogodzinski stated that he sent an e-mail to MN DOT Aeronautics and the consultant, Mead and Hunt, with various questions. He indicated that the responses are on file. An update to the Airport Master Plan was started in 2005 when the county was considering various upgrades to the airport, however, it was never approved and is only in draft format. MN DOT Aeronautics would like the county to have a Master Plan showing long term goals. Commissioner Arnold inquired what control the county has over the study. Engineer Pogodzinski stated that it is the county's plan, with feedback from citizens. The FAA will provide technical expertise and guidance. The consultant would assist with setbacks and compliance with rules. Commissioner Zmyewski questioned what the county would get for \$10,000, as there are no projected projects being proposed. Commissioner Arnold stated that this would give us some concept based on input from citizens where the airport is headed long-term. Commissioner Zmyewski stated that the roadblocks are the same that a lot of small airports have, being, what attractions are available, the lack of a courtesy car available, etc. Chairperson Miller inquired, if a study was done, how long it would be good for. Engineer Pogodzinski stated that the last approved study was done in the 1960's. After discussion, motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the PreApplication Checklist.

File No. 4 – HR Director Arrick-Kruger requested approval for a competitive search for the full-time position of Network/Help Desk Technician. Discussion was held regarding efficiencies gained through technology. Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve the search for a Network/Help Desk Technician.

Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the hire of Amelia Meiners as Environmental Specialist, B24, Step 1, effective January 2, 2018.

Commissioner Zmyewski stated that bringing the feedlot program in-house should have been revenue neutral. He felt this should be looked at again next year. Finance Director Lapham stated that she did not receive a response to her inquiry about the possibility of the board changing their motion to fund the \$14,400 additional appropriation.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the hire of Amy Schroeder as Intake Social Worker at C41, Step 3, effective January 29, 2018.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the transfer of Andrea Dobosenski as a Child Protection Social Worker effective January 7, 2018.

Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve the hire of Mallory Van Lin as a Children's Mental Health Social Worker, C41, Step 3, effective January 16, 2018.

Chairperson Miller inquired what would be gained by hiring a Forensic Social Worker. Sheriff Inglett stated that this worker would be involved from the time an inmate comes into the system, and would expedite the process through the court system. He indicated that there is a real issue with inmates with mental health issues. Social Services Supervisor Moen expanded on the involvement this worker will have with finding the appropriate services for inmates.

Commissioner Zmyewski stated that he felt elected official salaries should be set for the term of the office, rather than annually. Motion was made by Commissioner Miller seconded by Commissioner Walter and unanimously carried to set the 2018 salaries for elected officials as follows:

County Attorney	\$113,531.54
Sheriff	\$98,069.18
Auditor	\$79,870.32
Recorder	\$67,797.00
Treasurer	\$65,231.14
Commissioners	\$19,016.34

File No. 5 – On the recommendation of Finance Director Lapham, motion was made by Commissioner Zmyewski, seconded by Commissioner Walter and unanimously carried to designate the funds for 2018 as:

Major Funds:

General Revenue Fund
Road & Bridge Fund
Human Services Fund

Non-Major Funds:

Debt Service Fund

On the recommendation of Finance Director Lapham, motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve the Fund Balance Commitment at year end for Road and Bridge wheelage tax in the mount of \$813,449.00.

File No. 6 – Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve budget amendments.

File No. 7 – Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the budget and to adopt the following resolution. It was clarified that the vacant position in the Auditor’s Office has been removed from the final budget.

RESOLUTION NO 17-59
RESOLUTION ADOPTING 2018 OPERATING BUDGET

	Revenue	Expenditures	Revenues Over (Under) Expenditures
	-----	-----	-----
County Revenue	\$12,043,043	\$11,983,737	\$ 59,306
Road & Bridge	9,334,361	9,331,225	3,136
Human Services	5,003,049	5,225,261	(222,212)
Debt Service	1,388,721	1,388,721	0
	-----	-----	-----
Grand Total			
County Funds	\$27,765,700	\$27,928,944	\$ (163,244)
	=====	=====	=====

File No. 8 – Discussion was held regarding the 2018 levy. A 1% levy increase would provide for a \$252,928 budget surplus. Motion was made by Commissioner Walter and seconded by Commissioner Arnold to approve a 1% budget increase. A roll call vote was taken: District 1 – no; District 2 – no; District 3 – absent; District 4 – yes; District 5 – no. The motion failed.

Motion was made by Commissioner Zmyewski and seconded by Commissioner Arnold to adopt a 0.5% reduction in the 2018 Levy and to adopt the following resolution. A roll call vote was taken: District 1 – yes; District 2 – yes; District 3 – absent; District 4 – no; District 5 – yes. The motion carried.

RESOLUTION NO 17-60

BE IT RESOLVED, that the certified levy after the deduction of County Program Aid (CPA), in the amount of \$11,919,267 be made on all taxable property in the County of Houston for taxes payable in 2018 in the following amounts by County Fund:

County Revenue	\$ 7,773,717
Road & Bridge	2,320,738
Human Services	1,396,748
Bond Fund – 2009B Jail CIP Bonds	233,087
Bond Fund – 2009C Jail Bonds	386,085
Bond Fund – 2010A Jail CIP Bonds	384,389
Bond Fund – 2017A Jail Refunding Bonds	381,686

Total	\$12,876,450
Less CPA	(957,183)

Total Levy	\$11,919,267
	=====

File No. 9 – Motion was made by Commissioner Walter, seconded by Commissioner Arnold and unanimously carried to approve a Houston County EDA Business Revolving Loan Agreement for Todd Lemke in the amount of up to \$25,000.00.

File No. 10 – Motion was made by Commissioner Walter, seconded by Commissioner Zmyewski and unanimously carried to approve Purchase of Service Agreements for Elderly Waiver chores services with the following individuals: 1) Dennis Garrison; 2) Meyers Lawn Service; 3) Tom Pecinovsky; 4) Terry Schuldt; 5) Michael Wiste.

File No. 11 – Discussion was held regarding establishing a policy for filling vacancies on the Board of Adjustment. Motion was made by Commissioner Arnold, seconded by Commissioner Walter and unanimously carried to approve the same.

Commissioner Arnold reported on discussion regarding the Extension Office and the Veteran Services Department last week. The Veteran Services Department would like to increase his clerical position to full-time. They agreed on a trial basis to have the Extension clerical position cover when no one in the Veteran Services Office is present.

Commissioner Walter reported on the Collaborative meeting held last week. There is a big increase in children with mental health issues and they hope to use the funding in this regard.

Chairperson Miller reported that Houston County had two high schools as state football champions this year and he wanted to congratulate them on behalf of the county board. Commissioner Zmyewski added that both Caledonia and Houston schools scored high academically.

Yvonne Krogstad stated that the Board approved the Board of Adjustment Policy. She was unclear as to what policy was adopted. It was pointed out that the policy is included in the packet.

There being no further business and the time being 11:08 a.m., motion was made by Commissioner Zmyewski, seconded by Commissioner Arnold and unanimously carried to adjourn the meeting, the next advertised meeting being Tuesday, January 2, 2018.

BOARD OF COUNTY COMMISSIONERS
HOUSTON COUNTY, MINNESOTA

By: _____
Jack Miller, Chairperson

Attest: _____
Charlene Meiners, County Auditor