

**Tuesday, May 19, 2009 1:00 p.m. Public Works Building in Sandstone**

Chairman Montbriand called the meeting to order at 1:00 p.m. Present were Commissioners, Doug Carlson, Steven Chaffee, Stephen Hallan and Curt Rossow. Also present was Clerk to the County Board, County Coordinator Mark LeBrun.

The Pledge of Allegiance was said.

Chairman Montbriand called for public comment. County resident David Koland presented and requested the adjustment of property value and taxes.

Commissioner Rossow moved to adopt the amended agenda, Commissioner Hallan seconded. Motion carried.

Commissioner Rossow moved to approve the minutes of the May 5, 2009 County Board Meeting, Commissioner Chaffee seconded. Motion carried.

Commissioner Hallan moved to approve the consent agenda, Commissioner Rossow seconded. Motion carried.

**Minutes of Boards, Committees and Board Memos, Newsletter**

1. Management Team Meeting minutes, April, 28 2009
2. Personnel Committee Meeting minutes, May 4, 2009
3. Pine County Highway Maintenance Report, April 2009
4. East Central Regional Library Board Meeting minutes, April 13, 2009 and financial report.
5. Pine County HRA Sr. Housing Meeting minutes, March 25, 2009
6. Soil Survey Monthly Report, April 2009

**\*\*CONSENT AGENDA\*\***

**Auditor**

1. Cash Balance as of March 31, 2009

Revenue Fund	\$ (3,071,802.23)
Human Services Fund	\$ 1,738,064.02
Road and Bridge Fund	\$ 391,576.71
ECSWC Bond	\$ 1,823,933.28

**Auditor-continued**

- 2. Application for Abatement – Linda Dick, 6976 570<sup>th</sup> St, Pine City  
PID #43.0399.000 – pay 2009
  
- 3. Approval of 3.2 temporary liquor licenses for Jack Pine Riders, July 10-12, 2009  
Subject to approval of Pine County Sheriff and Pine County Attorney
  
- 4. Contract for Continuing Disclosure Reporting Services renewal with Ehlers & Associates

**\*\*REGULAR AGENDA\*\***

**Public Works**

Public Works Director/Engineer Mark LeBrun opened and read publicly the sealed bids received for Contract #0901; SAP 58-623-07, CSAH 23, between TH 70 & CSAH 7, SAP 58-662-04, CSAH 62, between CSAH 61 & CSAH 61. Commissioner Carlson motioned the Engineer’s staff tabulate the bids received and the Engineer award the contract to the lowest responsible bidder. Commissioner Hallan seconded, motion carried.

Knife River	\$ 912,472.57
Hardrives, Inc.	\$ 1,042,614.24
Tri-City Paving, Inc.	\$ 1,047,364.21
Central Specialties, Inc.	\$ 1,162,908.23

Engineer LeBrun opened and read publicly the sealed bids received for Contract #0902; CP 58-48-01, CSAH 48, between CSAH 10 & CR 164. Engineer LeBrun stated this project is in cooperation with Carlton County. Commissioner Hallan motioned the Engineer’s staff tabulate the bids received and the Engineer award the contract to the lowest responsible bidder. Commissioner Rossow seconded, motion carried.

Midwest Contracting, LLC	\$ 225,372.59
MPJ Enterprise, LLC	\$ 241,136.92
Gladden Construction	\$ 294,113.25
KGM Contractors, Inc.	\$ 297,740.69
Jensen Backhoe, LLC	\$ 329,053.86

Engineer LeBrun presented the 2008 Annual Highway Department Report. Engineer LeBrun summarized various purchases and projects completed throughout the year. Engineer LeBrun stated the maintenance facility that is scheduled to be built has been scaled back and that more discussion will be held regarding the project during the next budget cycle. Commissioner Hallan motioned to accept the 2008 Annual Highway Department Report as presented. Commissioner Rossow seconded, motion carried.

### **Sheriff**

Commissioner Carlson asked for discussion regarding the command vehicle stating he would like to see how well it operates in the eastern most part of the county. Sheriff Mansavage stated a recent trial and evaluation was conducted near the Gunflint Trail. Equipment operated as expected. Sheriff Mansavage stated according to the Joint Powers Agreement the vehicle will be housed in Kanabec County, adding that the project is near completion and under its proposed budget.

### **Land**

Land/Zoning Administrator Kurt Schneider presented to the Board with a request for Preliminary and Final Plat approval for Dawn Rae Place subdivision. Land/Zoning Administrator Schneider explained that it was brought before the Planning Commission in September 2008 and met each of their conditions. Land/Zoning Administrator Schneider stated both the Planning Commission and staff recommend approval. Commissioner Chaffee motioned the approval of the Preliminary and Final Plat for the Dawn Rae Place subdivision. Commissioner Rossow seconded, motion carried.

Land/Zoning Administrator Schneider presented with a request for approval and adoption of the 2009 Tax-forfeited Land Sale resolution. Land/Zoning Administrator Schneider stated there are forty-three parcels to be offered during the 2009 sale. Commissioner Rossow motioned to approve and adopt said resolution and list. Commissioner Hallan seconded. Resolution passed unanimously.

**PINE COUNTY BOARD OF COMMISSIONERS  
RESOLUTION No. 05192009-01  
TAX-FORFEITED LAND CLASSIFICATION AND SALE PREPARATION**

**WHEREAS**, the Pine County Board of Commissioners desires to offer for sale the attached list of lands that have forfeited to the State of Minnesota for nonpayment of taxes.

**THEREFORE BE IT RESOLVED**, that the Pine County Board of Commissioners, pursuant to M.S. 282, hereby:

- 1) withdraws all previously offered parcels of land from sale;
- 2) classifies the listed lands as Nonconservation lands;
- 3) authorizes appraisals of said lands;
- 4) authorizes distribution to local units of government for review; and
- 5) requests review and approval from the Minnesota Department of Natural Resources for the sale of said lands.

Commissioner Carlson questioned Land/Zoning Administrator Schneider about the discovery of Emerald Ash Borer infestation within Minnesota. Land/Zoning Administrator Schneider presented a news release from the Minnesota Department of Agriculture regarding quarantine and stated the County Forester has made a strong recommendation that all Ash be harvested within one to two years. Land/Zoning Administrator Schneider also stated that the County's Ag Inspector has a kit to review if anyone may have the need.

### **County Attorney**

County Attorney John Carlson presented a revised policy prohibiting firearms at work for the Pine County Policy and Procedures Handbook. Attorney Carlson stated he was not sure where the original draft came from, adding that it was not well written and not in compliance with State law. Attorney Carlson stated the proposed policy has been reviewed by Margaret Skelton of Ratwik, Roszak and Maloney P. A.. Attorney Carlson added that this policy pertains to all employees aside from elected officials. Commissioner Hallan motioned to approve the revised policy as presented. Commissioner Carlson seconded. Commissioner Carlson questioned whether the County Sheriff has reviewed the policy and would also recommend approval. County Attorney Carlson stated that he has. Motion carried.

## **28. PROHIBITING FIREARMS AT WORK**

### **28.1 Introduction:**

Pine County prohibits all employees, except employees of the Sheriffs Department who are designated to carry sidearms, from carrying or possessing dangerous weapon as defined by Minn. Stat. § 609.02 Subd. 6 while acting in the course and scope of employment for the County. The possession of, or carrying of, a dangerous weapon by employees, except employees of the Sheriff's Department who are designated to carry sidearms, is prohibited while working on County property or while working in any location on behalf of the County. This includes but is not limited to carrying on your person a dangerous weapon while:

- Driving when on county business;
- Riding as a passenger in a car or any type of mass transit while on county business;
- Working at the Pine County Courthouse or any other county worksite;
- Working off site on behalf of the County;
- Performing emergency or on-call work at times other than normal business hours;
- Working at private residences, businesses, or any location on behalf of the county;
- Attending training or conference on behalf of the county;
- Operating a County-owned vehicle;
- Being a passenger in a County-owned vehicle;
- If an employee is on County business in a motor vehicle a firearm must be unloaded and in a gun case expressly made to contain a firearm, and the case fully encloses the firearm by being zipped, snapped, buckled, tied and/or otherwise fastened and without any portion of the firearm exposed or unloaded and in the closed trunk of a motor vehicle.

An exception to this policy is that county employees may carry and possess firearms in county-owned parking areas if the employee has the appropriate permit in compliance with Minn. Stat. §624.714 and the firearm is secured in the person's vehicle; the firearm is unloaded and in the closed trunk of a motor vehicle or unloaded and in a gun case expressly made to contain the firearm, if the case fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and no portion of the firearm is exposed. An employee is prohibited from bringing a firearm in their private vehicle unless the vehicle remains in a county-owned parking area and is not needed in the course and scope of employment.

## **28.2 Exceptions**

This policy does not apply to elected officials (see section 1.2).

Upon request by an employee and upon a showing of exceptional or extraordinary circumstances, the County Board may grant an exception to this policy, subject to and consistent with State law and any applicable Court orders.

Any employee granted an exception by the County Board must comply with all applicable state and federal laws with respect to carrying and possessing of a firearm, including but not limited to Minn. Stat. § 609.66, Subd. 1g. The employee must also comply with any applicable Court orders regarding possession of firearms within the Pine County Courthouse. Failure to do so will constitute violation of this policy.

The County Board reserves the right to withdraw its approval for any exception granted, at any time for any reason.

### **28.3 Violation of Policy**

Violations of this policy may lead to discipline up to and including termination in accordance with these policies and the applicable collective bargaining agreement.

*Applicable Statutes: Minn. Stat. § 609.66; Minn. Stat. § 624.714; Minn. Stat. §97B. 045; Minn. Stat. 024.7181*

Chairman Montbriand called for a 10-minute recess before convening closed session.

Commissioner Rossow motioned to proceed with closed session discussions regarding litigation at 2:04 p.m. Commissioner Hallan seconded, motion carried.

Commissioner Hallan motioned to conclude closed session at 3:23 p.m. Commissioner Carlson seconded, motion carried.

#### Upcoming Meetings Announced:

Extension Committee meeting, **Wednesday May 20, 2009 4:00 p.m.** Braham, MN

Arrowhead Counties Association, **Wednesday May 20, 2009 6:00 p.m.** Hampton Inn, Duluth, MN

Association of MN Counties Spring Meeting, **Friday May 29, 2009 8:00 a.m.** Black Bear Casino Resort, Carlton, MN

Management Team meeting, **Tuesday, May 26, 2009, 9:00 a.m.** Jury Assembly Room, Pine County Courthouse, Pine City, MN

Personnel Committee meeting, **Monday, June 1, 2009, 10:00 a.m.** Coordinator's office conference room, Pine County Courthouse, Pine City, MN

With no further business, Chairman Montbriand adjourned the County Board meeting at 3:24 p.m., until the next scheduled County Board Meeting on June 2, 2009 at 10:00 a.m. in the Boardroom of the Pine County Courthouse.

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Mark LeBrun, Coordinator  
Clerk to County Board

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Ed Montbriand, Chair  
Board of County Commissioners