

AGENDA
PINE COUNTY BOARD MEETING

District 1 Commissioner Hallan
District 2 Commissioner Pangerl
District 3 Commissioner Chaffee
District 4 Commissioner Rossow
District 5 Commissioner Ludwig

Tuesday, February 4, 2014 1:00 p.m.
Public Health Building, Sandstone, Minnesota

- A) Call meeting to order
- B) Pledge of Allegiance
- C) Public Forum. Members of the public are invited to speak on items not on the agenda. Each speaker should state his/her name and limit comments to three (3) minutes.
- D) Adopt Agenda
- E) Approve Minutes of January 15, 2014 Committee of the Whole – Strategic Planning Meeting.
- F) Approve Minutes of January 21, 2014 County Board Meeting and Summary for publication.
- G) Minutes of Boards, Committees and Correspondence
 - East Central Regional Library Board Minutes – December 16, 2013
 - Pine County Land Surveyor Monthly Report – January, 2014
 - Pine County Soil & Water Conservation District Board Minutes – January 9, 2014
 - Pine County Methamphetamine Task Force Minutes – January 13, 2014
- H) Approve Consent Items

CONSENT AGENDA

The consent agenda is voted on without any discussion. Any commissioner may request an item be removed and added to the regular agenda.

1. **January, 2014 Disbursements**
Disbursements Journal Report, January 1, 2014 – January 31, 2014.
2. **Applications for Abatement**
Consider: Phyllis Mae Wood, 7344 Main St., Rutledge, PID 44.5061.000 and 44.5062.000, pay 2013
3. **Resolution for Repurchase of Tax Forfeited Land**
Consider Resolution 2014-08 Repurchase of Tax Forfeited Land with a 10-year contract, Linda Jampsa, PID 27.0159.003 and authorize Board Chair and County Auditor to sign.
4. **Personnel**
 - A. **Promotion**
 - i. Acknowledge and approve promotion of Lori Anderson – case aide to eligibility worker, effective February 18, 2014, at \$15.25/hr, B23.

- ii. Acknowledge and approve promotion of part-time Corrections Officer Alex White to full-time corrections officer, effective February 9, 2014. No change in grade or wage. \$16.04/hr, B23, step 3.

B. Police Officer Declaration - PERA

Consider approval of Resolution 2014-07, Public Employees Retirement Association Police Officer Declaration, for Deputy Timothy Vaagenes at full funding levels from his hire date of December 29, 2013. Deputy Vaagenes has met all of the requirements of the Police and Fire Plan membership requirements from his date of hire. Authorize Board Chair to sign Resolution.

5. Veterans Service Officer

- A. Consider approval of a 30-day extension (to August 30, 2014) for VSO Ben Wiener to become certified.
- B. Consider Veteran Services Officer Ben Wiener to attend the National CVSO Accreditation Training, August 25-29, 2014, Pierre, South Dakota. Registration: \$150; Meals: \$238; Accommodations: 6 nights (\$65 per night + 7%), \$417; Travel: \$481. Estimated cost of training: \$1,300.

6. Training

Consider Child Support Officer Claire Nelson to attend “Collect & Disburse Training for Child Support Officers”, February 5-6, 2014, Brainerd. Registration \$0; Meals \$30; Accommodations: \$76, Travel: \$103.60; total cost: approx. \$209.60. Funds are available in the 2014 HHS budget (child support staff development).

REGULAR AGENDA

1. Rush Line Corridor Task Force

Presentation by Mike Rogers, Rush Line project manager.

2. Subsurface Sewage Treatment System Ordinance

Consider adoption of the Subsurface Sewage Treatment System Ordinance and authorize the Board Chair and County Administrator to sign.

3. Human Resources Contract with Pine City, Hinckley, Sandstone

Consider approval of a contract for human resource services with each of the cities of Pine City, Hinckley and Sandstone, subject to that city’s approval. The contracts would expire December 31, 2014.

4. Web Publication Resolution

Approve Resolution 2014-09 in support of HF 1286 and SF 1152, legislation now before the 2014 legislature that would allow counties to publish certain public notices on their websites instead of, or in addition to, in an official newspaper.

5. Commissioner Updates

- a. NLX
- b. Extension Committee Meeting
- c. Snake River Watershed Joint Powers Board
- d. Lakes & Pines CAC

- e. Riverwood Center Meeting
- f. Central Regional EMS Committee

6. Other

7. Upcoming Meetings

- a. **Soil & Water Conservation District Meeting, Thursday, February 6, 2014, 4:00 p.m.**, Public Health Building, Sandstone, Minnesota.
- b. **East Central Solid Waste Commission Meeting, Monday, February 10, 2014, 9:00 a.m.**, 1756 180th, Mora, Minnesota.
- c. **East Central Regional Library Board Meeting, Monday, February 10, 2014, 9:30 a.m.**, 244 Birch Street, Cambridge, Minnesota.
- d. **Personnel Committee Meeting, Tuesday, February 11, 2014, 9:00 a.m.**, Commissioner Conference Room, Courthouse, Pine City, Minnesota.
- e. **Technology Committee Meeting, Tuesday, February 18, 2014, 8:30 a.m.**, Commissioner Conference Room, Courthouse, Pine City, Minnesota.
- f. **Pine County Board Meeting, Tuesday, February 18, 2014, 10:00 a.m.**, Board Room, Courthouse, Pine City, Minnesota.
- g. **Pine County Health and Human Services Meetings, Tuesday, February 18, 2014, 1:00 p.m.**, Boardroom, Pine County Courthouse, Pine City, Minnesota.
- h. **Arrowhead Counties Association Meeting, Wednesday, February 19, 2014, 6:00 p.m.**, Hampton Inn, Duluth, Minnesota.
- i. **Snake River Watershed Joint Powers Board, Monday, February 24, 2014, 9:00 a.m.**, Kanabec County Courthouse, Mora, Minnesota.
- j. **East Central Regional Development Commission (ECRDC), Monday, February 24, 2014, 7:00 p.m.**, 100 Park St. So., Mora, Minnesota.
- k. **Riverwood Center Meeting, Tuesday, February 25, 2014, 4:00 p.m.**, Riverwood Center, Braham, Minnesota.
- l. **NLX, Wednesday, February 26, 2014, 10:00 a.m.**, Board Room, Courthouse, Pine City, Minnesota.
- m. **NE Regional Radio Board Meeting, Thursday, February 27, 2014, 10:00 a.m.**, Video Conference, Courthouse, Pine City, Minnesota.

8. Adjourn

**MINUTES OF PINE COUNTY BOARD
COMMITTEE OF THE WHOLE/STRATEGIC PLANNING MEETING**

**Wednesday, January 15, 2014, 9:00 a.m.
Board Room, Courthouse, Pine City, Minnesota**

Chair Rossow called the meeting to order at 8:00 a.m. Present were Commissioners Steve Chaffee, Matt Ludwig, Mitch Pangerl, and Curt Rossow. Also present were County Attorney John Carlson, and County Administrator David Minke. Commissioner Hallan arrived at 9:40 a.m.

The Pledge of Allegiance was said.

Commissioner Chaffee moved, seconded by Commissioner Ludwig, to close the meeting in accordance with Minnesota Statute §13D for the purpose of discussing labor negotiation strategy. Motion passed 4-0. Meeting was closed at 9:05 a.m.

Motion by Commissioner Hallan, seconded by Commissioner Chaffee to open the meeting. Motion passed 5-0. Meeting was opened at 9:55 a.m.

The board reviewed the 2013 goals and discussed the strategic direction of the county. After discussion, the following goals were identified for additional follow up and feedback from the department heads.

1. Health and Human Services budget, staff, facilities (sustainable)
2. Pine Government Center -- long term plan and facility upgrades -- demo old jail
3. Pay equity and compensation study
4. Provide cost-effective essential services, examine department efficiencies, implement LEAN
5. Economic development
6. Revenue diversification
7. Relationships with cities, townships, other jurisdictions
8. Take advantage of vacancies, promotions, new hires to restructure

With no further business, the meeting adjourned at 2:00 p.m.

Curt H. Rossow, Board Chair
Pine County Board of Commissioners

David J. Minke, County Administrator
Clerk to Pine County Board of Commissioners

MINUTES OF PINE COUNTY BOARD MEETING
Regular Meeting

Tuesday, January 21, 2014, 10:00 a.m.
Board Room, Courthouse, Pine City, Minnesota

Chair Rossow called the meeting to order at 10:00 a.m. Present were Commissioners Steve Chaffee, Curt Rossow, and Matt Ludwig. Also present were County Attorney John Carlson and County Administrator David Minke. Commissioner Mitch Pangerl was absent (excused).

The Pledge of Allegiance was said.

Chair Rossow called for public comment. Terry Neitzel requested return of his court bond.

Chair Rossow requested the following revisions to the Agenda:

Regular:

- Add 7A: AFSCME Road and Bridge, Unit #1 (Technicians) Contract
- Add 7B: Ratification of Termination of Employee
- Add 7C: Backfill of Vacancy Created by Termination
- Add 7D: Acknowledge IT Supervisor Resignation

Commissioner Chaffee moved to approve the amended Agenda. Second by Commissioner Ludwig. Motion carried 4-0.

Commissioner Hallan moved to approve the Minutes of the January 7, 2014 County Board Meeting and Summary for publication. Second by Commissioner Chaffee. Motion carried 4-0.

Minutes of Boards, Committees and Correspondence
None.

Commissioner Chaffee moved to approve the Consent Agenda. Second by Commissioner Ludwig. Motion carried 4-0.

CONSENT AGENDA

1. Review December, 2013 Cash Balance

Approve:

Fund	December 31, 2012	December 31, 2013	Increase(Decrease)
General Fund	\$2,495,333.06	\$2,539,821.50	\$44,488.44
Health and Human Services Fund	\$1,855,366.42	\$841,647.00	(\$1,013,719.42)
Road and Bridge Fund	\$5,324,159.01	\$2,078,182.32	(\$3,245,976.69)
Land Management Fund	1,474,268.53	\$1,838,948.89	\$364,680.36
TOTAL (inc non-major funds)	\$13,375,860.67	\$9,550,362.46	(\$3,825,498.21)

2. **2013 Budget Adjustments**
Approve 2013 budget adjustments.
3. **Donation**
Approve acceptance of \$1,369.31 in donations from a citizen to a fund for payment of the care of seized, abused animals.
4. **Retirement of Police Dog**
Approve transfer of retired police dog "Nitro" to Deputy Paul Widenstrom.
5. **New Hire**
 - A. Approve the hiring of Jessee Johnston as a full-time Corrections Officer, effective January 28, 2014, \$16.04 per hour, B-23.
 - B. Approve the hiring of Kirby Olson as Survey Crew Chief, effective January 27, 2014, \$16.11 per hour, B-24, step 1.
 - C. Approve the appointment of Tara Reibling to backfill the Office Support Specialist position, A-13, step 1, \$12.44 per hour, effective February 5, 2014.
 - D. Approve the appointment of Beth Pierson to backfill the Social Worker position, C-42, step 1, \$19.25 per hour, effective February 5, 2014.

REGULAR AGENDA

1. Subsurface Sewage Treatment System (SSTS) Public Hearing

Land Services Director Kelly Schroeder provided a powerpoint presentation to the board of clarifications (additions/deletions) to the draft Subsurface Sewage Treatment System (SSTS) Ordinance. Discussion was held regarding abandonment of a septic system and compliance inspections for bedroom additions.

Chair Rossow opened the public meeting at 10:22 a.m.

The following provided comment: Bob Brewster (Arna Township), Richard Glattly (Norman Township), Harvey Lindstrom (inspector), Gordy Johnson (Pokegama Township), and David Koland (Sandstone Township).

February 4, 2014 is the deadline for the adoption of the Ordinance, however Aaron Jensen, MPCA, indicated that an extension could be granted if necessary.

With no further public comments, the public meeting closed at 11:06 a.m.

Chair Rossow requested Schroeder meet with the SSTS committee to make revisions/corrections to the ordinance and bring a final version to the February 4, 2014 board meeting for consideration for adoption.

2. Personnel Committee

The Pine County Personnel Committee met January 14, 2014 and made the following recommendations:

Sheriff

Approve 2% performance increase for Denise Baran, \$18.49 to \$18.86 per hour, effective February 4, 2014 (anniversary date).

Probation

Approve backfill of a potential vacancy, up to step 3, dependent on qualifications for approval.

Administrator

Approve 1% performance increase HHS Director Patrick Bruflat, \$40.01 to \$40.41 per hour, effective January 24, 2014.

Approve revised Personnel Policy, Supervisor PTO cash out policy.

Approve 2014 non-union wage scale corrections and additions.

Commissioner Chaffee provided an overview of the personnel committee meeting. Administrator Minke explained the revisions in the supervisor PTO cash out policy, stating supervisory staff may cash out 80 hours of PTO in conjunction with using 80 hours of PTO within the current year. PTO must be used in 40-hour consecutive increments or 80 consecutive hours.

Motion by Commissioner Chaffee to approve the recommendations of the Personnel Committee as stated above. Second by Commissioner Ludwig. Motion carried 4-0.

3. Regional Housing Plan/Study

Lezlie Sauter from Lakes and Pines Community Action Council was present to answer questions regarding the Regional Housing Plan/Study. Sauter stated the study would cover smaller areas that can't afford to be included individually, with the study being finished by this spring.

Commissioner Chaffee inquired of the use of the housing study with economic development. Sauter stated that developers need the housing study to submit with their financing packet when building.

Motion by Commissioner Hallan to contribute up to \$6,000 toward Pine County's contribution to the Regional Housing Plan/Study. Second by Commissioner Chaffee. Motion carried 2-1, with Hallan, Chaffee in favor, Commissioner Rossow opposed. Commissioner Ludwig abstained.

4. Land Committee

The Land Committee met January 7, 2014 and made the following recommendations:

A. Withdraw/Retention of 2013 Land Auction Parcels

Auditor-Treasurer Cathy Clemmer provided information regarding select parcels of land that shall remain for sale in accordance with the 2013 land auction terms, conditions and appraised values until sold or withdrawn from sale; and establishing July 11, 2014 as the date all unsold parcels of land that were previously offered at the September 20, 2013 land auction, except select parcels, shall be withdrawn from sale, reappraised and reoffered at the 2014 land auction.

Motion by Commissioner Hallan to approve Resolution 2014-03, Resolution to Retain and Withdraw 2013 Land Auction Parcels, and authorize Chair and County Administrator to sign. Second by Commissioner Chaffee. Motion carried 4-0.

B. 2014 Tax Forfeit Land Sale Tract Classification and Distribution

Auditor-Treasurer Clemmer provided information as to the new list of parcels not having previously been offered for sale and requests to classify the lands as non-conservation. Clemmer also indicated she would need to obtain approval from the DNR and townships for the sale of said parcels.

Motion by Commissioner Chaffee to approve Resolution 2014-04, 2014 Tax Forfeit Land Sale Tract Classification and Distribution (non-conservation), and authorize Board Chair and County Administrator to sign. Second by Commissioner Ludwig. Motion carried 4-0.

C. **Repurchase and Contract Re-Instatement and Eldon Schmedeke Land Purchase Deadline**

Auditor-Treasurer Clemmer explained the procedure and timeframe for non-homestead and homestead parcels to be sold at the land auction. Clemmer also indicated Eldon and Marjorie Schmedeke have until the official date of approval of the 2014 land sale to repurchase the W 66' of the E 132' of the NE¼ of SE¼ and the W 66' of the E 132' of the SE¼ of NE¼, Sec. 11, Twp 42, Rge. 17. If the Schmedeke property is not repurchased, the property shall be attached to the adjoining county properties offered at the sale.

Motion by Commissioner Chaffee to approve Resolution 2014-05, Repurchase and Contract Re-Instatement Deadline 2014, and authorize Board Chair and County Administrator to sign. Second by Commissioner Hallan. Motion carried 4-0.

D. **2014 Forfeit Land Sale**

Motion by Commissioner Ludwig to approve the list of lands to be offered for sale in 2014, authorize appraisals, reappraisals and miscellaneous land sale preparation; set date for public land auction to September 19, 2014. Second by Commissioner Chaffee. Motion carried 4-0.

E. **2015 Legislation – Public Waters and Associated Properties**

Auditor-Treasurer Clemmer explained that the 2015 Legislation-Public Waters and Associated Properties Land Sale List has tracts of land that border, contain or are adjacent to public waters containing 150 feet or more of shoreland and requests to classify the list of lands as non-conservation. Clemmer also indicated she would need to obtain approval from the DNR and townships for the sale of said parcels. Clemmer stated legislation is necessary to sell these tracts of land.

Commissioner Chaffee thanked Clemmer for an excellent job well done.

Motion by Commissioner Hallan to approve Resolution 2014-06, Resolution for Tax-Forfeited Land Sale Preparation of Public Waters and Associated Properties, and authorize Board Chair and County Administrator to sign. Second by Commissioner Chaffee. Motion carried 4-0.

5. **Snowmobile Safety Grant**

Sheriff Robin Cole stated the Snowmobile Safety Grant with the State of Minnesota in the amount of \$13,016 is a standard grant. No matching funds required.

Motion by Commissioner Chaffee to approve the Snowmobile Safety Grant in the amount of \$13,016 and authorize the Board Chair and County Administrator to sign. Second by Commissioner Hallan. Motion carried 4-0.

6. **Medical Examiner Appointment**

County Administrator Minke indicated the county entered into an agreement with Anoka County for medical examiner services for 2014 and 2015. The county must appoint the medical examiner by resolution.

Motion by Commissioner Chaffee to approve Resolution 2014-02 to appoint Dr. A. Quinn Strobl as the Pine County Medical Examiner. Second by Commissioner Ludwig. Motion carried 4-0.

7. Disaster Recovery Plan and Access Control Agreement

Administrator Minke explained that the Technology Committee met on December 17, 2013 and recommended the approval of the Disaster Recovery Plan and Access Control Agreement. These plans were in response to recommendations from the State Auditor.

Motion by Commissioner Hallan to approve the Disaster Recovery Plan and Access Control Agreement. Second by Commissioner Ludwig. Motion carried 4-0.

7A. AFSCME Road and Bridge, Unit #1 Contract (Technicians)

Motion by Commissioner Chaffee to approve the January 1, 2014-December 31, 2015 Local Union Number 1647 (Road and Bridge, Unit 1) contract and authorize Board Chair and County Administrator to sign. Second by Commissioner Hallan. Motion carried 4-0.

7B. Ratify Termination of Employee

Motion by Commissioner Hallan to ratify the termination of social worker Mary Patterson, for cause, effective January 17, 2014. Second by Commissioner Chaffee. Motion carried 4-0.

7C. Vacancy Created by Termination

Commissioner Chaffee stated that this matter did not go to the personnel committee and is a direct request to the board.

Motion by Commissioner Ludwig to backfill the vacancy created by the termination of Mary Patterson. Second by Commissioner Chaffee. Motion carried 4-0.

7D. Acknowledge IT Supervisor Resignation

Commissioner Hallan requested to speak directly with Administrator Minke prior to the next personnel committee to discuss replacement options for the IT Supervisor position. Request granted by Chair Rossow.

Motion by Commissioner Rossow to acknowledge the resignation of IT Supervisor Lisa Blowers. Second by Commissioner Hallan. Motion carried 4-0.

8. Commissioner Updates

- a. Pine County Law Library Meeting: None given.
- b. East Central Solid Waste Commission Meeting: Commissioner Hallan stated there will not be a need for an environmental impact statement prior to the building of the cell at ECSWC.
- c. East Central Regional Library Board Meeting: Commissioner Chaffee stated this was their organizational meeting, officers were elected.
- d. Methamphetamine Task Force Meeting: Commissioner Ludwig stated new members (Kanabec County Public Health, FirstLight and Essentia) have joined the task force; discussion had now to proceed forward (education); and fund raising efforts.
- e. Committee of the Whole-Strategic Planning: Administrator Minke stated 8 priorities were set and discussed the action plans for the departments
- f. Arrowhead Counties Association Meeting: Commissioner Ludwig stated this was a legislative priority meeting.
- g. Rush Line Corridor Task Force: Commissioner Ludwig commented on the area involved and ongoing updates.
- h. GPS 45:93 Meeting: Administrator Minke commented on the housing study and the election of officials.

9. **Other**

Addition of Northeast Regional Radio Board, Thursday, January 23, 2014 to the upcoming meetings.

10. **Upcoming Meetings**

Upcoming meetings were reviewed.

11. **Adjourn**

With no further business, Chair Rossow adjourned the county board meeting at 12:02 p.m. The next regular meeting of the county board is scheduled for February 4, 2014 at 10:00 a.m. at the Public Health Building, Sandstone, Minnesota.

Curt H. Rossow, Chair
Board of Commissioners

David J. Minke, Administrator
Clerk to County Board

**SUMMARY
OF
MINUTES OF PINE COUNTY BOARD MEETING
*Regular Meeting***

**Tuesday, January 21, 2014, 10:00 a.m.
Board Room, Courthouse, Pine City, Minnesota**

Chair Rossow called the meeting to order at 10:00 a.m. Present were Commissioners Steve Chaffee, Curt Rossow, and Matt Ludwig. Also present were County Attorney John Carlson and County Administrator David Minke. Commissioner Mitch Pangerl was absent (excused).

The Pledge of Allegiance was said.

Chair Rossow called for public comment. Terry Neitzel requested return of his court bond.

Commissioner Chaffee moved to approve the amended Agenda. Second by Commissioner Ludwig. Motion carried 4-0.

Commissioner Hallan moved to approve the Minutes of the January 7, 2014 County Board Meeting and Summary for publication. Second by Commissioner Chaffee. Motion carried 4-0.

Minutes of Boards, Committees and Correspondence
None.

Commissioner Chaffee moved to approve the Consent Agenda. Second by Commissioner Ludwig. Motion carried 4-0.

Approve:

Fund	December 31, 2012	December 31, 2013	Increase(Decrease)
General Fund	\$2,495,333.06	\$2,539,821.50	\$44,488.44
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TOTAL (inc non-major funds)	\$13,375,860.67	\$9,550,362.46	(\$3,825,498.21)

Approve 2013 budget adjustments.

Approve acceptance of \$1,369.31 in donations from a citizen to a fund for payment of the care of seized, abused animals.

Approve transfer of retired police dog "Nittro" to Deputy Paul Widenstrom.

Approve the hiring of Jessee Johnston as a full-time Corrections Officer, effective January 28, 2014, \$16.04 per hour, B-23.

Approve the hiring of Kirby Olson as Survey Crew Chief, effective January 27, 2014, \$16.11 per hour, B-24, step 1.

Approve the appointment of Tara Reibling to backfill the Office Support Specialist position, A-13, step 1, \$12.44 per hour, effective February 5, 2014.

Approve the appointment of Beth Pierson to backfill the Social Worker position, C-42, step 1, \$19.25 per hour, effective February 5, 2014.

Subsurface Sewage Treatment System Ordinance Public Hearing

Land Services Director Kelly Schroeder provided a powerpoint presentation to the board of clarifications (additions/deletions) to the draft Subsurface Sewage Treatment System (SSTS) Ordinance. Discussion was held regarding abandonment of a septic system and compliance inspections for bedroom additions.

Chair Rossow opened the public meeting at 10:22 a.m.

The following provided comment: Bob Brewster (Arna Township), Richard Glattly (Norman Township), Harvey Lindstrom (inspector), Gordy Johnson (Pokegama Township), and David Koland (Sandstone Township).

February 4, 2014 is the deadline for the adoption of the Ordinance, however Aaron Jensen, MPCA, indicated that an extension could be granted if necessary.

With no further public comments, the public meeting closed at 11:06 a.m.

Chair Rossow requested Schroeder meet with the SSTS committee to make revisions/corrections to the ordinance and bring a final version to the February 4, 2014 board meeting for consideration for adoption.

The Pine County Personnel Committee met January 14, 2014 and made the following recommendations:

Sheriff

Approve 2% performance increase for Denise Baran, \$18.49 to \$18.86 per hour, effective February 4, 2014 (anniversary date).

Probation

Approve backfill of a potential vacancy, up to step 3, dependent on qualifications for approval.

Administrator

Approve 1% performance increase HHS Director Patrick Bruflat, \$40.01 to \$40.41 per hour, effective January 24, 2014.

Approve revised Personnel Policy, Supervisor PTO cash out policy.

Approve 2014 non-union wage scale corrections and additions.

Motion by Commissioner Chaffee to approve the recommendations of the Personnel Committee as stated above. Second by Commissioner Ludwig. Motion carried 4-0.

Motion by Commissioner Hallan to contribute up to \$6,000 toward Pine County's contribution to the Regional Housing Plan/Study. Second by Commissioner Chaffee. Motion carried 2-1, with

Commissioners Hallan and Chaffee in favor, Commissioner Rossow opposed. Commissioner Ludwig abstained.

The Land Committee met January 7, 2014 and made the following recommendations:

A. **Withdraw/Retention of 2013 Land Auction Parcels**

Motion by Commissioner Hallan to approve Resolution 2014-03, Resolution to Retain and Withdraw 2013 Land Auction Parcels, and authorize Chair and County Administrator to sign. Second by Commissioner Chaffee. Motion carried 4-0.

B. **2014 Tax Forfeit Land Sale Tract Classification and Distribution**

Motion by Commissioner Chaffee to approve Resolution 2014-04, 2014 Tax Forfeit Land Sale Tract Classification and Distribution (non-conservation), and authorize Board Chair and County Administrator to sign. Second by Commissioner Ludwig. Motion carried 4-0.

C. **Repurchase and Contract Re-Instatement and Eldon Schmedeke Land Purchase Deadline**

Motion by Commissioner Chaffee to approve Resolution 2014-05, Repurchase and Contract Re-Instatement Deadline 2014, and authorize Board Chair and County Administrator to sign. Second by Commissioner Hallan. Motion carried 4-0.

D. **2014 Forfeit Land Sale**

Motion by Commissioner Ludwig to approve the list of lands to be offered for sale in 2014, authorize appraisals, reappraisals and miscellaneous land sale preparation; set date for public land auction to September 19, 2014. Second by Commissioner Chaffee. Motion carried 4-0.

E. **2015 Legislation – Public Waters and Associated Properties**

Motion by Commissioner Hallan to approve Resolution 2014-06, Resolution for Tax-Forfeited Land Sale Preparation of Public Waters and Associated Properties, and authorize Board Chair and County Administrator to sign. Second by Commissioner Chaffee. Motion carried 4-0.

Motion by Commissioner Chaffee to approve the Snowmobile Safety Grant with the State of Minnesota in the amount of \$13,016 and authorize the Board Chair and County Administrator to sign. Second by Commissioner Hallan. Motion carried 4-0.

Motion by Commissioner Chaffee to approve Resolution 2014-02 appointing Dr. A. Quinn Strobl as the Pine County Medical Examiner. Second by Commissioner Ludwig. Motion carried 4-0.

Motion by Commissioner Hallan to approve the Disaster Recovery Plan and Access Control Agreement. Second by Commissioner Ludwig. Motion carried 4-0.

Motion by Commissioner Chaffee to approve the January 1, 2014-December 31, 2015 Local Union Number 1647 (Road and Bridge, Unit 1) contract and authorize Board Chair and County Administrator to sign. Second by Commissioner Hallan. Motion carried 4-0.

Motion by Commissioner Hallan to ratify the termination of social worker Mary Patterson for cause, effective January 17, 2014. Second by Commissioner Chaffee. Motion carried 4-0.

Motion by Commissioner Ludwig to backfill the vacancy created by the termination of Mary Patterson. Second by Commissioner Chaffee. Motion carried 4-0.

Motion by Commissioner Rossow to acknowledge the resignation of IT Supervisor Lisa Blowers. Second by Commissioner Hallan. Motion carried 4-0.

With no further business, Chair Rossow adjourned the county board meeting at 12:02 p.m. The next regular meeting of the county board is scheduled for February 4, 2014 at 10:00 a.m. at the Public Health Building, Sandstone, Minnesota.

Curt H. Rossow, Chair
Board of Commissioners

David J. Minke, Administrator
Clerk to County Board

The full text of the board's Minutes are available at the County Administrator's Office and the county's website (www.co.pine.mn.us). Copies may also be requested from the administrator's office.

ECRL Library Board Minutes

Date: Monday, December 16, 2013

Time: 9:30 am

Place: ECRL Headquarters, Cambridge

Present: Carlson, Keith (Chisago); Henderson, Ray (Chisago); Hommes, Linda (Aitkin); Kramersmeier, Charlotte (Mille Lacs); Lee, Karen (Isanti); McMahon, George (Chisago); Misiura, Audrey (Isanti); Niemi, Don (Aitkin); Raisanen, James (Aitkin); Reynolds, Genny (Mille Lacs); Sauer, Tom (Mille Lacs); Swanson, Margery (Pine); Warring, Mike (Isanti); Zaudtke, Wayne (Kanabec)

Staff: Misselt, Barbara (Director, ECRL); Lydon, Carla (Assistant Director, ECRL) Anderson, Shelly (Admin Serv Mgr, ECRL); Vickie Sorn (Youth and Community Services Librarian, ECRL)

Guests: Peter Willis (Onamia Friends of the Library)

Absent: Anderson, Gene (Kanabec); Chaffee, Steve (Pine); Goddard, Carol (Pine)

Call to Order:

President McMahon called the December 2013 meeting of the East Central Regional Library to order at 9:32 a.m.

Pledge of Allegiance & Introductions:

Reynolds introduced Peter Willis. Willis is a member of the Onamia Friends of the Library and is here to speak regarding the proposed changes at the Onamia Outreach location.

Adopt/Amend Agenda:

Misselt: Add under new business 'Recommended Closure Dec 26' and 'Leave of Absence extension'

M/S/P: unanimous

Misiura/Kramersmeier to adopt agenda as amended.

Period for Public comment

Peter Willis spoke regarding the proposed schedule change at the Onamia Link Site. Stated that schedule change would not be advantageous to most clients at their location. The Onamia Friends Group conducted a survey last Saturday that showed a lack of support for the change

with 23 opposed and 1 in favor. Willis stated that they are much more than a stop and provide much more. They would like to partner with use more and felt the stats presented did not reflect the total use of their facility.

Approval of Previous Minutes

M/S/P: unanimous

Lee/Carlson to approve minutes as presented.

Bills:

M/S/P: unanimous

Misiura/Carlson to approve October 2013 bills.

M/S/P: unanimous

Misiura/Hommes to approve the November 2013 bills.

Financial Reports:

M/S/P: unanimous

Misiura/Sauer to accept the October 2013 financial report as presented.

M/S/P: unanimous

Misiura/Hommes to accept the November 2013 financial report as presented.

ECRL Administrative Reports

A. Director's Organizational Report

See written report

B. Branch Highlights

See written report

Other Reports

A. Legacy Committee

Misselt: in Board packets is a breakdown of which branches received which programs per the committee's request.

Sorn: Currently, we are not in the position to accept more applications as all FY 2014 funds are encumbered. State reports have been submitted.

Sauer: Who is on the committee and do we need more lay people?

Misselt: Committee may need rebalancing and that can be done when committee appointments are completed in January.

B. Personnel Committee

Closed session.

M/S/P: unanimous

Raisanen/Kramersmeier to close session pursuant to MN Statute 13D.05 and being recorded according to state statute at 9:55 am.

M/S/P: unanimous

Lee/Kramersmeier to reopen at 11:10 am.

Lee: Director's Evaluation – Change to proposed goals #2 – first word should be coordinate. Misselt is doing a good job.

Director's Goals for 2014:

1. Develop and execute a broad survey of library services and prepare reports
2. Coordinate strategic planning process
3. Evaluate and modify Outreach services
4. Evaluate and continue updating materials procedures
5. Provide leadership for building projects
6. Study organizational structure of Headquarters services

M/S/P: unanimous

Lee/Misiura to accept performance appraisal

Old Business

- A. 2014 Budget approval – Aitkin, Chisago, Isanti, Mille Lacs and Pine have approved.

New Business

- A. Outreach Schedule -

M/S/P: (Sauer, Carlson, Reynolds opposed)

Lee/Kramersmeier to approve schedule as recommended

Discussion: new schedule includes increase of service to Braham, reduction in service to Isanti, dropping Askov stop and change of days for other stops including a change of day in Onamia. Raisanen: Could this be for a trial period of 6 months or 1 year? Sauer: looks like Onamia was cut out of the conversation. Misselt: spoke to them in July. Sorn: Outreach Librarian has surveyed users and volunteers who support the change. Reynolds: Working individuals can't use this service. Misselt: we could stay later if the depot would stay open. Zaudtke: Should have citizen groups to discuss. This appears to be for the benefit of staff schedules. Misselt: will have meetings in Outreach communities as we work on strategic plan.

B. Outreach Stop Partnership Agreement modification

M/S/P: unanimous

Reynolds/Kramersmeier to make 6 month agreements (1/1 – 6/30) with other recommended modifications.

C. 2014 Salary Schedule

M/S/P: unanimous

Niemi/Carlson to approve revised salary schedule (1% increase)

Q: Raisanen – can we pay out of scale? A: Misselt – Board can do what they want.

M/S/P: unanimous

Raisanen/Misiura to raise step on Finance and Accounting Manager.

McMahon cautions budget has been adopted. Niemi questions whether this is setting a precedent.

D. Tibbetts fund

M/S/P: unanimous

Hommel/Niemi to approve cashing out Tibbetts Fund CD and giving to City of Aitkin for the Aitkin Library expansion project.

E. Headquarters Lease for 2014

M/S/P: unanimous

Carlson/Henderson to approve 1-year extension of Headquarters lease with Isanti County.

F. 2014 Audit proposal

M/S/P: unanimous

Carlson/Hommes to accept proposal from Althoff and Nordquist for the 2013 and 2014 audit.

G. Cambridge Inheritance

M/S/P: unanimous

Carlson/Kramersmeier to approve proposed resolution for Ruby Johnson gift.

H. Election of 2014 Officers

M/S/P: unanimous

Swanson/Niemi to approve slate of officers: Raisanen, President; Warring, Vice President; Misiura, Secretary; Lee, Treasurer

I. Closure of December 26

M/S/P: unanimous

Misiura/Hommes to approve closing of Branch and ECRL Headquarters on Thursday, December 26, 2013 due to technology upgrade.

J. Personnel issue – Leave of absence

M/S/P: unanimous

Raisanen/Sauer to approve continued partial leave of absence for Hostetler from February 1, 2014 through April 30, 2014.

Trustee Issues

A. Board Terms

Misselt: In packets is an update on current Board terms. Kramersmeier and Hommes are eligible for reappointment.

Sauer believes his may still be incorrect. Misselt: we'll double check.

B. Board expense reimbursement

Discussion: Board meetings and committee meetings should be reimbursed. Events are optional. Legislative Day would be paid.

Issue tabled to Jan. Administration will put together a draft policy.

C. Legislative Report – March 5 is Legislative Day

D. Board member recognition – Board members Ray Henderson and Wayne Zaudtke were recognized and thanked for their service. Henderson has declined reappointment due to a move and Zaudtke has completed three terms.

Next meeting Monday, January 13 at 9:30 a.m. at ECRL Headquarters in Cambridge

M/S/P: unanimous

Carlson/Sauer to adjourn at 12:30 pm.

Wayne Zaudtke (2013)/Audrey Misiura (2014), Secretary
Carla Lydon, Recorder



PINE COUNTY PUBLIC WORKS

HIGHWAY DEPARTMENT

405 Airport Road NE
Pine City, MN 55063

Telephone 320-216-4200
Fax: 320-629-6736
1-800-450-7463 Ext. 4200

Mark A. LeBrun, P.E.
County Engineer

Pine County Land Surveyor Monthly Report

January 2014

Southfork Road Bridge T41N R21W Section 17 research records and update files for 2014 bridge replacement.

CSAH 30 T42N R19W Sections 7, 8 and 9 research records and update files for 2014 road construction season.

CSAH 23 T38N R21W research records and update files for 2014 road construction season.

CSAH 29 T42N R20W Section 14 research records and update files for 2014 road construction season.

Provide HARN coordinate data for GIS to County Recorder as needed.

Review legal descriptions for County ROW Dept. and County Land Dept. as needed.

Review Plats and Minor Subdivisions for County Zoning Dept. as needed.

Review and file PLSS corner certificates provided by private surveyors as needed.

Review, edit and file Certificates of Survey created by County Surveyor as needed.

Robin T. Mathews, Pine County Surveyor

Monthly Report January 2014.doc

A handwritten signature in black ink, appearing to read "R.T. Mathews", with a long horizontal flourish extending to the right.



The Pine County Soil and Water Conservation District Board of Supervisors held their monthly meeting on Thursday, December 5, 2013.

Members Present:

Doug Odegard
Skip Thomson
Tom Swaim
Jerry Telker

Others Present:

Jill Carlier, District Manager
Sam Martin, Water Management Specialist

Julie Salmon, NRCS DC

Members Absent: Joe Luedtke

CALL TO ORDER: Thomson called the meeting to order at 4:00 p.m.

PUBLIC COMMENT: Don Slama talked about waste water from car washes. Matt Ludwig introduced himself to the board as the new Commissioner Liason.

ELECTION OF OFFICERS:

Motion by Odegard to nominate Thomson as chairman for 2014.

Motion withdrawn.

Motion by Telker, seconded by Swaim to approve the officers for 2014 as follows:

Chairman: Skip Thomson
Vice Chair: Doug Odegard
Secretary: Joe Luedtke
Treasurer: Tom Swaim
Public Relations: Jerry Telker

Motion carried

REVIEW OF COMMITTEE ASSIGNMENTS:

New Committee Assignments:

Snake River Watershed: Tom Swaim, alternate Doug Odegard
TSA III: Doug Odegard, alternate Skip Thomson
MN Forestry: Jerry Telker, alternate Joe Luedtke
Wetland TEP: Skip Thomson, alternate Jerry Telker
Personnel: Chair & Vice Chair
East Central Forest Landscape: Jerry Telker, alternate Doug Odegard
Policy Committee: Tom Swaim, Jerry Telker
Budget Committee: Tom Swaim, Skip Thomson
Traveling Board Mtg Committee: Joe Luedtke, Tom Swaim, alternate Jerry Telker
Exploratory Committee: Doug Odegard, Jerry Telker
Floating Committee Member: Skip Thomson

Motion by Odegard, seconded by Telker to approve the 2014 Committee Assignments.

Motion carried

DESIGNATE DEPOSITORIES:

Carlier stated the current depositories are Woodlands National Bank and Northview Bank.

Motion by Telker, seconded by Swaim to designate the depositories for 2014 as Woodlands National Bank and Northview Bank.

Motion carried

APPROVAL OF AGENDA:

Motion by Odegard, seconded by Telker to approve the agenda with corrections and additions.

Motion carried

DECEMBER MINUTES:

Motion by Swaim, seconded by Odegard, to approve the December minutes.

Motion carried

DECEMBER FINANCIAL STATEMENTS AND PAYMENTS OF BILLS:

Motion by Telker, seconded by Swaim to approve the December financials and payment of bills including a \$7,500 transfer.

Motion carried

STAFF/SUPERVISOR REPORTS:

Wetlands & Grants:

No WCA issues for approval.

No grant issues for discussion.

Water Management:

- SCRA has a draft Kettle River Landscape Stewardship Plan. Martin said the plan looks good, with ideas of things that can be done in the watershed to promote forestry. There will be a meeting on January 10th to discuss the draft plan.
- Martin and Osterdyk (Kanabec SWCD) applied for a Targeted Watershed Demonstration Grant in the lower Snake River for \$200,000.
- City of Pine City is working on a new street reconstruction project. They will not be doing rain gardens in this project.
- Working on water plan revision.

Forestry:

- Telker not able to attend the meeting. The group has been talking about gravel bed nurseries. The next meeting will be on January 16th.

East Central Forest Landscape:

- No meeting last month.

TSA III

- The next meeting will be on January 22nd.

Snake River Citizen Advisory Committee:

- The next meeting will be on January 27th.

Exploratory/Personnel/Policy/Budget

- No meetings last month.

Trees/ Envirothon/Newsletter:

- Tree orders are coming in.
- Will be the first Monday in May at Cloquet Forestry Center.
- Newsletter will be sent to the printer before the end of the month.

DISTRICT CONSERVATIONIST REPORT:

Salmon handed out a flyer regarding discrimination that will be in the board minutes.

Salmon stated that Dave Copeland will be leaving to relocate to southern MN.

2014 BUDGET:

Carlier stated the board approved a preliminary budget earlier in 2013; however now that the county board has approved our budget, the board needs to formally approve the 2014 budget.

Motion by Telker, seconded by Swaim to approve the 2014 budget.

Motion carried

Martin and Salmon left the meeting.

STATE COST SHARE:

Nothing this month.

CLEAN WATER GRANT: Nothing this month.

2014 CWG Applications: No word on the applications yet. The list should be out in a week.

ANNUAL MEETING:

Carlier asked the board for input on specific topics on for the annual meeting regarding forest stewardship plans.

YEAR-END FINANCIALS:

Carlier presented the agreement with the CPA to do the year end financials at a cost of \$850.

Motion by Swaim, seconded by Odegard to approve having the CPA do the year-end financials at a cost of \$850.

Motion carried

2014 MASWCD DUES:

Carlier stated she received an invoice for the 2014 MASWCD dues at a cost of \$2,866.50

Motion by Swaim, seconded by Telker to approve paying \$2,866.50 for the 2014 MASWCD dues.

Motion carried.

MASWCD Legislative Days at the Capitol:

Carlier stated Legislative Days are typically held in February. MASWCD is still trying to line it up right now. Information will be out on this in a week or so.

2014 AREA III DUES:

Carlier stated she received an invoice for \$260 for the 2014 Area III Dues.

Motion by Odegard, seconded by Telker to approve paying \$260 to Area III Association for 2014 dues.

Motion carried.

MISC ITEMS:

Vacation Request: Carlier is requesting vacation from February 26-March 5th.

Motion by Telker, seconded by Swaim to approve Carlier's vacation request.

Motion carried.

Additional Hours: Carlier is requesting approval to work additional hours to complete year-end reporting requirements.

Motion by Swaim, seconded by Telker to approve Carlier working 16 additional days as needed.

Motion carried.

Martin talked with Carlier about a training seminar on One Watershed One Plan and accountability being held in Brainerd on January 28th. After discussion, no one will attend this due to the driving distance and length of the seminar.

NEXT MEETING DATE & TIME:

The next district board meeting will be held on Thursday, February 6, 2014 at **4:00 p.m.**

ADJOURNMENT:

The meeting adjourned at 4:50 p.m.

Respectfully submitted,

Joe Luedtke, Secretary

**Pine County Methamphetamine Task Force
Minutes
January 13, 2014
Pine Government Center, Pine City**

Task Force Mission – To reduce methamphetamine and other illegal drug use and manufacture in Pine County.

Attendance: Don Faulkner, Representative Tim Faust, Sandy Korf/Kristen Hodge, Jim Johnson/Joe Newton, Lynette Kuzel, Gwen Lewis, Commissioner Matt Ludwig, Jerry Olson, Bonnie Rediske, Jessica Swan, Lori Swanson, Sarah Weikle, Patrick Bruflat and Janet Schumacher

Meeting commenced at 3:00 pm by Patrick Bruflat in the Conference Room at the Pine Government Center in Pine City.

1. **Introductions and Welcome** - to Representative Tim Faust, Lori Swanson, Kanabec County PH; Jim Johnson & Joe Newton, Essentia Health; and Jessica Swan, Firstlight Health System.
2. **Review Minutes of 10/14/13** – Motion was made by Don Faulkner and seconded by Commissioner Ludwig to approve the minutes. Motion carried.
3. **Updates from last meeting**
 - a) **Patrick Bruflat**
 - **Financial Report**
 - \$**2,000.76** - Unrestricted Balance on 9/30/13
 - \$ **310.06** - Revenue October, November, December
 - \$ **162.07** - Expenses October, November, December

\$2,148.75 – Unrestricted Balance as of 12/31/13

Motion was made by Jerry Olson and seconded by Bonnie Rediske to approve the financial report. Motion carried.

- **CLIMB Theatre’s Heroin & Meth Prevention Play**

Patrick was recently contacted about the presentation of CLIMB Theatre’s Heroin & Meth Prevention Play in our local schools. Lori S feels that presentations are sometimes one time shots and that curriculum would be better as it is evidence based. Sandy and Kristen indicated that when they had CLIMB Theatre presentations they also had follow-up discussions and that CLIMB did a good job. Sandy also indicated that when kids see these types of plays, it gets awareness out there and kids will start reporting other kids’ use of drugs, etc. to school personnel. They had put grant money into curriculum as well. Gwen feels that all kids have different ways of learning and we should try whatever is available to us.

Patrick indicated that we rely on DARE funds for grant proposals to our schools and currently there is not a balance to provide for RFPs.

4. **Reports from Members**

- **Lori Swanson** – Lori indicated that Kanabec Co PH has moved to making environment and policy changes and are working on prevention efforts of drugs and alcohol with funding through grants that they have received. They have expanded their focus and are not just focused on meth – they are now called SACK (Substance Abuse Coalition of Kanabec County) and have a large budget and 10 year grants. She invited all MTF

members to attend their meetings. They meet the first Tuesday of each month from 8:00 – 10:00 at the Kanabec Co Jail. She indicated that there are currently eight staff working in the SHIP program in five counties – Chisago, Isanti, Kanabec, Pine and Mille Lacs. The Community Leadership Team would like to have representatives from the schools involved. Gwen indicated that SHIP is working well in Pine County and she will be meeting with Lisa Perlick, Pine Co SHIP rep this week.

Jessica Swan is interested in seeing what prevention efforts are being made in Pine County.

Representative Tim Faust feels that the CLIMB Theatre may give more bang for our buck. In the scope of problems that drugs cause, we should consider it.

Lynette Kuzel shared some information on new trends – Blue Blossoms is a synthetic liquid for use in e-cigs and is available in cigarette and head shops and when used creates ecstasy affects.

Sarah Weikle mentioned the article on the flesh eating krokodil drug – there has been cases of people hospitalized in Chicago, with symptoms similar to cases reported by health care providers in Arizona and Oklahoma. It is a very addictive drug and appears quite obvious when people are using as it is a flesh eating drug.

The Probation Dept is reviewing their drug testing company. They currently do drug testing with a company in CA; however, it takes a longer period of time to get the results back. They are looking into a MN company which is cheaper and has a heroin ready screen and is fairly inexpensive.

Jim Johnson and Joe Newton/Essentia mentioned that they are seeing meth but not heroin like they are in the Twin Cities or Duluth area. They recently had three different cases of meth in ER in the last six months – one younger person and two adults.

Bonnie Rediske reported that six more meth babies were born since July and the most recent was on Dec 23rd - babies are being born with marijuana, meth, etc. in their system. The child protection numbers for reports received was up in 2013 from 2012 – up 250 in new reports and included higher risk cases.

Child Protection Staff are doing mandated reporting training in our local schools and are working hard in prevention and safety planning with families as well as trying to keep placement numbers down - currently there are 62 kids in placement with several under age 5. Since July four more drug babies were in placement and staff are seeing them come in at a younger age. A minor delinquent was recently tested positive for meth.

Staff want to reach families with high risk factors before reports are screenable. Families are accessing services through resource packets that are sent out – we are using a lot of resources out there and seeing a strong success rate in sobriety. Bonnie spoke of an individual that is at her 2 year sobriety and had not been sober since age 12.

Bonnie shared information on the PSOP (Parent Support Outreach Program) – three CMH workers and herself are working with these families – if they need additional workers, then they go to other Social Workers in Child Protection. Reports of possible child maltreatment are received by county and tribal social services but are “screened out”

from further action because the reported incident does not reach the legal standard of abuse or neglect. In many of these cases, however, there are factors that put children at potential risk. PSOP works to help these children and their families, and to avert future incidents of child maltreatment.

Participation by families is voluntary, it is an engagement program. Families with two or more risks associated with child abuse and neglect who are responsible for the care of at least one child age 10 or younger are eligible for PSOP services. Gwen agreed that PSOP has been a good program to have available.

Gwen Lewis spoke on the issue of homelessness and the increase in numbers that we are seeing locally – we are seeing more families being homeless and not just single individuals.

Sandy Korf/Kristen Hodge indicated that their main focus is education – getting kids to school and educating them, however, a large part of their focus is to coordinate a lot of services as well. They provide numerous services right in their schools at Hinckley/Finlayson. Drug and alcohol information is provided through their health classes. They have also seen an increase in child protection reports in 2013 from 2012. A third grader was reporting using e-cigs and a few sixth graders were found with prescription meds with the intention of selling them as well as getting high. The drug sniffing dog comes in two times/year – the dogs came in December with no reports.

Hinckley recently started a Teen Center for Native American kids providing tutoring classes, etc. They had CLIMB Theatre at Hinckley/Finlayson and the Bullying Prevention topic was presented.

The next meeting is scheduled for Monday, April 14, 2014 from 3:00 pm – 4:30 at Pine County Health & Human Services/Public Health Building in Sandstone.

Meeting adjourned at 4:05 pm. Minutes prepared by Janet Schumacher

Directions to the Pine Government Center in Pine City:

FROM NORTH – Take Interstate 35 South to the first Pine City Exit. At top of exit, take a left (Co Rd 11) and continue to Hwy 61 - turn right and continue to the first set of stop lights – the PGC is on the right – across from Frandsen Bank. Come up the north stairway/elevator to the HHS receptionist area.

FROM SOUTH – Take Interstate 35 North to the first Pine City exit. At top of exit, take a right (Hillside Ave) and continue to Hwy 61 - turn left and continue through the four way stop to the next set of stop lights – the PGC is on the left – across from Frandsen Bank. Come up the north stairway/elevator to the HHS receptionist area.

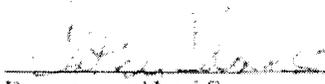
Directions to the Pine County Health & Human Services/Public Health Building in Sandstone:

FROM NORTH – Take Interstate 35 South to Askov/Finlayson exit. At top of exit, take a right and go to the stop sign, take a left (61/23) to Sandstone. As you approach the 61 Motel on the right, the HHS/Public Health Bldg is on the left.

FROM SOUTH – Take Interstate 35 North to Sandstone exit. At top of exit, take a right. Follow road (stay to the left of the BP Amoco Station) to stop sign; take a left (61/23) and go about 3 blocks – 61 Motel on the left, the HHS/Public Health Bldg is on the right.

P:\Word\Methamphetamine Task Force\Minutes\2014\January 13 min.doc

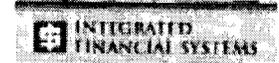
PINE COUNTY REQUEST FOR BOARD ACTION

Requested Board Date: February 4, 2014	<input checked="" type="checkbox"/> Consent Agenda <i>(Please Circle)</i> <input type="checkbox"/> Regular Agenda Estimated Time: <i>(Please Circle)</i> _____ 10 Min. 15 Min. Time needed 30 Min. 45 Min. 1 hour
Department Requesting Action: <u>Auditor/Treasurer</u>	 _____ Department Head Signature Date

<p>Item for Discussion:</p> <p><i>January 2014 Disbursements</i></p> <p>Board Action Requested: (Attach additional pages if needed)</p> <p align="right">Supporting Documents: Attached None</p>
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CATHYJ
1/30/14 8:41AM

***** Pine County *****

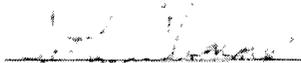


DISBURSEMENTS JOURNAL REPORT Specific Dates: 01/01/2014 - 01/31/2014

RECAP BY FUND	FUND	AMOUNT	NAME
	1	667,102.31	GENERAL REVENUE FUND
	13	475,698.03	ROAD & BRIDGE FUND
	22	5,860.71	LAND MANAGEMENT FUND
	37	2,974.00	COUNTY RAILROAD AUTHORITY
	38	3,090.50	BUILDING FUND
	39	895,130.63	2005A G.O. JAIL BONDS
	40	734,600.00	2012 G.O. COURTHOUSE BONDS
	76	383,914.88	GROUP HEALTH INS FUND 5/1/95 (GEN)
	80	30,660.03	COUNTY COLLECTIONS AGENCY FUND
	82	440,142.77	TAXES AND PENALTIES AGENCY FUND
		3,639,173.86	Total Disbursements

RECAP BY TYPE	TYPE	AMOUNT	NAME
	1	3,639,173.86	AUD
		3,639,173.86	Total Disbursements

PINE COUNTY REQUEST FOR BOARD ACTION

Requested Board Date: February 4, 2014	Consent Agenda <i>(Please Circle)</i> Regular Agenda Estimated Time: <i>(Please Circle)</i> _____ 10 Min. 15 Min. Time needed 30 Min. 45 Min. 1 hour
Department Requesting Action: <u>Auditor/Treasurer</u>	 _____ Department Head Signature Date

<p>Item for Discussion:</p> <p><i>Application for abatement: Phyllis Mae Wood, 7344 Main St. Rutledge PID 44.5061.000 & 44.5062.000, pay 2013</i></p> <p>Board Action Requested: (Attach additional pages if needed)</p> <p align="right">Supporting Documents: Attached None</p>
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Application for Local-Option Disaster Abatements and Credits

IMPORTANT: Application for property that is NOT located in a declared disaster or emergency area. If your property has been damaged or destroyed by a natural disaster, arson, or other type of accident, you may be eligible to receive some property tax relief on this year's and next year's property taxes. The type of tax relief you receive will depend on whether your property is homesteaded, the amount of damage sustained, the number of months the structure is unusable or uninhabitable, and a number of other factors. If an assessor has not already reassessed your property, you should contact your county assessor's office and request that an assessor view the damage for the purpose of receiving disaster relief.

County of Pinellas

Abatement # 41313-18

For Taxes Levied In 2018

And Payable In 2019

Applicant and Property Information

Applicant Information: Please type or print.

Name _____		Social Security number _____	
Mailing address (street address) _____		City _____	State _____ or _____
Telephone (work) _____		Telephone (home) _____	
Property I.D. or Parcel number (county or your property tax statement) _____	County District number _____		
Address of damaged property, if different from mailing address _____			
Legal description of property (found on your property tax statement) _____			
Is the property homesteaded? <input type="checkbox"/> Yes <input type="checkbox"/> No		How many months was the property unable to be occupied or used? _____	
Is the property located in a county designated as a disaster or emergency area? <input type="checkbox"/> Yes <input type="checkbox"/> No		Date you left property: _____ Date you returned to property: <u>9/01/18</u>	

Applicant's statement of facts: Please let me know disaster, type of damage, and any other information you deem relevant.

Home damaged by fire
under investigation

Statement of Facts and Signature

Signature of property owner: By signing below, I certify, to the best of my knowledge, the above statements are true and correct.

Signature _____ Date _____

Note: Minalson Statutes, Section 609.41: "Whoever, in making any statement, oral or written, which is required or authorized by law to be made as a basis of imposing, reducing, or abating any tax or assessment, intentionally makes any statement as to any material matter which the maker of the statement knows is false may be sentenced, unless otherwise provided by law, to imprisonment for not more than one year or to payment of a fine of not more than \$5,000.00, or both."

RESOLUTION 2014-08

WHEREAS, Linda Jampska, the former owner, has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, as amended, which land is situated in the County of Pine, Minnesota, and described as follows, to-wit:

PARCEL #27.0159.003

The East 330.00 feet of the Southwest Quarter of the Southwest Quarter (SW1/4 of SW1/4) of Section Eleven (11), Township (43), Range Twenty-one (21) lying Northerly of the Township Road and the East 330.00 feet of the Northwest Quarter of Southwest Quarter (NW1/4 of SW1/4) except the North 660.00 feet thereof. Subject to the right of way of a township road on the east 33 feet thereof and also subject to the right of way of said township road on the south.

and WHEREAS, said applicant has submitted to the required application for repurchase to the Pine County Auditor:

and

and WHEREAS, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, that the application of Linda Jampska, for the repurchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

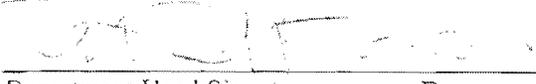
Dated at Sandstone, Minnesota, this 4th day of February, 2014.

Attest:

Chairman, Board of County Commissioners
Pine County, Minnesota

County Auditor

PINE COUNTY REQUEST FOR BOARD ACTION

Requested Board Date: February 4, 2014	Consent Agenda <i>(Please Circle)</i> Regular Agenda Estimated Time: <i>(Please Circle)</i> _____ 10 Min. 15 Min. Time needed 30 Min. 45 Min. 1 hour
Department Requesting Action: HHS	 _____ Department Head Signature Date

Item for Discussion: (one form per item)

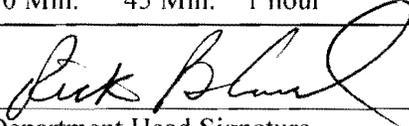
Authorize the promotion of Lori Anderson – Case Aide to Eligibility Worker, B23-\$15.25 per hour based on the AFSCME 2013 Salary Schedule. The Eligibility Worker position was authorized by the Board on June 18, 2013. We are not requesting the backfill of the vacant Case Aide position at this time.

Effective February 28, 2014.

Board Action Requested: (Attach additional pages if needed)

Supporting Documents: **Attached** None

PINE COUNTY REQUEST FOR BOARD ACTION

Requested Board Date: February 4, 2014	<u>Consent Agenda (Please choose)</u> Regular Agenda Estimated Time: (Please Circle) _____ 10 Min. 15 Min. Time needed 30 Min. 45 Min. 1 hour
Department requesting action: <u>Sheriff / Jail</u>	 _____ Department Head Signature Date

Item for Discussion: (one form per item)

Acknowledge and approve promotion of Part Time Correction Officer Alex White to Full Time Correction Officer effective 02-09-2014. No change in grade or wage. B-23, step 3 \$16.04.

Position approved during the October 15, 2013 County Board meeting.

Board Action Requested: (Attach additional pages if needed)

Supporting Documents: Attached None

REGULAR AGENDA

1. Facilities Committee

Commissioner Pangerl provided an overview of the Facilities Committee meeting which met October 2, 2013. The 2013/2014 & 2014/2015 snow plow bid process has started, tuckpointing of the PGC will begin in the spring of 2014, the energy wheel has been installed, discussion was held regarding the demolition of the old jail and boiler replacement at the PGC, and maintenance has been informed of the temperature situation in the conference room at the Public Health Building, Sandstone, and is looking into it. Commissioner Chaffee commented on the glare caused by the sun in the offices on the east side of the courthouse and the need for shades. Commissioner Rossow questioned if the demolition cost of the old jail will include the cost of the construction of the parking lot that will be in its place.

2. Personnel Committee

The Personnel Committee met October 8, 2013 with Chair Hallan in attendance due to the unavailability of Commissioner Rossow. The following recommendations were made:

Jail:

- i. Approve the hiring of two (2) full-time corrections officers.
- ii. Accept the resignation of part-time Dispatcher Donald Scullard and approve the back fill of position.
- iii. Item added at board meeting: Accept the resignation of Court Security Officer Jeff Starr effective October 14, 2013 and approve the back fill of position.

Commissioner Chaffee commented on the difficulty of keeping part-time correction officers on staff.

Motion by Commissioner Chaffee, with addition of item iii, to approve the recommendations of the Personnel Committee. Second by Commissioner Rossow. Motion carried 5-0.

Highway:

Accept the resignation of Survey Crew Chief Alex Larson and approve the back fill of position.

Comment was made that contractually this position starts at step 1 on the pay scale creating difficulty of keeping qualified personnel.

Motion by Commissioner Pangerl to approve the recommendations of the Personnel Committee. Second by Commissioner Chaffee. Motion carried 5-0.

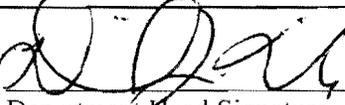
Administrator:

Extended leave status for Public Health Nurse Beth Lyon was removed from Agenda and referred back to November 12, 2013 Personnel Committee.

3. Small Cities Development Program Grant

Dana Rauschnot, Lakes and Pines Community Action Council was present. Rauschnot stated in 2012 the county approached Lakes & Pines to assist in applying to the SCDP for grant funds to fix up low to moderate income owner-occupied housing in Pine County. The Department of Employment & Economic Development is requesting a defined smaller target area for grant application that will make the most impact in the county. Rauschnot presented

PINE COUNTY REQUEST FOR BOARD ACTION

Requested Board Date: February 4, 2014	<u>Consent Agenda (Please Circle)</u> Regular Agenda Estimated Time: (Please Circle) 10 Min. 15 Min. Time needed 30 Min. 45 Min. 1 hour
Department Requesting Action: <u>Administrator</u>	 Department Head Signature Date <u>1-27-14</u>

Police Officer Declaration for Deputies Resolution to include Deputy Vaagenes in the Police and Fire PERA account at full funding levels effective from his hire date of December 29, 2013.	
Board Action Requested: (Attach additional pages if needed) Declare that the position of Deputy Sheriff, held by Timothy Vaagenes meets all of the Police and Fire Plan membership requirements for PERA.	
Supporting Documents:	Attached:
<hr/> <hr/>	

**Public Employees Retirement Association
Police Officer Declaration 2014-07**



WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police or sheriff departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the Sheriff's Department of Pine County hereby declares that the position of Part-time Deputy Sheriff currently held by Timothy Vaagenes meets all of the following Police and Fire Plan membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire Plan salary deduction by the governmental subdivision.

Board Chair: _____ Date: _____

STATE OF MINNESOTA
COUNTY OF PINE

I, David J. Minke, clerk of Pine County Board of Commissioners, do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 5th day of October, 2013; the original of which is on file in this office. I further certify that ___ members voted in favor of this resolution and that ___ members were present and voting.

Signed: _____ Date: _____

PINE COUNTY REQUEST FOR BOARD ACTION

Requested Board Date: February 4, 2014	Consent Agenda <i>(Please Circle)</i> Regular Agenda Estimated Time: <i>(Please Circle)</i> _____ 10 Min. 15 Min. Time needed 30 Min. 45 Min. 1 hour
Department: Administrator's	Date: January 23, 2014

When Veteran Service Officer Ben Wiener was hired, he was given a year to complete certification. Attendance at the national conference is required to complete that training. VSO Wiener has requested permission to attend the training in South Dakota rather than Michigan. I have reviewed this request with Ben and believe there is a cost savings to the South Dakota training and it is better timing for Ben.

Board Action Requested: (Attach additional pages if needed)

Approve a 30-day extension (to August 30, 2014) for VSO Ben Wiener to become certified.

Supporting Documents: Attached None

Signature:

PINE COUNTY REQUEST FOR BOARD ACTION

Requested Board Date: 4 February, 2014	<div style="border: 1px solid black; border-radius: 50%; width: fit-content; margin: 0 auto; padding: 2px;"> Consent Agenda <i>(Please Circle)</i> </div> Regular Agenda Estimated Time: <i>(Please Circle)</i> <input checked="" type="checkbox"/> 5 10 Min. 15 Min. <small>Time needed</small> <input type="checkbox"/> 30 Min. <input type="checkbox"/> 45 Min. <input type="checkbox"/> 1 hour
Veterans Services	<i>Raymond L. 1/29/14</i>

National CVSO Accreditation Training.

Board Action Requested: (Attach additional pages if needed)

Request Approval of Training in Pierre SD on August 25th to 29th, 2014 and an extension of the 1 year requirement to achieve accreditation to 13 months (August 30th) estimated cost of training is \$1300. These cost are chargeable to the CVSO Grant

Supporting Documents: Attached

Accreditation Cost comparison.
 National Training Registration form



National Association of County Veterans Service Officers
Accreditation Training
August 25 – 29, 2014
Ramkota Hotel, Pierre, SD

Our South Dakota Veterans Service Officers Association is pleased to announce that we will be hosting the NACVSO Accreditation Training in Pierre, SD on August 25-29, 2014. We have the support of the South Dakota Department of Veterans Affairs in this endeavor.

The national training is comprised of 30 hours of instruction over five days, covering all facets of service officers' duties. Upon completion of the course on Friday, Aug. 29, participants will take a 100-question test. After faithful attendance and successfully passing the test, you will be able to apply for accreditation with the VA through NACVSO. (One must be a member of NACVSO to be accredited by them - \$40 annual membership which must be paid prior to coming to the training)

As we get closer to the dates of the school, we will send additional information regarding lodging and other details.

The registration fee for this five-day training program is \$150. Please register no later than April 16, 2014.

Please make check payable to SDVSO Association and mail it along with the lower portion of this form to:

Gordon Richard, VSO
Spink County Courthouse
210 E. 7th Ave.
Redfield, SD 57469

VSO Name _____

Address _____

County _____ Phone _____

Email _____

Accreditation Cost Analysis

Accreditation by the National Association of County Veteran Services Officers is a requirement of the CVSO position. The accreditation training is given annually at the NACVSO Conference. In 2014 the conference is June 7-14 in Grand Rapids Michigan. The same training is also provided on a contract basis in other locations throughout the year. It is offered in Pierre, South Dakota, August 25th through 29th. Either conference can be funded by the current MDVA grant. In order to be eligible for the next MDVA grant I will need to be accredited. Both training opportunities meet that requirement.

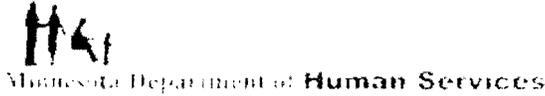
Grand Rapids, MI	Item	Pierre, SD
300	Conference fee	150
730	Travel :Mileage1304 mi vs. 860 mi @\$.56/mi	481
780	Hotel: 6 nights 114+14% tax vs. 65+7%	417
238	Meals: \$34 per day * 7	238
\$2048	Total	\$1286

The August CVSO accreditation training fits better with my National Guard Training. It is also \$762 cheaper for the county.

The August training dates do not meet the 1 year time limit for Accreditation. This requirement can be extended by the board to allow for the training in SD.

The June National CVSO conference meets the 1 year Accreditation requirement

The June Training is during Weapons Qualification with my National Guard Unit. It costs \$762 more than the same training in SD.



[Home](#) > [Training Calendar](#)

[Sign On](#) | [Sign Off](#)

COLLECT AND DISBURSE

CLAIRE NELSON

Here is more information about this class:

Your status in this class is: Enrolled

[Cancel from this class](#)

[Class Schedule](#)

[Class Detail](#) |
 [Class Content](#) |
 [Class Roster](#) |
 [Prerequisites](#)

[Course Description](#) | [Prerequisites](#)

Class Data

Course Code: CSE310
 Class Name: COLLECT AND DISBURSE
 Location: MN DEPARTMENT OF HUMAN SERVICES/LAFAYETTE
 Room: ROOM L 0104
 Street Address: 11800 HWY 18
 City: BRAINERD
 Start Date: 02/05/2014
 Start Time: 08:30 AM
 End Date: 02/06/2014
 End Time: 04:00 PM



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PINE COUNTY REQUEST FOR BOARD ACTION

Requested Board Date: February 4, 2014	Consent Agenda <i>(Please Circle)</i> Regular Agenda Estimated Time: <i>(Please Circle)</i> <u>5 Min.</u> 10 Min. 15 Min. Time needed 30 Min. 45 Min. 1 hour
Department: Administrator's	Request by:  _____ David J. Mirke

Pine County is a member of the Rush Line Task Force. The Rush Line Corridor Task Force is made up of more than two dozen elected officials and works to improve transit along the corridor from Hinckley to the Twin Cities.

Mike Rogers from the Ramsey County Regional Railroad Authority is the Rush Line project manager. He will be present to make a presentation to the board.

Commissioner Matt Ludwig is Pine County's representative on the task force.

Board Action Requested: (Attach additional pages if needed)

None.



PINE COUNTY LAND SERVICES

Assessor, Planning & Zoning, Recorder, Solid Waste
Pine County Courthouse, 635 Northridge Dr NW #260, Pine City, MN
320-591-1634 1-800-450-7463 Ext. 1634 Fax: 320-591-1640

MEMO

To: Pine County Commissioners

From: Kelly Schroeder, Land Services Director 

Date: January 29, 2014

Re: List of Final Changes to SSTS Ordinance

Here is the list of corrections and clarifications that were made to the SSTS Ordinance since the public hearing:

- 1.) Added the first sentence: "The Board of Commissioners of Pine County, Minnesota does ordain:" since this is required language in the ordinance.
- 2.) Corrected the site to the ordinance in the definition of Failure to Protect Groundwater to 4.05. Also changed the word "hereof" to "of this ordinance" to allow for easier reading. (article 2)
- 3.) Added the definitions of "Lot" and "Subdivision" as this related to item 6 on this list. (article 2)
- 4.) Corrected the definition of a notice of noncompliance to include those notices issued by licensed inspection businesses. (article 2)
- 5.) Changed the word "hereof" to "of this ordinance" at the end of the definition of imminent threat to public health and safety to allow for easier reading. (article 2)
- 6.) Corrected the site to Minnesota Rule within the definitions for Periodically Saturated Soils and Redoximorphic Features as it was previously incorrect. (article 2)
- 7.) Clarified that the requirement for two soil treatment areas on a lot is a requirement for plats and subdivisions only as there was some question what the required applied to. Also clarified that cluster systems are still an acceptable method of disposal as there was concern that this provision would eliminate these systems. (section 4.01.03)
- 8.) Clarified the language to ensure buildings cannot be used or occupied without a wastewater treatment system as the language previously stated you must occupy a building without a wastewater treatment system. (section 4.06.01)
- 9.) Combined the language from Section 5.02.04 Subpart A ii and Subpart B to better describe situations when holding tanks are appropriate disposal methods.

- 10.) Removed the process of declaring a system dormant. This was an extra process that is unnecessary to document those system that are not currently being used, but do have a future intent of use. This is such a rare occurrence that having a process to go through is excessive. Those systems that haven't been in use in many years will more than likely end up being inspected prior to them being put back into service by other mechanisms that are in place. (section 6.04.02)
- 11.) Removed the language stating that "SSTS found not to be in compliance with 7080.1500 Subp. 4A or 7081.0080 Subp. 3 must be repaired or replaced within 10 months or as directed under Minnesota Statutes, Chapter 145A." Section 4.02.04 already spells this out. (section 8.01.02 subpart A)
- 12.) Moved the rest of the paragraph in section 8.01.02 subpart A and reworded it to "G" in the same section as this is not part of a routine compliance inspection, it's only part of a compliance inspection for those system operated through an operating permit.
- 13.) Removed the word "building" as the descriptive word of permits. Now this requirement covers all permits. (i.e. building permits, site permits, land use permits) since many of the jurisdictions that require permits call them different things. (section 08.01.03 subpart A iv)
- 14.) Removed the language exempting foreclosure transfers. This just caused confusion and they are covered by the filing of a certificate of real estate value anyway. (section 8.01.04 subpart b iii)
- 15.) Added more specific language on the repeal of the previous ordinance (article 17).

These changes will all be reviewed prior to the adoption of the ordinance.

PINE COUNTY SUBSURFACE SEWAGE TREATMENT SYSTEMS

The Board of Commissioners of Pine County, Minnesota does ordain:

This is an ordinance authorizing and providing for sewage treatment and soil dispersal in unsewered areas of the county. It establishes:

1. Minimum standards for and regulation of individual sewage treatment systems (ISTS) and mid-sized Subsurface Sewage Treatment Systems (MSTS) (collectively referred to as SSTS) in unsewered incorporated and unincorporated areas of Pine County incorporating by reference minimum standards established by Minnesota statutes and administrative rules of the Minnesota Pollution Control Agency.;
2. Requirements for issuing permits for installation, alteration, repair or expansion of SSTS.;
3. Requirements for all SSTS permitted under the revised Minnesota Rules, Chapters 7080 and 7081 to be operated under an approved management plan.;
4. Standards for upgrade, repair, replacement, or abandonment of SSTS.;
5. Penalties for failure to comply with these provisions.;
6. Provisions for enforcement of these requirements.;
7. Standards which promote the health, safety and welfare of the public as reflected in Minnesota Statutes §115.55, §145A.05, §375.51, §394.21-394.37, and §471.82, the County Comprehensive Plan and shall also apply in areas covered by the Pine County Shoreland Management Ordinance, Pine County Flood Plain Ordinance, Kettle River Wild and Scenic River Ordinance, and the Pine County Subdivision and Platting Ordinance.

ARTICLE 1. PURPOSE AND INTENT

1.01 Purpose

The purpose of this Ordinance is to establish minimum requirements for regulation of ISTS and MSTS for the treatment and dispersal of sewage within the applicable jurisdiction of the County to protect public health and safety, groundwater quality, and prevent or eliminate the development of public nuisances. It is intended to serve the best interests of the County's citizens by protecting its health, safety, general welfare, and natural resources.

1.02 Intent

It is intended by the County that this Ordinance will promote the following:

- A. The protection of lakes, rivers, streams, wetlands, and groundwater in Pine County essential to the promotion of public health, safety, welfare, socioeconomic growth and development of the County.
- B. The regulation of proper SSTS construction, reconstruction, repair and maintenance to prevent the entry and migration of contaminants, thereby protecting the degradation of surface water and groundwater quality.
- C. The establishment of minimum standards for SSTS placement, design, construction, reconstruction, repair and maintenance to prevent contamination and, if contamination is discovered, the identification and control of its consequences and the abatement of its source and migration.
- D. The appropriate utilization of privy vaults and other non-water carried sewage collection and storage facilities.

- E. The provision of technical assistance and education, plan review, inspections, SSTS surveys and complaint investigations to prevent and control water-borne diseases, lake degradation, groundwater related hazards, and public nuisance conditions.

1.03 Authority

This Ordinance is adopted pursuant to Minnesota Statutes §115.55, Minnesota Statutes §145A.01 through §145A.08, Minnesota Statutes §375.51, or successor statutes, and Minnesota Rules, Chapter 7081, Chapter 7081, Chapter 7082, or successor rules.

1.04 Effective Date

The provisions set forth in this Ordinance shall become effective on April 1, 2014.

ARTICLE 2. DEFINITIONS

The following words and phrases shall have the meanings ascribed to them in this subdivision. If not specifically defined in this subdivision, terms used in this Ordinance shall have the same meaning as provided in the standards adopted by reference. Words or phrases that are not defined here or in the standards adopted by reference shall have common usage meaning. For purposes of this Ordinance, the words “must” and “shall” are mandatory and the words “may” and “should” are permissive.

Authorized Representative: An employee or agent of the County Land Services Department.

Bedroom: A room that is designed or used for sleeping or a room or area of a dwelling that has a minimum floor area of 70 square feet with access gained from the living area or living area hallway.

Board of Adjustment: A board established by county ordinance with the authority to order the issuance of variances, hear and decide appeals from a member of the affected public and review any order, requirement, decision, or determination made by any administrative official charged with enforcing any ordinance adopted pursuant to the provision of Minnesota Statutes §394.21 to §394.37, order the issuance of permits for buildings in areas designated for future public use on an official map and perform such other duties as required by the official controls.

Class V Injection Well: A shallow well used to place a variety of fluids directly below the land surface, which includes a domestic SSTS serving more than 20 people. The US Environmental Protection Agency and delegated state groundwater programs permit these wells to inject wastes below the ground surface provided they meet certain requirements and do not endanger underground sources of drinking water. Class V motor vehicle waste disposal wells and large-capacity cesspools are specifically prohibited (see 40 CFR Parts 144 and 146).

Cluster System: A SSTS under some form of common ownership that collects wastewater from two or more dwellings or buildings and conveys it to a treatment and dispersal system located on an acceptable site near the dwellings or buildings.

County: Pine County, Minnesota.

County Board: The Pine County Board of Commissioners.

Department: The Pine County Land Services Department.

Design Flow: The daily volume of wastewater for which an SSTS is designed to treat and discharge.

Existing Systems: Systems that have been previously inspected and approved by the local unit of government during installation. In addition, all operating systems installed before the adoption of a local permitting and inspection program are considered existing systems.

Failure to Protect Groundwater: At a minimum, a SSTS that does not protect groundwater is considered to be a seepage pit, cesspool, drywell, leaching pit, or other pit; a SSTS with less than the required vertical separation distance, described in Minnesota Rules Chapter 7080.1500 Subp. 4D and E; and a system not abandoned in accordance with part 7080.2500. The determination of the threat to groundwater for other conditions must be made by a Qualified Employee or an individual licensed pursuant to Section 4.05 of this Ordinance.

Imminent Threat to Public Health and Safety: At a minimum a SSTS with a discharge of sewage or sewage effluent to the ground surface, drainage systems, ditches, or storm water drains or directly to surface water; SSTS that cause a reoccurring sewage backup into a dwelling or other establishment; SSTS with electrical hazards; or sewage tanks with unsecured, damaged, or weak maintenance access covers. The determination of protectiveness for other conditions must be made by a Qualified Employee or a SSTS inspection business licensed pursuant to Section 4.05 of this Ordinance.

ISTS: An individual sewage treatment system having a design flow of no more than 5,000 gallons per day.

Lot: A parcel of land in a plat recorded in the office of the county recorder or registrar of title or a parcel of land created and conveyed, using a specific legal description, for a building site to be served by an ISTS.

Malfunction: The partial or complete loss of function of a SSTS component, which requires a corrective action to restore its intended function.

Management Plan: A plan that describes necessary and recommended routine operational and maintenance requirements, periodic examination, adjustment and testing, and the frequency of each to ensure system performance meets the treatment expectations, including a planned course of action to prevent an illegal discharge.

Minor Repair: The repair or replacement of an existing damaged or faulty component/part of an SSTS that will return the SSTS to its operable condition. The repair shall not alter the original area, dimensions, design, specifications or concept of the SSTS.

MSTS: A “midsized subsurface sewage treatment system” under single ownership that receives sewage from dwellings or other establishments having a design flow of more than 5,000 gallons per day to a maximum of 10,000 gallons per day.

New Construction: Installing or constructing a new ISTS or altering, extending, or adding capacity to a system that has been issued an initial certificate of compliance.

Notice of Noncompliance: A written document issued by the Department or certified inspection business notifying a system owner that the owner's onsite/cluster treatment system has been observed to be non-compliant with the requirements of this Ordinance.

MPCA: Minnesota Pollution Control Agency.

Qualified Employee: An employee of the state or a local unit of government who performs site evaluations or designs, installs, maintains, pumps, or inspects SSTS as part of the individual's employment duties and is registered on the SSTS professional register verifying specialty area endorsements applicable to the work being conducted as defined in Minnesota Rule 7083.1010.

Periodically saturated soil: The highest elevation in the soil that is in a reduced chemical state due to soil pores filled or nearly filled with water causing anaerobic conditions. Periodically saturated soil is determined by the presence of redoximorphic features in conjunction with other established indicators as specified in part 7080.1720, subpart 5, items E and F, or as determined by other scientifically established technical methods or empirical field measurements acceptable to the permitting authority in consultation with the commissioner.

Privy: An above ground structure with an underground cavity meeting the requirements of part 7080.2280 that is used for the storage or treatment and dispersal of toilet wastes, excluding water for flushing or graywater.

Record Drawings: A set of drawings, which to the fullest extent possible, document the final in-place location, size and type of all SSTS components, including the results of any materials testing performed and a description of conditions during construction of the system.

Redoximorphic features: A color pattern in soil, formed by oxidation and reduction of iron or manganese in saturated soil couple with their removal, translocation or accrual, which results in the loss (depletion) or gain (concentration) of mineral compounds compared to the matrix color or a soil matrix color controlled by the presence of ferrous iron. Also described in part 7080.1720 subpart 5 item E.

Sewage: Waste from toilets, bathing, laundry or culinary activities or operations or floor drains associated with these sources, including household cleaners and other constituents in amounts normally used for domestic purposes.

SSTS: Subsurface sewage treatment system including an ISTS, MSTS or LSTS

State: The State of Minnesota.

Subdivision: The division of a parcel of land into two or more lots or parcels for the purpose of transfer of ownership.

Treatment Level: Treatment system performance levels defined in Minnesota Rules, Chapter 7083.4030, Table III for testing of proprietary treatment products, which include the following:

Level A: cBOD₅≤15 mg/L; TSS≤15 mg/L; fecal coliforms≤1,000/100 mL.

Level B: cBOD₅≤25 mg/L; TSS≤30 mg/L; fecal coliforms≤10,000/100 mL.

Level C: cBOD₅≤125 mg/L; TSS≤80 mg/L; fecal coliforms N/A.

Type I System: An ISTS that follows a standard trench, bed, at-grade, mound, or graywater system design in accordance with MPCA rules, Minnesota Rules, Chapter 7080.2200 through 7080.2240.

Type II System: An ISTS with acceptable modifications or sewage containing containment system that may be permitted for use on a site not meeting the conditions acceptable for a standard Type I system. These include systems on lots with rapidly permeable soils or lots in floodplains and privies or holding tanks.

Type III System: A custom designed ISTS having acceptable flow restriction devices to allow its use on a lot that cannot accommodate a standard Type I soil treatment and dispersal system.

Type IV System: An ISTS, having an approved pretreatment device and incorporating pressure distribution and dosing, that is capable of providing suitable treatment for use where the separation distance to a shallow saturated zone is less than the minimum allowed.

Type V System: An ISTS, which is a custom engineered design to accommodate the site taking into account pretreatment effluent quality, loading rates, loading methods, groundwater mounding, and other soil and other relevant soil, site and wastewater characteristics such that groundwater contamination by viable fecal coliforms is prevented.

ARTICLE 3. GENERAL PROVISIONS

3.01 Scope

This Ordinance regulates the siting, design, installation, alterations, operation, maintenance, monitoring, and management of all SSTS within the County's applicable jurisdiction including, but not necessarily limited to individual SSTS and cluster or community SSTS, privy vaults, and other non-water carried SSTS. All sewage generated in unsewered areas of the County shall be treated and dispersed by an approved SSTS that is sited, designed, installed, operated and maintained in accordance with the provisions of this Ordinance or by a system that has been permitted by the MPCA.

3.02 Jurisdiction

The jurisdiction of this Ordinance shall include all lands of the County except for political subdivisions that effectively administer and enforce a SSTS program by ordinance within their jurisdiction, which is at least as strict as this Ordinance. Such ordinance must be approved by the MPCA as required in Minnesota Rule 7082.0040 Subpart 3. The County must permit and inspect SSTS within political subdivisions that do not administer an effective SSTS ordinance. The County Land Services Department shall keep a current list of local jurisdictions within the County administering a SSTS program.

3.03 Administration

3.03.01 County Administration. The County Land Services Department shall administer the SSTS program and all provisions of this Ordinance. At appropriate times, the County shall review this and revise and update this Ordinance as necessary. The County shall employ or retain under contract qualified employees or appropriately licensed professionals to administer and operate the SSTS program.

3.03.02 State of Minnesota. Where a single SSTS or group of SSTS under single ownership within one-half mile of each other, have a design flow greater than 10,000 gallons per day, the owner or owners shall make application for and obtain a State Disposal System permit from MPCA. For any SSTS that has measured daily flow for a consecutive seven-day period which equals or exceeds 10,000 gallons per day, a State Disposal System permit is required. SSTS serving establishments or facilities licensed or otherwise regulated by the State shall conform to the requirements of this Ordinance.

3.03.03 Cities and Townships. Any political subdivision within the county that regulates SSTS must comply with the standards and requirements of this Ordinance. The standards and ordinance of the political subdivision may be administratively and technically more restrictive than this Ordinance.

Political subdivisions that wish to administer a SSTS program within the shoreland areas of their jurisdiction must have a shoreland ordinance approved by the Commissioners of Natural Resources in addition to an SSTS ordinance.

If a political subdivision adopts an ordinance more restrictive than the county, the county will not inspect nor enforce an ordinance without a written agreement between the political subdivision and the county.

3.04 Validity

The validity of any part of this Ordinance shall not be affected by the invalidity of any other parts of this Ordinance where the part can be given effect irrespective of any invalid part or parts.

3.05 Liability

No liability or responsibility shall be imposed upon the county or agency or any of its officials, employees, or other contract agent, its employees, agents or servants thereof for damage resulting from the construction, operation, or abandonment of any SSTS regulated under this rule by reason of standards, requirements or inspections authorized hereunder.

ARTICLE 4. GENERAL REQUIREMENTS

4.01 Retroactivity

4.01.01 All SSTS

Except as explicitly set forth in Subdivision 4.01.02, all provisions of this Ordinance shall apply to any SSTS regardless of the date it was originally installed.

4.01.02 Existing Permits

Unexpired permits which were issued prior to the effective date shall remain valid under the terms and conditions of the original permit until the original expiration date.

4.01.03 SSTS on Lots Created After January 23, 1996

All lots created after January 23, 1996 must have a minimum of two soil treatment and dispersal areas that can support trenches, seepage beds, mounds, and at-grade systems as described in Minnesota Rules, Chapters 7080.2200 through 7080.2230 or site conditions described in 7081.0270, Subp.3 through 7 at the time the plat or subdivision is approved.

A cluster SSTS that have a common interest lot where a central system is located shall meet this requirement by having the minimum of two soil treatment and dispersal areas on the designated lot.

4.02 Upgrade, Repair, and Replacement

4.02.01 SSTS Capacity Expansions

Expansion of an existing SSTS must include any system upgrades that are necessary to bring the entire system into compliance with the prevailing provisions of this Ordinance at the time of the expansion.

4.02.02 Shorelands

An SSTS not meeting or exceeding the requirements Minnesota Rules Chapters 7080 and 7081 as adopted by reference in Section 5.01 of this Ordinance must be upgraded, at a minimum, prior to recording any property title transfers or contracts for deed beginning January 1, 1994 or at any time a permit or variance of any type is required for any improved on, or use of, the property within the shoreland areas of the county.

4.02.03 Failure to Protect Groundwater

An SSTS that is determined not to be protective of groundwater in accordance with Minnesota Rules, Chapter 7080.1500, Subp. 4.B shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of this Ordinance within 18 months of receipt of a Notice of Noncompliance.

4.02.04 Imminent Threat to Public Health or Safety

An SSTS that is determined to be an imminent threat to public health or safety in accordance with Minnesota Rules, Chapter 7080.1500, Subp. 4A shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of this Ordinance within 10 months of receipt of a Notice of Noncompliance.

4.03 SSTS In Floodplains

SSTS shall not be located in a floodway and wherever possible, location within any part of a floodplain shall be avoided. If no option exists to locate a SSTS outside of a floodplain, location within the flood fringe is allowed if the requirements in Minnesota Rules, Chapter 7080.2270 and all local requirements are met.

4.04 Class V Injection Wells

All owners of new or replacement SSTS that are considered to be Class V injection wells, as defined in the Code of Federal Regulations, title 40, part 144, are required by the Federal Government to submit SSTS inventory information to the Environmental Protection Agency as described in CFR40 part 144. Further, owners are required to identify all Class V injection wells in property transfer disclosures.

4.05 SSTS Practitioner Licensing

No person shall engage in site evaluation, inspection, design, installation, construction, alteration, extension, repair, maintenance or pumping of SSTS without an appropriate and valid license issued by MPCA in accordance with Minnesota Rules, Chapter 7083 except as exempted in 7083.0700 Subp. A-I.

4.06 Prohibitions

4.06.01 Occupancy or Use of a Building Without a Compliant SSTS

It is unlawful for any person to maintain, occupy, or use any building intended for habitation unless it has a wastewater treatment system that disposes of wastewater in a manner that complies with the provisions of this Ordinance.

4.06.02 Sewage Discharge to Ground Surface or Surface Water

It is unlawful for any person to construct, maintain, or use any SSTS system regulated under this Ordinance that results in raw or partially treated wastewater seeping to the ground surface or flowing into any surface water. Any surface discharging system must be permitted under the National Pollutant Discharge Elimination System program by the MPCA.

4.06.03 Sewage Discharge to a Well or Boring

It is unlawful for any person to discharge raw or treated wastewater into any well or boring as described in Minnesota Rules, Chapter 4725.2050, or any other excavation in the ground that is not in compliance with this Ordinance.

4.06.04 Discharge of Hazardous or Deleterious Materials

It is unlawful for any person to discharge into any treatment system regulated under this Ordinance any hazardous or deleterious material that adversely affects the treatment or dispersal performance of the system or groundwater quality.

ARTICLE 5. SSTS STANDARDS

5.01 Standards Adopted by Reference

The County hereby adopts by reference the 2011 Minnesota Rules, Chapters 7080 and 7081 in their entirety as now constituted and from time to time amended. This adoption does not supersede the County's right or ability to adopt local standards that are in compliance with Minnesota Statute §115.55 and applicable Minnesota rules within the Department of Natural Resources Chapter 6120. This Ordinance shall also include standards described in the Pine County Shoreland Management Ordinance, Pine County Flood Plain Ordinance, Kettle River Wild and Scenic River Ordinance, and Pine County Subdivision and Platting Ordinance or in the rules in applicable Chapters are also adopted by reference.

5.02 Amendments to the Adopted Standards

5.02.01 List of Adopted Standards

a. Design flow determination for dwellings will be designed for class 1 buildings only. The design flow for bedrooms is determined by multiplying 150 gallons by the number of bedrooms.

5.02.02 Determination of Hydraulic Loading Rate and SSTS Sizing

Table IX "Loading Rates for Determining Bottom Absorption area for Trenches and Seepage Beds for Effluent Treatment Level C and Absorption Ratios for Determining Mound Absorption Areas Using Detail Soil Descriptions" and Table IXa entitled "Loading Rates for Determining Bottom Absorption Area for Trenches and Seepage Beds for Effluent Treatment Level C and Absorption Ratios for Determining Mound Absorption Areas Using Percolation Tests" from Minnesota Rules, Chapter 7080.2150, Subp. 3(E) are herein adopted by reference and either shall be used to size SSTS infiltration areas for SSTS design.

5.02.03 Compliance Criteria for Existing SSTS

SSTS built before April 1, 1996 and not located in Shoreland areas, wellhead protection areas, or not serving food, beverage, or lodging establishments must have at least two feet of vertical separation between the bottom of the dispersal system and seasonal saturation or bedrock.

SSTS built after March 31, 1996 or SSTS located in a Shoreland area, wellhead Protection area, or serving a food, beverage, or lodging establishment as defined under 7080.1100, Subp. 84 shall have a three-foot vertical separation between the bottom soil infiltrative surface and the periodically saturated soil and/or bedrock. Existing systems that have no more than a 15 percent reduction in this separation distance (a separation distance no less than 30.6 inches) to account for settling of sand or soil, normal variation of separation distance measurements and interpretation of limiting layer characteristics may be considered compliant under this Ordinance. The vertical separation measurement shall be made outside the area of system influence but in an area of similar soil. 7080.1500, Subp. 4.

5.02.04 Holding Tanks

- A. Holding tanks may be allowed any of the following applications:
- i. for legal lots of record where it can be shown conclusively that a Type I SSTS permitted under this Ordinance cannot be feasibly installed;
 - ii. where there is limited water use such as seasonal properties, sensitive sites, parks, playgrounds, etc;
 - iii. as temporary disposal method to alleviate an imminent threat to public health or during construction, repair, or replacement of new and existing systems.
- B. Holding tanks must be used under the following conditions:
- i. The owner shall install a holding tank in accordance with Minnesota Rules Section 7080.2290;
 - ii. The owner shall install a water meter to continuously record indoor water use;

- iii. The owner shall maintain a valid contract with a licensed maintainer to pump and dispose of septage according to the applicable standards in Code of Federal Regulations, title 40, part 503; and
- iv. The owner must maintain current and historical records of maintainer pumping; volume of liquid removed; and the water meter reading at the time of pumping; all for Department review upon request. Volumes removed shall coincide with metered water use readings.

5.02.05 Privies

Privies are permitted provided they meet vertical separation and/or vault guidelines depicted in MN State Rules 7080.2150 and 7080.2280.

5.03 Variances

5.03.01 Variances Requests

A property owner may request a variance from the standards as specified in this Ordinance pursuant to County policies and procedures.

5.03.02 Affected Agency

Variances that pertain to the standards and requirements of the State of Minnesota must be approved by the affected State Agency pursuant to the requirements of the State Agency.

5.03.03 Board of Adjustment

- A. Any property owner requesting relief from the strict application of the provisions in this Ordinance must complete and submit an Application for Variance to the Department on a form provided by the Department. The variance request must include, as applicable:
 - i. A statement identifying the specific provision or provisions in the ordinance from which the variance is requested;
 - ii. A description of the hardship that prevents compliance with the rule;
 - iii. The alternative measures that will be taken to achieve a comparable degree of compliance with the purposes and intent of the applicable provisions;
 - iv. The length of time for which the variance is requested;
 - v. Cost considerations only if a reasonable use of the property does not exist under the term of the ordinance; and
 - vi. Other relevant information requested by the Department as necessary to properly evaluate the variance requested.
- B. The appropriate fee shall be paid at the time of submittal of the application to receive consideration by the Board of Adjustment
- C. Upon receipt of the variance application, the Department shall decide if a site investigation conducted by the Department will be necessary. After the necessary information has been gathered, the Department shall make a written recommendation to approve or deny the variance to the Board of Adjustment.
- D. The Board of Adjustment shall make the final decision after conducting a public hearing. The variance may be granted provided that:
 - i. The condition causing the demonstrated hardship is unique to the property and was not caused by the actions of applicant;

- ii. The granting of the variance will not be contrary to the public interest or damaging to the rights of other persons or to property values in the vicinity;
 - iii. The property owner would have no reasonable use of the land without the variance;
 - iv. The granting of the variance would not allow a prohibited use; and
 - v. The granting of the variance would be in accordance with Minnesota Rules, Chapters 7080, 7081, and 7082.
- E. In granting a request for a variance, the Board of Adjustment may attach such conditions as it deems necessary to conform to the purpose and intent of this Ordinance.
 - F. Any violation of the terms and conditions of a variance issued pursuant to this Ordinance, or any violation of any provision of this Ordinance relating to the specific issue of the variance, shall result in immediate revocation of the variance.
 - G. Any variance granted shall automatically expire if the system is not installed within one year of the grant of the variance.
 - H. Any appeal from any order, requirement, decision, or determination of the Board of Adjustment in accordance with its policies and procedures.

ARTICLE 6. SSTS PERMITTING

6.01 Permit Required

It is unlawful for any person to construct, install, modify or replace a SSTS without the appropriate permit from the Land Services Department, Pine County. The issuing of any permit, variance, or conditional use under the provisions of this Ordinance shall not absolve the applicant of responsibility to obtain any other required permit.

6.02 Construction Permit

A construction permit must be obtained by the property owner or an agent of the property owner from the County prior to the installation, construction, replacement, modification, alteration, repair, or capacity expansion of a SSTS. The purpose of this permit is to ensure that the proposed construction activity is sited, designed, and constructed in accordance with the provisions of this Ordinance by appropriately certified and/or licensed practitioner(s).

6.02.01 Activities Requiring a Construction Permit

A construction permit is required for installation of a new SSTS, for replacement of an existing SSTS, or for any repair or replacement of components that will alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout, or function.

6.02.02 Activities Not Requiring a Permit

A construction permit is not required for minor repairs or replacements of system components that do not alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout or function.

6.02.04 Permit Application Requirements

Construction permit applications shall be made on forms provided by the Land Services Department and signed by the applicant and an appropriately certified practitioner including the practitioner's certification number and date of expiration. The applications shall include the documents listed in items A through E below.

- A. Name, mailing address, telephone number and email address.
- B. Property identification number and address or other description of property location.
- C. Site evaluation report as described in Minnesota Rules, Chapter 7080.1730.
- D. Design report as described in Minnesota Rules, Chapter 7080.2430.
- E. Management plan as described in Minnesota Rules, Chapter 7082.0600.

6.02.05 Application review and Response

The Department shall review a permit application and supporting documents. Upon satisfaction that the proposed work will conform to the provisions of this Ordinance, the Department shall issue a written permit authorizing construction of the SSTS as designed. In the event the applicant makes a significant change to the approved application, the applicant must file an amended application detailing the changed conditions for approval prior to initiating or continuing construction, modification, or operation for approval or denial. The Department shall complete the review of the amended application within 15 working days of receipt of the amended application. If the permit application is incomplete or does not meet the requirements of this Ordinance, the Department shall deny the application. A notice of denial shall be provided to the applicant, which must state the reason for the denial.

6.02.06 Appeal

The applicant may appeal the Department's decision to deny the construction permit in accordance with the County's established policies and appeal procedures.

6.02.07 Permit Expiration

The construction permit is valid for a period of no more than one year from its date of issue. Satisfactory completion of construction shall be determined by receipt of final record drawings and a signed certification that the construction or installation of the system was completed in reasonable conformance with the approved design documents by a qualified employee of the Department or a licensed inspection business, which is authorized by the Department and independent of the owner and the SSTS installer.

6.02.08 Extensions and Renewals

The Department may grant an extension of the Construction Permit if the construction has commenced prior to the original expiration date of the permit. The permit may be extended for a period of no more than 12 months.

6.02.09 Transferability

A construction permit may be transferred to a new owner provided the new owner follows the design and permit as it has been issued and the site and soil conditions have not been altered or otherwise damaged.

6.02.10 Suspension or Revocation

The Department may suspend or revoke a construction permit issued under this section for any false statements, misrepresentations of facts on which the construction permit was issued, or unauthorized changes to the system design that alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout or function. A notice of suspension or revocation and the reasons for the suspension or revocation shall be conveyed in writing to the permit holder. If suspended or revoked, installation or modification of a treatment system may not commence or continue until a valid construction permit is obtained.

6.02.11 Posting

The construction permit shall be posted on the property in such a location and manner so that the permit is visible and available for inspection until construction is completed and certified.

6.03 Operating Permit

6.03.01 SSTS Requiring an Operating Permit

An operating permit shall be required of all owners of Type IV, V, MSTS or any other system deemed by the Department to require operational oversight. Sewage shall not be discharged to a MSTS until the Land Services Department certifies that the MSTS was installed in substantial conformance with the approved plans, receives the final record drawings of the MSTS, and a valid operating permit issued to the owner.

6.03.02 Operating Permit Application Requirements

A. Application for an operating permit shall be made on a form provided by the Land Services Department including:

- i. Owner name, mailing address, telephone and email address;
- ii. Construction permit reference number and date of issue;
- iii. Final record drawings of the treatment system; and
- iv. Owners of holding tanks must submit a copy of a valid executed monitoring and disposal contract with a licensed maintenance business.

B. Monitoring and Disposal Contract

Owners of holding tanks shall provide to the Land Services Department a copy of a valid monitoring and disposal contract executed between the owner and a licensed maintenance business, which guarantees the removal of the holding tank contents in a timely manner that prevents an illegal discharge in accordance with Minnesota Rules, Chapter 7082.0100, Subp. 3G. This requirement is waived if the owner is a farmer who is exempt from licensing under Minnesota Statutes §115.56, Subd. 3(b)(3).

6.03.03 Department Response

The Department shall review the record drawings, operation and maintenance manual, management plan, maintenance and servicing contract, and any other pertinent documents as appropriate for accuracy and completeness. If any deficiencies are identified, the operating permit shall be denied until the deficiencies are corrected to the satisfaction of the Department. If the submitted documents fulfill the requirements, the Department shall issue an operating permit within 10 working days of receipt of the permit application.

6.03.04 Operating Permit Terms and Conditions

The operating permit shall include the following (see Minnesota Rules, Chapter 7082.0600, Subp. 2B):

- A. System performance requirements;
- B. System operating requirements;
- C. Monitoring locations, procedures and recording requirements;
- D. Maintenance requirements and schedules;
- E. Compliance limits and boundaries;
- F. Reporting requirements;
- G. Department notification requirements for non-compliant conditions;
- H. Valid contract between the owner and a licensed maintenance business;
- I. Disclosure, location and condition of acceptable soil treatment and dispersal system site; and
- J. Descriptions of acceptable and prohibited discharges.

6.03.05 Operating Permit Expiration and Renewal

- A. Operating permits shall be valid for the specific term stated on the permit as determined by the Department.
- B. An operating permit must be renewed prior to its expiration. If not renewed, the Department may require the system to be removed from service or operated as a holding tank until the permit is renewed. If not renewed within 90 calendar days of the expiration date, the County may require that the system be abandoned in accordance with Minnesota Rule 7080.2500.
- C. The Department shall notify the holder of an operating permit at least 90 calendar days prior to expiration of the permit. The Owner must apply for renewal at least 30 calendar days before the expiration date.
- D. Application shall be made on a form provided by the Department including:
 - i. Applicant name, mailing address and phone number;
 - ii. Reference number of previous owner's operating permit;
 - iii. Any and all outstanding Compliance Monitoring Reports as required by the operating permit;
 - iv. Certified treatment system inspection signed and/or sealed by a certified designer, maintenance contractor, or operator at the discretion of the County;
 - v. Any revisions made to the operation and maintenance manual; and
 - vi. Payment of application review fee as determined by the County.

- 6.03.06 Amendments to Existing Permits not Allowed**
The County may not amend an existing permit to reflect changes in this Ordinance until the permit term has expired and is renewed, unless an amendment is necessary to eliminate an imminent threat to public health or safety.
- 6.03.07 Transfers**
The operating permit may be transferred. The new owner shall notify the department of their ownership within 60 days of the sale of a property operated under an operating permit.
- 6.03.08 Suspension or Revocation**
- A. The Department may suspend or revoke any operating permit issued under this section for any false statements or misrepresentations of facts on which the operating permit was issued.
 - B. Notice of suspension revocation and the reasons for revocation shall be conveyed in writing to the owner.
 - C. If suspended or revoked, the Department may require that the treatment system be removed from service, operated as a holding tank, or abandoned in accordance with Article 4.
 - D. At the Department's discretion, the operating permit may be reinstated or renewed upon the owner taking appropriate corrective actions.
- 6.03.09 Compliance Monitoring**
- A. Performance monitoring of a SSTS shall be performed by a licensed inspection business or licensed service provider hired by the holder of the operating permit in accordance with the monitoring frequency and parameters stipulated in the permit.
 - B. A monitoring report shall be prepared and certified by the licensed inspection business or licensed service provider. The report shall be submitted to the Department on a form provided by the Department on or before the compliance reporting date stipulated in the operating permit. The report shall contain a description of all maintenance and serving activities performed since the last compliance monitoring report as described below:
 - i. Owner name and address;
 - ii. Operating permit number;
 - iii. average daily flow since last compliance monitoring report;
 - iv. Description of type of maintenance and date performed;
 - v. Description of samples taken (if required), analytical laboratory used, and results of analyses;
 - vi. Problems noted with the system and actions proposed or taken to correct them; and
 - vii. Name, signature, license and license number of the licensed professional who performed the work.

6.04 Abandonment Certification

6.04.01 Purpose

The purpose of the System Abandonment Certification is to ensure that a treatment system with no future intent for use be abandoned within a reasonable time following decommissioning and in a manner that protects public health, safety and water quality. It also terminates all permits associated with the system.

6.04.02 Abandonment Requirements

- A. Whenever the use of a SSTS or any system component is discontinued with no future intent of use as the result of a system repair, modification, replacement or decommissioning following connection to a municipal or private sanitary sewer, or condemnation or demolition of a building served by the system, further use of the system or any system component for any purpose under this Ordinance shall be prohibited.
- B. An owner of an SSTS must retain a licensed installation business to abandon all components of the treatment system within 60 calendar days of a system. Abandonment shall be completed in accordance with Minnesota Rules, Chapter 7080.2500. No prior notification of the Department of an owner's intent to abandon a system is necessary.
- C. A report of abandonment certified by the licensed installation business shall be submitted to the Department. The report shall include:
 - i. Owner's name and contact information;
 - ii. Property address;
 - iii. System construction permit and operating permit;
 - iv. The reason(s) for abandonment; and
 - v. A brief description of the abandonment methods used, description of the system components removed or abandoned in place, and disposition of any materials or residuals.

6.04.03 Abandonment Certificate

Upon receipt of an abandonment report and its determination that the SSTS has been abandoned according to the requirements of this Ordinance, the Department shall issue an abandonment certificate. If the abandonment is not completed according to the requirements of this Ordinance, the County shall notify the owner of the SSTS of the deficiencies, which shall be corrected within 30 calendar days of the notice.

ARTICLE 7. MANAGEMENT PLANS

7.01 SSTS Requiring Management Plans

Management plans are required for all new or replacement SSTS. The management plan shall be submitted to the Department with the construction permit application for review and approval. The Department shall be notified of any system modifications made during construction and the management plan revised and resubmitted at the time of final construction certification.

7.02 Required Contents of a Management Plan

Management plans shall include (Minnesota Rules, Chapter 7082.0600, Subp. 1):

- A. Operating requirements describing tasks that the owner can perform and tasks that a licensed service provider or maintainer must perform;
- B. Monitoring requirements;
- C. Maintenance requirements including maintenance procedures and a schedule for routine maintenance;
- D. Statement that the owner is required to notify the Department when the management plan requirements are not being met;
- E. Disclosure of the location and condition of the additional soil treatment and dispersal area on the owner's property or a property serving the owner's residence; and
- F. Other requirements as determined by the Department.

7.03 Requirements for Systems not Operated under a Management Plan

Minnesota Rules Chapter 7082.0100, Subp. 3(L) requires SSTS that are not operated under a management plan or operating permit should have treatment tanks inspected and provide for the removal of solids if needed every three years. Solids must be removed when their accumulation meets the limit described in Minnesota Rules, Chapter 7080.2450.

ARTICLE 8. COMPLIANCE MANAGEMENT

8.01 Compliance Inspection Program

8.01.01 Department Responsibility

It is the responsibility of the Department, or its agent, to perform various SSTS compliance inspections as necessary or required.

- A. SSTS compliance inspections must be performed:
 - i. To ensure compliance with applicable requirements.
 - ii. Whenever a permit or variance of any type is required for an improvement on, or use of, the property in shoreland areas of the county as defined in the Pine County Shoreland Management Ordinance.
 - iii. For all new SSTS construction or replacement.
 - iv. Prior to the sale of a property which is required to be serviced by a SSTS.
 - v. For an evaluation, inspection, recommendation, or other process used to prepare a disclosure statement if conducted by a party who is not the SSTS owner. Such an inspection constitutes a compliance inspection and shall be conducted in accordance with Minnesota Rules, Chapter 7082.0700 using the SSTS inspection report forms provided by MPCA.
- B. All compliance inspections must be performed and signed by licensed inspection businesses or qualified employees certified as inspectors.

8.01.02 New Construction or Replacement

- A. Compliance inspections must be performed on new or replacement SSTS to determine compliance with Minnesota Rules, Chapters 7080 or 7081.
- B. It is the responsibility of the SSTS owner or the owner's agent to notify the Department two calendar days prior to any permitted work on the SSTS.
- C. A certificate of compliance for new SSTS construction or replacement, which shall be valid for five years, shall be issued by the Department if the Department has reasonable assurance that the system was built in

accordance with the applicable requirements as specified in the construction permit.

- D. The certificate of compliance must include a certified statement by the certified inspector or qualified employee who conducted the inspection that the SSTS is or is not in compliance with the ordinance requirements. If the SSTS is determined not to be in compliance with the applicable requirements, a notice of noncompliance must be issued to the owner which includes a statement specifying those ordinance provisions with which the SSTS does not comply.
- E. The certificate of compliance or notice of noncompliance must be submitted to the Department no later than 15 calendar days after the date the inspection was performed. The Department shall deliver the certificate of compliance or notice of noncompliance to the owner or the owner's agent within 15 calendar days of receipt from the certified inspector. No SSTS shall be placed into operation until a valid certificate of compliance has been issued.
- F. Certificates of compliance for new construction or replacement shall remain valid for five years from the date of issue unless the Department finds evidence of noncompliance.
- G. SSTS that are managed by an operating permit must be maintained, monitored or otherwise managed according to the operating permit. SSTS found to be noncompliant with other applicable requirements must be repaired or replaced according to the Department's requirements.

8.01.03 Existing Systems

- A. Compliance inspections shall be required when any of the following conditions occur:
 - i. When a construction permit is required to repair, modify, or upgrade an existing system.
 - ii. Any time there is a change in use of the property being served by an existing SSTS which may impact the performance of the system.
 - iii. At the time of property sale or transfer (see 8.01.04).
 - iv. At any time an increase in the number of bedrooms of a dwelling which requires a permit from the city or township.
 - v. Any permit or variance application within the shoreland.
 - vi. When an operating permit is to be renewed.
 - vii. At any time as required by this Ordinance or the Department deems appropriate such as upon receipt of a complaint or other notice of a system malfunction.
- B. Compliance inspections of existing SSTS shall be reported on the inspection report forms provided by MPCA. The following conditions must be assessed or verified:
 - i. Watertightness assessment of all treatment tanks including a leakage report;
 - ii. Vertical separation distance between the bottom of the soil treatment and dispersal system and the periodically saturated soil or bedrock including a vertical separation verification report; and
 - iii. Sewage backup, surface seepage, or surface discharge.

- C. The certificate of compliance must include a certified statement by a Qualified Employee or licensed inspection business, indicating whether the SSTS is in compliance with the ordinance requirements. If the SSTS is determined not to be in compliance with the applicable requirements, a notice of noncompliance must include a statement specifying those ordinance provisions with which the SSTS does not comply. A construction permit application must be submitted to the Department if the required corrective action is not a minor repair.
- D. The certificate of compliance or notice of noncompliance must be submitted to the Department no later than 15 calendar days after the date the inspection was performed. The Department shall deliver the certificate of compliance or notice of noncompliance to the owner or the other's agent within 15 calendar days of receipt from the licensed inspection business.
- E. Certificates of compliance for existing SSTS shall remain valid for three years from the date of issue unless the Department finds evidence of noncompliance.

8.01.04 Transfer of Properties

- A. Whenever a conveyance of land upon which a dwelling is located, or a tract of land upon which a dwelling is located, or a tract of land upon which a structure that is required to have an SSTS occurs, the following requirements shall be met:
 - i. A compliance inspection has been performed and a certificate of compliance has been issued and on file with the Department within three years for SSTS older than five years or within five years if the system is less than five years old prior to the intended sale or transfer of the property, unless evidence is found identifying an imminent threat to public health or safety;
 - ii. The compliance inspection must have been performed by a Qualified Employee of the Department or a licensed inspection business following procedures described in Section 8.01.03 of this Ordinance;
 - iii. The seller of the property must disclose in writing information about the status and location of all known ISTS on the property to the buyer on a form acceptable to the Department.
 - iv. If the seller fails to provide a certificate of compliance, sufficient security in the form of an escrow agreement to assure the installation of a complying ISTS shall be established. The security shall be placed in an escrow with a licensed real estate closer, licensed attorney-at-law, or federal or state chartered financial institution. The amount escrowed shall be equal to 150% of a written estimate to install a complying ISTS provided by a licensed and certified installer, or the amount escrowed shall be equal to 110% of the written contract price for the installation of a complying ISTS provided by a licensed and certified installer. After a complying SSTS has been installed and a certificate of compliance issued, the Department shall provide the escrow agent a copy of the certificate of compliance.

- v. In absence of the escrow account according to Section 8.01.04, Subp. A(iv) above, the buyer shall be responsible for the necessary inspection and upgrading of said SSTS.
- B. The compliance portion of the certificate of compliance need not be completed if the sale or transfer involves the following circumstances:
 - i. The affected tract of land is without buildings or contains no dwellings or other buildings with plumbing fixtures.
 - ii. The transfer does not require the filing of a Certificate of Real Estate Value as described in Minnesota Statutes §272.115, Subd. 1.
 - iii. The transfer is a tax forfeiture.
 - iv. The sale or transfer completes a contract for deed or purchase agreement entered into prior to the effective date of this Ordinance. This subsection applies only to the original vendor and vendee on such a contract.
 - v. Any dwellings or other buildings that are connected exclusively to a municipal wastewater treatment system; any dwellings or other buildings that are located within the jurisdiction of a county approved agreement requiring exclusive connection to the wastewater treatment system of any municipality; or any dwellings or other buildings that are connected exclusively to an approved wastewater treatment facility other than an individual sewage treatment system.
- C. All property conveyances subject to this Ordinance occurring during the period between November 15th and April 15th, when SSTS compliance cannot be determined due to frozen soil conditions, shall require a winter agreement, which includes an application for an SSTS permit and an agreement to complete a compliance inspection by the following June 1st by a licensed inspection business. If upon inspection the SSTS is found to be in compliance, the permit fee will be refunded. If upon inspection the system is found to be non-compliant, an escrow agreement must be established in accordance with Section 6.2.04A(iv) above, and the system upgraded.
- D. The responsibility for filing the completed compliance portion of the certificate of compliance under 6.2.04A, above, or for upgrading a system found to be non-compliant shall be determined by the buyer and seller. Buyer and seller shall provide the Department with a signed statement indicating responsibility for completing the compliance portion of the Certification and for upgrading a system found to be non-conforming.
- E. Neither the issuance of permits, certificates of compliance, or notices of noncompliance as requested or issued shall be construed to represent a guarantee or warranty of the system's operation or effectiveness. Such certificates signify that the system in question is or has been designed and installed in compliance or non-compliance with the provisions of these standards and regulations.

ARTICLE 9 ENFORCEMENT

9.01 Violations

9.01.01 Cause to Issue a Notice of Violation

Any person, firm, agent, or corporation who violates any of the provisions of this Ordinance, or who fails, neglects, or refuses to comply with the provisions

of this Ordinance, including violations of conditions and safeguards, or who knowingly makes any material false statement or knowing omission in any document required to be submitted under the provision hereof, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable as defined by Minnesota State Statutes. Each day that a violation exists shall constitute a separate offense.

9.01.02 Notice of Violation

The Department shall serve, in person or by mail, a notice of violation to any person determined to be violating provisions of this Ordinance. The notice of violation shall contain:

- A. A statement documenting the findings of fact determined through observations, inspections, or investigations;
- B. A list of specific violation(s) of this Ordinance;
- C. Specific requirements for correction or removal of the specified violation(s); and
- D. A mandatory time schedule for correction, removal and compliance with this Ordinance.

9.01.03 Cease and Desist Orders

Cease and desist orders may be issued when the Department has probable cause that an activity regulated by this or any other county ordinance is being or has been conducted without a permit or in violation of a permit. When work has been stopped by a cease and desist order, the work shall not resume until the reason for the work stoppage has been completely satisfied, any administrative fees paid, and the cease and desist order lifted.

9.02 Prosecution

In the event of a violation or threatened violation of this Ordinance, the County may, in addition to other remedies, initiate appropriate civil action or proceedings to prevent, prosecute, restrain, correct or abate such violations or threatened violations and the County Attorney shall have authority to commence such civil action. The Department and County Attorney may take such actions as may be necessary to enforce the provisions of this Ordinance.

9.03 Cost and Reimbursements

If the Department is required to remove or abate an imminent threat to public health or safety, the Department may recover all costs incurred in removal or abatement in a civil action, including legal fees; at the discretion of the County Board, the cost of an enforcement action under this Ordinance may be assessed and charged against the real property on which the public health nuisance was located. The County Auditor shall extend the cost of as assessed and charged on the tax roll against said real property.

9.04 State Notification of Violation

In accordance with state law, the Department shall notify the MPCA of any inspection, installation, design, construction, alteration or repair of an SSTS by a licensed/certified person or any septage removal by a licensed pumper that is performed in violation of the provisions of this Ordinance.

ARTICLE 10 **RECORD KEEPING**

The County shall maintain a current record of all permitted systems. The record shall contain all permit applications, issued permits, fees assessed, variance requests, certificates of compliance, notices of noncompliance, enforcement proceedings, site evaluation reports, design reports, record drawings, management plans, maintenance reports, an annual list of all sewage tanks installed in the county sorted by licensed installation businesses, and other records relevant to each system.

ARTICLE 11 **DISPUTE RESOLUTION PROCEDURES**

- A. In the event of a dispute between two designers on whether the soil or design meets the minimum requirements of the ordinance the County shall review the site, upon request, and make the final determination.

- B. In the event that a designer and the County have a dispute related to the design or soils meeting the minimum requirements of the ordinance the County shall meet with the designer on-site to review the soils and design. If the dispute is unresolved the County and designer shall request a mutually agreeable soil scientist to review the site. The applicant shall provide a deposit in an amount to be determined by the County to cover the cost of the soil scientist and County review. Both parties shall agree in writing that the soil scientist findings shall be final. If the scientist determines the County correctly interpreted the soils, the deposit will be retained and used to pay the scientist and County, with any extra money refunded to the applicant. If the soil scientist determines the designer was correct, the deposit shall be refunded and the County will pay for the cost of the soil scientist review. If soils are reviewed with the soil scientist that was not previously reviewed by the County the County shall retain the deposit. All reviews with the soil scientist shall be conducted in a pit that is a minimum of 4 feet by 4 feet with a depth of at least 3 feet below the bottom of the proposed system or until bedrock or the water table, whichever is less.

ARTICLE 12 **ANNUAL REPORT**

The department shall provide an annual report of SSTS permitting activities to MPCA no later than February 1 for the previous calendar year.

ARTICLE 13 **FEES**

From time to time, the County Board shall establish fees for activities undertaken by the Department pursuant to this Ordinance. Fees shall be due and payable at a time and in a manner to be determined by the Department.

ARTICLE 14 **INTERPRETATION**

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any other powers granted by Minnesota Statutes.

ARTICLE 15 **SEVERABILITY**

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of law, the remainder of this Ordinance shall not be affected and shall remain in full force.

ARTICLE 16 **ABROGATION AND GREATER RESTRICTIONS**

It is not intended by this Ordinance to repeal, abrogate, or impair any other existing county ordinances, easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

ARTICLE 17 **ORDINANCE REPEALED**

This Ordinance repeals the Individual Sewage Treatment Systems Ordinance of Pine County adopted July 15, 2003.

ARTICLE 18 **ADOPTION**

The Pine County Subsurface Sewage Treatment Program Ordinance is hereby adopted by the Pine County Board of Commissioners on the 4th day of February, 2014.

Curt H. Rossow
Chair, Pine County Board of Commissioners

Attest:

David J. Minke
County Administrator

Notice of Public Hearing Published: 1/9/14 & 1/16/14
Public Hearing: 1/21/14
Adopted by County Board: 2/4/14
Publication of Ordinance: 2/13/14
Filed with County Recorder: 2/27/14
Effective Date: 4/1/2014

PINE COUNTY REQUEST FOR BOARD ACTION

Requested Board Date: February 4, 2014	Consent Agenda <i>(Please Circle)</i> Regular Agenda Estimated Time: <i>(Please Circle)</i> <u>5 Min.</u> 10 Min. 15 Min. Time needed 30 Min. 45 Min. 1 hour
Department: Administrator's	Request by:  _____ David Minke

In 2013 the County created a position of Human Resource and Payroll Specialist and hired Matt Christenson to fill the position. Discussions were held with the City Administrators of Pine City, Hinckley, and Sandstone as to the potential of contracting for limited human resources-related services.

Attached is a contract that can be used to provide human resources-related services to those cities. It is structured so that each city would individually enter into a contract with the county.

The city would then meet with Matt and review the city's needs and develop a work plan with an estimated number of hours and cost. Preliminary conversations with the cities have indicated that initially the interest is in reviewing the human resources filing system and personnel policies. Since the county and cities operate under substantially the same laws with regards to the items, there would be some economy of scale to the work.

It is contemplated that the work would not be more than 10 percent of Matt's time and that the county's needs would take precedent. The agreement expires at the end of 2014, at which time we will reevaluate the program.

Board Action Requested: (Attach additional pages if needed)

Approve the attached Agreements for human resources services with the cities of Pine City, Hinckley and Sandstone, subject to each city's approval. The agreement expires at the end of 2014.

Human Resources Consulting Services Agreement Between the City of Pine City, Minnesota and the County of Pine, Minnesota

This Agreement is made and entered into this _____ day of _____, 2014 between Pine County, Minnesota, 635 Northridge Drive NW, Pine City, Minnesota (hereinafter "County") and the City of Pine City, (hereinafter "City").

In consideration of the mutual promises and agreements hereinafter set forth, the parties do hereby agree as follows:

1. **Human Resources Consulting Services.** City agrees to purchase from County, and County agrees to provide human resources consulting services:

The services indicated above are further explained, or limited, as follows:

- a. **Allocation of Resources.** The parties understand that the County's human resources needs come first. The County will endeavor to reasonably provide the desired services, but makes no guarantee to provide the requested consulting services.
- b. **Description of Services.** The services may consist of traditional human resources-related services such as personnel file management, policy development, contract interpretation, recruitment, training, etc. The City and County will discuss and reach agreement including timeline, deliverables and estimated costs for services on an on-going basis. The County, its officers and employees, shall not be liable to the City or any other person for failure to furnish assistance under this agreement. The County shall notify the City as soon as reasonable if the work will take longer than expected.
- c. For projects requiring more than an estimated five (5) hours of work, the City and County shall agree to a written description of the project, specify deliverables, and estimate the total duration and cost of the project.

2. **Payment.** County shall bill City, on a monthly basis, for work performed. The City agrees to pay County within thirty (30) days.

The following rates shall apply:

<u>Consulting work</u>	\$30 per hour (this rate shall apply to time worked by county staff and exclude travel time)
<u>Copies</u>	\$0.10/copy (B&W 8½ x 11)
	\$0.25 copy (legal or 11 x 17)
	\$1.00/copy (color)

3. **Term.** This contract shall commence on the effective date indicated above and shall expire December 31, 2014 unless terminated earlier as provided herein.
4. **Ownership.** The County shall provide final documents of work products to City. These may be in electronic format if desired by City. City shall retain ownership of final documents.

5. **Responsibilities of each Party.** County shall provide human resource consulting services. These services are not legal advice and no guarantee that any work done conforms to current applicable laws is provided. City shall be responsible to get its own legal advice on any matters it desires.
6. **Indemnification.** Except as arising from or out of the County's fault or negligence, the City agrees to indemnify and defend the County, its officials, agents, and employees against and will hold harmless the County, its officials, agents and employees from any claims expenses or damages, including attorneys' fees arising from the City's performance of its obligations pursuant to this Agreement.

Except as arising from or out of the City's fault or negligence, the County agrees to indemnify and defend the City, its officials, agents, and employees against and will hold harmless the City, its officials, agents and employees from any claims expenses or damages, including attorney's fees arising from the City's performance of its obligations pursuant to this Agreement.

7. **No Waiver.** Nothing herein shall be construed to waive or limit any immunity from, or limitation on, liability available to either party, whether set forth in Minnesota Statutes §466 or otherwise.
8. **Modification.** This writing contains the entire agreement between the parties and no alterations, variations, modifications, or waivers of the provisions of this Agreement are valid unless reduced to writing, signed by both City and County, and attached hereto.
9. **Subcontracting & Assignment.** County shall not subcontract or assign any portion of this Agreement to another without prior written permission from City.
10. **Termination.** This contract may be terminated at anytime during its term by mutual agreement of the parties. Either party may terminate this Agreement by personally serving a seven (7)-day written notice of termination on the other party. Notice to City shall be served on the City Administrator, and notice to the County shall be served on the County Administrator. In the event of termination, City shall pay for work completed and County shall provide such work project as is completed until the time of termination and paid for by City.
11. **Service Contract.** This is a service agreement. The parties do not intend to undertake or create, and nothing herein shall be construed as creating, a joint powers agreement, joint venture, or joint enterprise between the parties.
12. **Independent Contractor.** It is understood, the County is an independent contractor and not an employee of the City.
13. **Data Practices.** Data provided, produced or obtained under this Agreement shall be administered in accordance with the Minnesota Government Data Practices Act, Minnesota Statutes §13.

The County will immediately report to the City any requests from third parties for information relating to this Agreement. The County agrees to promptly respond to inquiries from the City concerning data requests.

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14. **Minnesota Law Governs.** This contract shall be governed by and construed in accordance with the internal laws of the State of Minnesota. All proceedings related to this contract shall be venued in the State of Minnesota.

15. **Severability.** The provisions of this contract shall be deemed severable. If any part of this contract is rendered void, invalid, or otherwise unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this contract.

County:

City:

By: _____
Curt H. Rossow
Its: County Board Chair

By: _____
Paul Janssen
Its: Mayor

By: _____
David J. Minke
Its: County Administrator

By: _____
Holly Wilson
Its: City Administrator

PINE COUNTY REQUEST FOR BOARD ACTION

Requested Board Date: February 4, 2014	Consent Agenda <i>(Please Circle)</i> Regular Agenda Estimated Time: <i>(Please Circle)</i> <u>5 Min.</u> 10 Min. 15 Min. Time needed 30 Min. 45 Min. 1 hour
Department: Administrator's	Request by:  _____ David J. Minke

The Association of Minnesota Counties has a legislative policy position which states:

AMC supports utilizing contemporary technological tools for the dissemination of required data; for example, amending county financial statement publication requirements so that counties may post reports on county websites.

As part of preparing for the 2014 session which convenes February 25, the Association of Minnesota Counties is requesting formal support for the modification of the requirement to publish notices in the county official newspaper.

Attached for your consideration is a resolution supporting AMC's position.

Board Action Requested: (Attach additional pages if needed)

Consider the attached resolution.

RESOLUTION No: 2014-09

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

WHEREAS, counties are currently required by Minnesota Statute §331A to publish public notices in a designated official newspaper for the county; and

WHEREAS, counties are committed to providing timely and accurate information to citizens and about business; and

WHEREAS, citizens expect and benefit from information in an immediate format; and

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

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

WHEREAS, using county websites and other electronic means to publish public notices would eliminate the time and cost of publishing in newspapers; and

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

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

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

ADOPTED by the Pine County Board of Commissioners on this, the 4th day of February, 2014.

Curt H. Rossow, Chair
Pine County Board of Commissioners

David J. Minke, County Administrator