

MINUTES OF PINE COUNTY BOARD MEETING
Regular Meeting

Tuesday, July 15, 2014, 10:00 a.m.
Board Room, Pine County Courthouse, Pine City, Minnesota

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

The Pledge of Allegiance was said.

Acting Chair Chaffee called for public comment.

Tom Utermoehl inquired if Tommy's Lakeside Bar & Grill liquor license was on the board agenda.

Acting Chair Chaffee requested the following revisions be made to the Agenda:

Additions to Regular Agenda:

4A: Consider new on-off sale liquor license – Tommy's Lakeside Bar & Grill LLC

7A: Update - Bridge over Snake River on Pokegama Lake Road

7B: Additional information for Regular Agenda Item #7 (Hwy. Contract #1404)

8A: Sandstone Economic Development Authority

8B: Konz Settlement

Commissioner Hallan moved to approve the amended Agenda. Second by Commissioner Pangerl. Motion carried 4-0.

Commissioner Ludwig moved to approve the Minutes of the July 1, 2014 County Board Meeting and Summary for publication. Second by Commissioner Hallan. Motion carried 4-0.

Minutes of Boards, Committees and Correspondence

Pine County HRA Senior Housing Board of Directors special meeting – May 22, 2014

Pine County HRA Senior Housing Board of Directors regular meeting – May 28, 2014

Pine County Land Surveyor Monthly Report – June 2014

Pine County Soil & Water Conservation District monthly meeting – June 5, 2014

Commissioner Hallan moved to acknowledge the Minutes of Boards, Committees and Correspondence. Second by Commissioner Ludwig. Motion carried 4-0.

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

CONSENT AGENDA

1. Review June, 2014 Cash Balance

Approve:

Fund	June 30, 2013	June 30, 2014	Increase(Decrease)
General Fund	1,944,263.05	2,278,258.51	333,995.46
Health and Human Services Fund	1,406,587.17	479,296.59	(927,290.58)
Road and Bridge Fund	7,437,294.47	2,933,846.61	(4,503,447.86)
Land Management Fund	1,463,743.39	1,023,389.18	(440,354.21)
TOTAL (inc non-major funds)	13,410,100.54	8,501,397.03	(4,908,703.51)

2. Application for Abatement:

Approve Application for Abatement for Michael & Gregory Piha, SE¹/₄ of NE¹/₄, 15-40-20, PID 19.0122.000, pay 2014.

3. Application for Exempt Permit

Approve Application for Exempt Permit for the Minnesota Sokol Camp Association to conduct Minnesota lawful gambling on August 10, 2014 at 19201 Woodland Acres South, Pine City (Chengwatana Twp.).

4. Temporary 3.2 Liquor License

Approve Minnesota Sokol Camp Association annual booya and picnic, August 10, 2014 at 19201 Woodland Acres South, Pine City, MN (Windemere Township). Subject to Township, County Sheriff, County Attorney and County Board approval.

5. Tobacco License

Approve Tobacco License for Beroun Crossing Market, formerly approved as Marathon of Beroun.

6. Training

Approve:

- A. Property Appraiser David Anderson to attend the Minnesota Association of Assessing Officer's Mass Appraisal Basics Course August 25-29, 2014 in St. Cloud. Cost: \$380.
- B. Child Support Officers Kellie Neel, Kari Sammis, Mindy Sandell and Support Enforcement Aide Christina Frey to attend the 2014 MN Family Support & Recovery Council Annual Conference September 29 – October 1, 2014 in St. Cloud. Cost per person: Registration \$145/meals included, travel \$56.25. Total cost: \$805. All employees will share a county car for transportation.

7. New Hire

Approve:

- A. the hiring of Highway Maintenance Worker Greig Roubinek, effective July 16, 2014, \$14.14 per hour, grade B23, step 1.
- B. the hiring of Land, Planning, Zoning, Solid Waste and Veterans Secretary Kelly Spinler, effective July 21, 2014, \$12.98 per hour, grade B21, step 1.

REGULAR AGENDA

1. Public Hearing

Acting Chair Chaffee opened the public hearing at 10:05 a.m. to consider public comment with regard to Wilma Township's disapproval of the sale of county tax-forfeited non-conservation lands within the township. County Auditor-Treasurer Cathy Clemmer provided an overview of the county procedures regarding the sale of tax-forfeited properties. Wilma Township Supervisor Michael McCullen and township residents Jeff GrandPré and Patrick Story stated their objection to the sale of tax-forfeited properties within Wilma Township. Discussion was held as to memorialized lands with Commissioners Hallan and Ludwig stating the need for a public process before any memorial forests be reclassified to non-conservation land. During discussion, it was determined a miscommunication had occurred between Wilma Township and Pine County as to Wilma Township tax-forfeited property to be sold this year. It was clarified the only Wilma Township property to be sold this year was parcel 32.0097.000 split, NE¼ and N½ of SE¼, 11-42-17 (Schmedeke - 240 acres).

Motion by Commissioner Ludwig to 1) reaffirm the following Resolutions passed at the January 21, 2014 Pine County Board Meeting: Resolution 2014-03 Resolution to Retain and Withdraw 2013 Land Auction Parcels, Resolution 2014-04 Resolution for 2014 Pine County Tax-Forfeited Land Classification (Non-Conservation), 2014-05 Resolution for Repurchase and Contract Re-Instatement Deadline 2014, and 2014-06 Resolution for Tax-Forfeited Land Sale Preparation of Public Waters and Associated Properties. Second by Commissioner Pangerl. Motion carried 4-0.

With no further comment, Acting Chair Chaffee closed the public meeting at 10:45 a.m.

2. Personnel

A. Commissioner Ludwig stated the Personnel Committee met July 8, 2014 and made the following recommendations:

Jail:

- i. Acknowledge termination of probationary Part-Time Corrections Officer Jason Teeman, effective June 26, 2014.

Administrator:

- i. Approve update to Pine County Policies and Procedures Section 26 – Pine County Paid Time Off & Vacation Donation Program Policy.
- ii. Approve update to Pine County Policies and Procedures Section 10, subparagraph 10.5 – Compensation.
- iii. Approve 2014 non-union performance pay system.
- iv. Approve Pine County retiree health plan switch to Medicare Part D coverage with Platinum Blue and Senior Gold plans.

Other items are for informational purposes only.

Commissioner Ludwig gave an overview of the Personnel Committee meeting, commenting there will be considerable savings to the county and retirees with the switch to Medicare Part D coverage with Platinum Blue and Senior Gold plans for the retiree health plans.

Motion by Commissioner Chaffee to approve the recommendations made by the Personnel Committee. Second by Commissioner Ludwig. Motion carried 4-0.

B. County Administrator David Minke stated an agreement has been reached with the Road and Bridge Supervisors Unit for their contract period January 1, 2014 – December 1, 2015.

Motion by Commissioner Hallan to approve the Road and Bridge Supervisors Unit contract for the period of January 1, 2014 – December 1, 2015 and authorize Board Chair and County Administrator to sign. Second by Commissioner Ludwig. Motion carried 4-0.

3. Facilities Committee

Pine County Facilities Committee met on July 1, 2014. Commissioner Pangerl stated a meeting is scheduled for July 21, 2014 at 10:00 a.m. with Pine City Mayor Paul Janssen and Council Member Steve Ovick to proceed with the discussion of the city's interest in the Pine Government Center.

4. East Central Regional Development Commission Update

East Central Regional Development Commission Executive Director Robert Voss and Transportation Planner Bob Bollenbeck provided an update as to the services provided to Pine County by the ECRDC.

4A. Tommy's Lakeside Bar & Grill LLC

County Attorney John Carlson commented on the application of Tom Utermoehl's, owner of Tommy's Lakeside Bar & Grill LLC (formerly known as Beach Rocks LLC), for (2) new on-off sale liquor licenses for the remaining license period ending August 31, 2014. Carlson recommended the application not be approved stating a citation for illegal sale of liquor will be issued. No action was taken by the board.

5. Essentia Health/Pine County Mutual Bill of Sale

This item was previously before the Board on June 17, 2014. County Auditor-Treasurer Clemmer had discussed with the State Auditor the Sheriff's Office request to trade vehicles between Pine County and Essentia Health; the State Auditor recommended the topic be tabled until further information could be obtained. County Attorney John Carlson has researched the law and stated the trade of vehicles is not allowable by statute and the county should not condone the sale. Discussion was held wherein Carlson stated the county could receive a donated vehicle, however the county cannot donate a vehicle to another entity. No action was taken by the board.

6. Award Bid for Contract #1403

County Engineer Mark LeBrun stated July 7, 2014 two bids were received/opened for Contract #1403. The engineer's estimate was \$1,672,013.58, JR Ferche bid \$1,485,993.25 and A-1 Excavating bid \$1,246,771.45, which was determined to be the lowest responsible bidder. A-1 Excavating did not include the entire bid proposal, however did include all necessary documents, signatures and bid tabs necessary. It was determined by the county attorney this missing information did not affected the bid and not providing the entire bid proposal would be considered an informality and/or technicality. Contract #1403 includes: CP 058-014-002, 3rd Avenue SE; CP 058-014-004 5th Street SE; SAP 058-607-022 CSAH 7 and Hillside Avenue Traffic Signal Improvement; SAP 058-608-017 CSAH 8, from CSAH 61 to 2nd Street SE; and SAP 058-661-023 CSAH 61 and CSAH 7 Traffic Signal Improvement. The A-1 Excavating bid came in 25% under the engineer's estimate.

Motion by Commissioner Hallan to waive the informality and award the bid for Contract #1403 to A-1 Excavating, the lowest responsible bidder, in the amount of \$1,246,771.45. Second by Commissioner Ludwig. Motion carried 4-0.

7. Award Bid for Contract #1404

County Engineer Mark LeBrun stated bid opening for Contract #1404 occurred July 14, 2014 and recommended the contract be awarded to the lowest responsible bidder, Midwest Contracting, LLC. Contract #1404 includes: SAP 058-605-007, located on CSAH 5, between CSAH 1 and Kanabec County Line. The Midwest Contracting, LLC bid came in .26% over the engineer's estimate.

Motion by Commissioner Pangerl to award the bid for Contract #1404 to Midwest Contracting, LLC, the lowest responsible bidder, in the amount of \$3,518,992.05. Second by Commissioner Hallan. Motion carried 4-0.

7A. Bridge on Pokegama Lake Road over Snake River

County Engineer Mark LeBrun provided an update to damage of the bridge on Pokegama Lake Road over the Snake River.

8. Settlement Agreement – Rasmusson v. City of Bloomington, et al. (Pine County)

County Attorney John Carlson presented the terms of the agreement reached at mediation on May 28, 2014. Discussion was held and Carlson stated Pine County's financial responsibility is its deductible amount of \$2,500.

Motion by Commissioner Hallan to approve (1) Resolution 2014-27 authorizing MCIT to enter into the Settlement Agreement and Release of Claims and (2) the Settlement Agreement and authorize the Acting Board Chair and County Administrator to sign. Second by Commissioner Chaffee. Motion carried 4-0.

8A. Sandstone Economic Development Authority

The Board acknowledged receipt of correspondence from the Sandstone Economic Development Authority asking for the county's reconsideration of participation in the Northern Lights Express project. Suggestion was made that discussion on this be held at an upcoming budget committee meeting.

8B. Settlement Agreement – Konz vs. Schowalter, et al (Pine County)

County Attorney John Carlson presented the terms of the agreement. Discussion was held and Carlson stated Pine County's financial responsibility is its deductible amount of \$2,500.

Motion by Commissioner Hallan to approve (1) Resolution 2014-28 authorizing MCIT to enter into the Settlement Agreement and Release in Court File 62-CV-13-5165 and (2) the Settlement Agreement and authorize the Acting Board Chair and County Administrator to sign. Second by Commissioner Ludwig. Motion carried 4-0.

9. Commissioner Updates

Soil & Water Conservation District: Commissioner Ludwig provided an update on the Cathedral Pines project.

East Central Solid Waste Commission (ECSWC): Commissioner Hallan stated the ECSWC toured the transfer station in Cambridge. Commissioner Hallan also commented on the adding of a new cell.

East Central Regional Library Board: Commissioner Chaffee stated there was not a July 14, 2014 board meeting, however a budget meeting was held. Another budget meeting will be scheduled.

Methamphetamine Task Force: Commissioner Ludwig stated Chief Deputy Rick Giese joined the task force; DARE funds were discussed; Request for Proposals were sent to school districts to train schools on drugs.

10. Other

None.

11. Upcoming Meetings

Upcoming meetings were reviewed and two meetings were cancelled:
Rush Line Corridor, July 17, 2014 and NLX, July 23, 2014.

12. Adjourn

With no further business, Acting Chair Chaffee adjourned the county board meeting at 12:20 p.m. The next regular meeting of the county board is scheduled for August 5, 2014 at 1:00 p.m. at the Public Health Building, Sandstone, Minnesota.

Steve Chaffee, Acting Chair
Board of Commissioners

David J. Minke, Administrator
Clerk to County Board