

PROCEEDINGS OF THE STEELE COUNTY BOARD OF COMMISSIONERS

SPECIAL SESSION

April 26, 2011

STATE OF MINNESOTA)

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COUNTY OF STEELE)

The Steele County Board of Commissioners met in Special Session at 7:00 p.m. on April 26, 2011 with Commissioners Ebeling, Johnson, Kubicek, Shea and Schultz present. Also present were Human Services Director Charity Floen, County Engineer Anita Benson, Planning and Zoning Director Dale Oolman, County Treasurer Steve Rohlik, County Sheriff Lon Thiele, County Attorney Dan McIntosh, County Administrator Riaz Aziz, Humans Resource Director Patty Krueger and County Auditor Laura Ihrke.

Call to order and Pledge of Allegiance.

Motion by Commissioner Kubicek, seconded by Commissioner Shea to approve the agenda with the addition of items number G8-a petition to seek review from the Supreme Court and G9-Magic Resolution. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Kubicek to approve the minutes of April 12th, 2011. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Kubicek to approve the Agreement with the City of Ellendale for CSAH 38 for sewer and water. Ayes all.

Motion by Commissioner Shea, seconded by Commissioner Johnson to approve the Land and Tower Lease Agreement with OPU and the Owatonna School District for 800 MHz. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Schultz to approve the low bid of Oakview Lawn Mowing Service for mowing at the county parks. Ayes all.

Commissioner Shea offered a Resolution, seconded by Commissioner Schultz for the Youth First Initiative beginning in 2012. Upon the vote being taken 5 commissioners voted in favor there of, none absent not voting. A copy of the resolution is on file in the Auditor's office.

Motion by Commissioner Shea, seconded by Commissioner Johnson to authorize the County Attorney to petition to seek review by the Supreme Court for the Court of Appeals decision issued April 12, 2011 related to provider choice. Ayes all.

Commissioner Schultz offered the following Resolution, seconded by Commissioner Kubicek in regards to the Magic Act.

WHEREAS, Minnesota is consistently placed at or near the bottom of national measures that assess the capacity for local government innovation in all 50 states,

WHEREAS, Minnesota and its counties face significant demographic trends that will require innovative approaches to program delivery in order to adequately meet the growing and changing needs of citizens;

WHEREAS, counties with innovative ideas should be provided the requisite opportunity and flexibility to successfully implement those ideas so as to best serve their communities,

WHEREAS, counties across Minnesota boast significant geographic, demographic and economic diversity that thus requires maximum flexibility in programmatic implementation,

WHEREAS, counties are willing and able to identify, implement and methodically verify increased programmatic efficiencies through a process that will cultivate and sustain a strong and trusting state-local partnership, and

WHEREAS, transitioning to an outcomes-based system of program evaluation is in the best interest of every Minnesota citizen and government that desires to maximize public resources and enhance the quality of life in their community to the fullest extent possible,

BE IT THEREFORE RESOLVED, that Steele County recommends that the Legislature and governor work cooperatively with all 87 counties to swiftly pass the MAGIC Act into law during the 2011 legislative session, thus implementing a system that will enhance and incent local government efficiency and innovation throughout Minnesota by:

1. Allowing counties to take any action not prohibited by state law to provide for the health, safety and general welfare of the public; and
2. Creating a measured, outcomes-based waiver process whereby counties, in partnership with the legislative and executive branch of state government, can implement efficiency-based, time-limited pilot programs that are subject to final review by the Legislature and governor and will create a repository of best practices so as to improve long-term policy decisions across the state.

Upon the vote being taken 5 commissioners voted in favor thereof, none absent and not voting. A copy of the resolution is on file in the Auditor's Office.

Motion by Commissioner Kubicek, seconded by Commissioner Johnson to initiate and coordinate an effort with the appropriate parties to try to resolve the problems of the Beaver Lake cabin owners and to make a formal request to the Soil and Water Conservation District to develop concept for resolutions. Ayes all.

Commissioner Johnson offered the following Resolution, seconded by Commissioner Shea for the County Noxious Weed List. The list is as follows:

WHEAREAS, noxious weeds can have economic, environmental and health implications; and

WHEREAS, the State of Minnesota in 2010 reassigned noxious weeds to different categories of enforcement; and

WHEREAS, the past county noxious weed list will no longer be in effect; and

WHEREAS, the Steele County Township Supervisors requested the inclusion of the past noxious weed list to be part of the county noxious weed list;

NOW, THEREFORE, BE IT RESOLVED that the following weed be classified as county noxious weeds.

1. Black Nightshade
2. Velvetleaf
3. Cocklebur
4. Wild Proso Millet

Upon the vote being taken 5 commissioner voted in favor there of, none absent not voting. A copy of the resolution is on file in the Auditor's Office.

Commissioner Kubicek offered the following Resolution, seconded by Commissioner Johnson to begin the required Mid-term 5 Year Amendment to the County Water Plan Implementation Section as follows:

WHEREAS, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a local water management plan, and

WHEREAS, Steele County currently has a state approved local water management plan that covers the period of January 2007 through December 2016, and

WHEREAS, the state's Findings of Fact, Conclusion, and Order dated January 24, 2007 approving the Steele County local water management plan specifies that an update to the implementation section (Goals, Objectives, and Actions) of the plan is required to be completed by December 31, 2011, and

NOW, THEREFORE, BE IT RESOLVED, that the Steele County Board of Commissioners intend to amend the current local water management plan by providing the required update of the implementation section of the plan by the end of 2011.

BE IT FURTHER RESOLVED that Steele County will coordinate its planning efforts with all local units of government within the county, and the state review agencies.

BE IT FURTHER RESOLVED that the Steele County Board of Commissioners delegates the Environmental Services Office with the responsibility of amending the plan pursuant to M.S. 103B.301 and reporting to the County Board on a periodic basis.

Upon the vote being taken 5 commissioners voted in favor there of, none absent not voting. A copy of the resolution is on file in the Auditor's Office.

Motion by Commissioner Shea, seconded by Commissioner Schultz to not utilize the Special Tax Authority to generate funds to pay for Maple Creek Watershed Hydrology Study at this time and will continue investigating this option for other ventures. Ayes all.

Commissioner Kubicek offered the following Resolution, seconded by Commissioner Shea as follows:

WHEREAS, the Steele County Board of Commissioners have approved of Steele County participating in the Wetlands Preservation Areas program; and

NOW, THEREFORE BE IT RESOLVED THAT THE Steele County Board of Commissioners delegates administrative responsibility under the Wetland Preservation Areas program to:

The Steele County Soil and Water Conservation District to:

- accept and process applications,
- maintain WPA records,
- notify landowner and appropriate governmental agencies of approval or denial, and to
- conduct annual spot checks and handle non-compliance situations; and
- review records and valuations

The County Recorder to:

- record the Restrictive Covenant (or notice of termination, when necessary),
- return covenant to owner, and
- notify county offices that covenant is recorded.

The County Auditor to:

- certify to the Department of Revenue the total amount of revenue lost as part of the abstract of tax list filed with the Department of Revenue.

BE IT FURTHER RESOLVED, THAT THE Steele County Board of Commissioners authorizes the SWCD Board of Supervisors to approve applications and charge a \$146 application fee, which pays the recording fee, if the application is approved, and other administrative costs.

Upon the vote being taken 5 commissioner voted in favor there of, none absent not voting. A copy of the resolution is on file in the Auditor's Office.

Motion by Commissioner Shea, Seconded by Commissioner Schultz to approve the Integrator Upgrade at the Detention Center for locks and doors for the jail at a estimated cost of \$25,755 with the cost being paid out of the Jail budget. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Schultz to approve the \$5,000 grant to the City of Blooming Prairie for a basketball court to be paid out of the Park & Recreation budget. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Johnson to approve the quote to replace one compressor at The Four Seasons in amount of \$7,491 to be paid out of The Four Seasons budget. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Shea to approve the Ice Rates for the 2011/2012 season with the prime at \$150 per hour summer of 2012 \$130 per hour an OYHA at \$125 per hour. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Schultz to approve proceeding with the second phase of painting the outside of the court house at an estimated cost of \$15,000-\$20,000. Ayes all.

Motion by Commissioner Shea, seconded by Commissioner Schultz to leave in committee the request to eliminate the Human Relations Center part-time person and have program staff absorb those duties. Ayes all.

Commissioner Johnson offered the following Resolution, seconded by Commissioner Kubicek for background check,

WHEREAS, Steele County has employees who handle substantial sums of public money or securities; and,

WHEREAS, Steele County employs individuals whose employment places them in positions which could affect the personal property and safety of other employees, clients and members of the public; and,

WHEREAS, Steele County has employees and volunteers who drive County vehicles and/or provide transportation to clients and/or other members of the public on official County business; and,

WHEREAS, the County has a need to verify the criminal histories and/or driver's license records of individuals being considered for and occupying these positions:

NOW, THEREFORE, BE IT RESOLVED that the Steele County Board of Commissioners designates the Law Enforcement Records Department as the agency which will have access to the Bureau of Criminal Apprehension's computer system to verify criminal and driver's license history data on applicants, volunteers and employees who occupy or are finalists for financially-sensitive, safety-sensitive and transport positions within the County.

BE IT FURTHER RESOLVED that division managers and department heads shall provide the Human Resources Director with a list of positions within their division or department. Which, in their judgment, fall within the categories set forth above.

BE IT FURTHER RESOLVED that the Sheriff and Public Health Nursing Departments have their own policies for conducting background checks of its employees and new hires, are exempted from this resolution.

Upon the vote being taken 5 commissioner voted in favor there of, none absent not voting. A copy of the resolution is on file in the Auditor's Office.

Motion by Commissioner Schultz, seconded by Commissioner Shea to approve of the following Personal Actions: Erin Edwards-PT-OSA III-Records/Detention Center, Grade 15, Step 5 Eff. 4/25/11; Alicyn Hinze Correctional Officer, Grade 22, Step 0 Eff. 4/25/11; Holly Arndt-Resignation-Social Worker/Human Services, Eff. 3/29/11 and Tina Tyler-Resignation-Correctional Officer, Eff. 4/27/11. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Shea to go into closed session. Ayes all.

Motion by Commissioner Shea, seconded by Commissioner Johnson to go into open session. Ayes all.

Motion by Commissioner Shea, seconded by Commissioner Schultz to approve the following listing of bills and Human Services in the amount of \$190,832.89. Ayes all.

LISTING OF BILLS

4/26/2011

A'viands LLC	8,640.70
Braun Interetec Eng Inc	3,676.45
Cavalier Coaches Inc	42,517.18
Cedar Lake Electric	8,767.00
Central Valley Cooperative	11,228.87
City of Ellendale	2,194.50
Computer Profess Unlimited	3,804.70
Erickson Engineering	4,625.00
ESRI Inc	7,940.39
Gilson Company	5,673.50
Hayward Group Home	4,489.98
JR's Advanced Recyclers	6,438.20
Kraus Anderson Construction	80,647.00

Local Government Info	18,920.00
MCF-Red Wing	10,920.00
MN Counties Insurance Trust	2,387.95
MN Office of Enterprise Tech	5,937.50
NEC Financial Services LLC	4,269.61
North American Salt Co	13,614.58
Olmsted County Com SVCS	3,795.00
Ruffridge Johnson Equip Co	15,016.49
Sheriffs Youth Program	2,862.85
Steele County Revenue	8,651.95
Steele County Treasurer	6,225.99
TW Vending	4,122.41
Waste Management	30,961.06
136 warrants under \$2,000.00	56,639.69
Total	\$318,328.86

Motion by Commissioner Johnson, seconded by Commissioner Kubicek to adjourn to the call of the chair at 8:47 pm. Ayes all.

CHAIRMAN

ATTEST: _____
 AUDITOR